

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Authorities/Commissions/Compacts</b>	<b>HB 1241: Metropolitan Planning Organizations Membership. (Oder)</b> Provides that any metropolitan planning organization may vote, with the concurrence of the Governor, to have its membership expanded to include members of the House of Delegates, as selected by the Speaker, and members of the Senate, as selected by the Senate Committee on Rules.	Passed House and Senate
<b>Bike/Pedestrian</b>	<b>SB 228: Pedestrians Crossing Highways. (Barker)</b> Clarifies the duties of vehicles to stop to allow pedestrians to cross highways at marked crosswalks.	Passed Senate; in House Transportation Subcommittee #2
<b>Condemnations/Eminent Domain</b>	<b>HB 81: Compensation of Condemnation Jurors. (Knight)</b> Equalizes the pay of jurors in condemnation cases with that of regular jurors. Currently, regular jurors are paid \$30 per day once summoned and appearing for jury duty, and condemnation jurors are paid \$60 per day only if they are empanelled on the jury. This bill would pay each juror \$30 per day for being summoned and appearing.	Passed House; in Senate Courts of Justice Committee
	<b>HB 516/SB 405: Condemnations Highway Construction. (Rust/Petersen)</b> Identifies VDOT as the party responsible for compiling interest accrued when the amount of an award in a highway construction-related condemnation proceeding is greater than that deposited with the court or through a certificate of deposit. (Admin Bill)	HB 516: Passed House and Senate  SB 405: Passed Senate; in House Transportation Committee
	<b>HB 651: Use of Commissioners in Eminent Domain Cases. (Armstrong)</b> Reinstates the option of the landowner to choose between commissioners and juries to hear an eminent domain case. That the provisions of this act shall apply only to actions filed after July 1, 2010.	Amended, Passed House; in Senate Courts of Justice Committee

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Condemnations/Eminent Domain (cont.)</b>	<b>HB 652: Eminent Domain Just Compensation. (Armstrong)</b> Provides that any restriction, change, or loss of access to or from property taken under the power of eminent domain shall be considered as an element in assessing the damages to the residual. As used in this subsection, "restriction, change, or loss of access" includes the prohibition of making right or left turns into or out of the property involved onto an adjacent highway, provided that such access was present before the proposed taking. An emergency exists and this act is in force from its passage.	Amended, Passed House; in Senate
<b>CTB/Commissioner</b>	<b>HB 418/SB 255: CTB Rules and Regulations. (Oder/Miller)</b> Provides that any rules and regulations promulgated by the CTB shall be developed in accordance with the Administrative Process Act. (Admin Bill)	HB 418: Passed House and Senate  SB 255: Passed Senate; in House Transportation Committee
<b>Environment</b>	<b>HB 1220: Stormwater Management Regulations. (Hugo)</b> Extends the effective date of the regulation that establishes local program criteria and delegation procedures and the water quality and water quantity criteria based on the completion of the Virginia Total Maximum Daily Loads (TMDL) Implementation Plan for the Chesapeake Bay Nutrient and Sediment TMDL approved by EPA and the regulations thereafter adopted to implement the Plan. (Incorporates HB 155 and HB 1311)	Substitute Passed House; in Senate Agriculture, Conservation and Natural Resources Committee

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Funding/Revenues/Taxes</b>	<p><b>HB 276: Highway Maintenance Funds. (Albo, Rust)</b>            Requires the CTB, when allocating funds for the interstate, primary, and secondary system of state highways, to consider achieving a minimal level of disparity among highway construction districts in meeting asset performance standards. Prior to the allocation of funds, the Board shall release for public review a comparison of the proposed allocation of funds by highway construction district with an allocation of funds based entirely on specific asset performance standards by highway construction district.</p>	Substitute Passed House; in Senate Transportation Committee
	<p><b>HB 391: Payments to Cities and Towns for Maintenance of Certain Highways. (Lohr)</b>            Prohibits payments to be made by the Commissioner to any city or town unless the portion of the highway for which payment is made either has an unrestricted right-of-way at least 50 feet wide, or at least 40 feet wide if constructed on or after January 1, 2011 and classified as a local street; and a hard-surface width of at least 30 feet, or at least 22 feet if constructed on or after January 1, 2011 and classified as a local street.</p>	Amended, Passed House; in Senate Transportation Committee
	<p><b>HB 421: Allocation by CTB of Funds for Transit Projects. (Hope)</b>            Allows the CTB, prior to the annual adoption of the Six-Year Improvement Program, to allocate up to 20 percent of the funds in the Commonwealth Mass Transit Fund designated for capital purposes to transit operating assistance if operating funds for the next fiscal year are estimated to be less than the current fiscal year's allocation, to attempt to maintain transit operations at approximately the same level as the previous fiscal year.</p>	Substitute Passed House; in Senate Transportation Committee

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Funding/Revenues/Taxes (cont.)</b>	<b>HB 665: Transportation Trust Fund. (May)</b> Requires the Governor, in submitting his biennial budget bill, to provide for additional appropriations to the TTF from general fund revenues in cases in which general fund revenues for a fiscal year are projected to grow by at least three percent. Any additional appropriation to the TTF recommended by the Governor would be required to be in an amount not less than one percent of the projected growth in general fund revenues for the fiscal year. (SB 694) (Governor's Bill)	Passed House; in Senate
	<b>HB 756: Royalties from Offshore Drilling. (Stolle, Oder)</b> Requires that at least 70 percent of any revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be deposited to the TTF; 20 percent to the Virginia Coastal Energy Research Consortium and 10 percent to the localities for improvements to infrastructure and transportation. (Governor's Bill)	Substitute Passed House; in Senate Finance Committee
	<b>HB 806: Virginia Alternative Fuels Revolving Fund. (Poindexter)</b> Adds improvement of infrastructure such as refueling stations as a goal of the Fund. Requires that the Commissioner aggressively pursue grants and other sources of funding for the Fund.	Passed House; in Senate Transportation Committee
	<b>HB 970: Designation of Annual Surplus to the Transportation Trust Fund. (Rust)</b> Increases from two-thirds to 75 percent the amount of the general fund surplus designated to the TTF within the Comptroller's annual report following the close of each fiscal year. The governor would include in his budget bill an amount for deposit into the TTF equivalent to the amount designated by the Comptroller. (Governor's Bill)	Passed House; in Senate Finance Committee

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Funding/Revenues/Taxes (cont.)</b>	<b>HB 1013: Virginia Infrastructure in Urban Development Areas Loan Fund. (Athey)</b> Creates the Virginia Infrastructure in Urban Development Areas Loan Fund that will administered by the Virginia Resources Authority. Money in the Fund would be used exclusively for the financing of transportation improvements, small water facility, and wastewater treatment facility projects located or to be located within an urban development area and undertaken by a local government. Priority for loans would be given to projects that will serve two or more local governments to encourage regional cooperation.	Substitute Passed House; in Senate Local Government Committee
	<b>HB 1158: Regional VDOT Construction Accounts. (Oder)</b> Provides for the establishment of regional accounts to be used by the CTB for allocation of funds for specific primary and secondary projects within the region wherein the revenue is from new transportation revenues on or after July 1, 2010 is generated. This system of allocation is to be in addition to and not a replacement for other transportation construction fund allocation formulas. (Governor's Bill)	Substitute Passed House; in Senate
	<b>HB 1329: State Motor Fuels Sales Tax in Northern Virginia. (Lingamfelter)</b> Defines "gross sales" and "sales price" for purposes of the state motor fuels sales tax in Northern Virginia. "Gross sales" means the same as its definition in provisions of the Retail Sales and Use Tax and would exclude separately stated federal diesel excise taxes. "Sales price" means the same as its definition in provisions of the Retail Sales and Use Tax but would include all transportation and delivery charges, even if separately stated.	Passed House; in Senate

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Funding/Revenues/Taxes (cont.)</b>	<b>SB 285: Unpaved Secondary Road Fund. (Deeds)</b> Provides that after July 1, 2009, for every \$500,000 of a county's unpaved road fund the county elects to allocate to its secondary system construction funds, a mile or proportional part of one mile shall be deducted from the county's unpaved road mileage used to determine the county's subsequent year unpaved road fund distribution.	Substitute Passed Senate; in House
	<b>SB 513: Virginia Racing Commission. (Norment)</b> Allocates the proceeds from racing with 42 percent of the proceeds distributed to the Commonwealth Transportation Trust Fund to be used for highway construction and the remaining 58 percent distributed to other entities. However, to the extent that the aggregate contribution to the horsemen's purse accounts and the Virginia Breeders Fund exceeds \$30 million in any calendar year, such amount to be adjusted for changes from July 1, 2010, in the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U. S. Department of Labor, as of July 1 of each year, the amount of such excess shall be paid into the Commonwealth Transportation Trust Fund.	Substitute Reported from Senate General Laws and Technology Committee; Amended, Reported from Senate Finance Committee; 1 <sup>st</sup> Reading
	<b>SB 607: Assignment of Certain General Funds by the Comptroller. (Stosch)</b> Changes the description in the Comptroller's annual report of the allocation of certain surplus general fund balances for nonrecurring expenditures, and for the TTF, from "designates" to "assigns." The bill also changes the description of such surplus funds from fund balance not otherwise "reserved or designated," to fund balance not otherwise "restricted, committed, or assigned."	Substitute Passed Senate; in House Appropriations Committee

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Handbills</b>	<p><b>HB 162: Distribution of Handbills, etc., Solicitation of Contributions, and Sale of Merchandise on Highways and Medians. (Orrock)</b>                      Adds medians to list of places certain localities can prohibit distribution of handbills, solicitations of contributions, and sale of merchandise. (Similar to HB 350, SB 35)</p>	Passed House; in Senate Transportation Committee
	<p><b>HB 350: Distribution of Handbills, etc., and Sale of Merchandise or Services on Highways. (Rust)</b>                      Grants any locality the power to regulate and prohibit distribution of handbills, etc., and solicitation of contributions, and sale of merchandise on highways located within its boundaries or on public roadways or medians. The bill also adds the sale of services or attempted sale of services as a prohibited activity. Incorporates HB 534, HB 1139, and HB 1284.</p>	Substitute Passed House; in Senate Transportation Committee
	<p><b>SB 35: Distribution of Handbills, etc., Solicitation of Contributions and Sale of Merchandise on Highways. (Lucas)</b>                      Makes the power to regulate and prohibit distribution of handbills, leaflets, bulletins, etc., on highways a statewide authority. (Also HB 350)</p>	Passed Senate; in House Transportation Subcommittee #1
<b>Highways/Bridges/Signs</b>	<p><b>HB 197: Acceptance of Subdivision Streets into State Secondary Highway System. (Ware, R.)</b>                      Provides that VDOT will allow the acceptance of any street or segment of a street within a network addition that meets one or more of the public service requirements addressed in the regulations provided that the network addition satisfies all other requirements adopted pursuant to this section. In cases where a majority of the lots along the street or street segment remain undeveloped and construction traffic is expected to utilize that street or street segment after acceptance, the bonding requirement for such street or street segment may be required by the Department to be extended for up to one year beyond that required in the secondary street acceptance requirements.</p>	Substitute Passed House; in Senate Transportation Committee

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
Highways/Bridges/Signs (cont.)	<p><b>HB 209: Outdoor Signs and Advertising. (Bulova)</b>            Provides that all penalties and costs collected for violations of advertising provisions when the locality has entered into an agreement with the VDOT Commissioner shall be paid to the affected locality. Excludes signs and advertising erected only from Saturday through the following Monday from those agreements with the Commissioner.</p>	Passed House; in Senate
	<p><b>HB 222: Secondary Highway System Design Standards. (Watts, et al)</b>            Requires VDOT to work with DRPT and any jurisdiction having the urban county executive form of government to review new design standards for state secondary highway system components in urban and urban development areas proposed by the jurisdiction. The standards shall be subject to several criteria and shall not be in conflict with the Secondary Street Acceptance Requirements. Standards developed as required by this section shall be completed and in force no later than December 1, 2011.</p>	Substitute Passed House; in Senate Transportation Committee
	<p><b>HB 333: Naming Highways. (Marshall, R.)</b>            Allows the CTB to name a highway, bridge, transportation facility, or interchange for a living person, group, or business entity if the cost of construction is paid by the person, group, or business entity, and has not already been named for a deceased individual. Requires VDOT to place and maintain appropriate signs.</p>	Amended, Passed House; in Senate Transportation Committee
	<p><b>HB 378: Golf Carts. (Lewis)</b>            Provides that in towns with a population of 2,000 or less, a golf cart or utility vehicle may cross a highway at an intersection conspicuously marked as a golf cart crossing with signs posted by VDOT if the highway has a posted speed limit of no more than 35 miles per hour and the crossing is required as the only means to provide golf cart access from one part of the town to another part of the town.</p>	Substitute Passed House; in Senate Transportation Committee



## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
Highways/Bridges/Signs (cont.)	<b>HB 530: "Historic Route 1." (Nixon, Cox)</b> Designates U.S. 1 in Chesterfield County and the City of Colonial Heights "Historic Route 1."	Passed House; Amended, Passed Senate
	<b>HB 543: Maintenance of Highways at Grass Cutting. (Marshall, D., Merricks)</b> Authorizes the use of prisoner labor to maintain the medians or other nontraveled portions of state highways.	Passed House; in Senate Rehabilitation and Social Services Committee
	<b>HB 553/SB 64: Regulation of Signage in Highway Rights of Way. (Marshall, D./Lucas)</b> Provides that if a county enters into an agreement with the Commissioner authorizing local law-enforcement agencies to act as an agent of the Commissioner to enforce the provisions in § 33.1-373 of the Code, the county must require each of its employees and any volunteers who are authorized to act on behalf of the county to comply with the provisions of this section and any other applicable law. If a sign is confiscated by an employee or volunteer authorized to act for the county in violation of this section, the sign owner shall have the right to reclaim the sign within 10 business days of the date of such confiscation. Also limits the definition of excavation to not include installation of a sign that is installed by pushing metal, plastic or wooden poles in the ground.	HB 553: Substitute Passed House; in Senate Transportation Committee  SB 64: Substitute Passed Senate; in House Transportation Committee
	<b>HB 810: Vehicle Lengths. (Scott, E.)</b> Increases the allowable length of triple saddle mount combination vehicles operated on the National Network of interstate and primary highways to 97 feet. (Admin Bill)	Passed House and Senate

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Highways/Bridges/Signs (cont.)</b>	<b>HB 848/SB 371: Improvements to Route 711. (Morefield/Puckett)</b> Provides that Buchanan County may enter into an agreement with Pike County, Kentucky, to improve Route 711.	Passed House; in Senate Privileges and Elections Committee  Passed Senate; in House Transportation Committee
	<b>HB 849/SB 373: Off-Road Recreational Vehicles. (Morefield/Puckett)</b> Authorizes localities embraced by the Southwest Regional Recreation Authority to allow the operation of any off-road recreational vehicles on highways within its boundaries that have a maximum speed limit of no more than 25 miles per hour and for a distance of no more than five miles on any highway that has a maximum speed limit of more than 25 miles per hour. Any ordinance shall define "off-road recreational vehicle." Any operation shall be subject to various conditions, and additional restrictions and limitations as the locality by ordinance may impose. (HB 849 incorporates HB 1175)	HB 849: Substitute Passed House; in Senate Transportation Committee  SB 373: Substitute Passed Senate; in House
	<b>HB 1109: Virginia Route 27. (Brink, et al)</b> Designates Virginia Route 27 adjacent to the Pentagon in Arlington County as the "9/11 Heroes Memorial Highway." VDOT shall place and maintain signs indicating this designation. This designation shall not affect any other designation heretofore or hereafter applied to this route.	Substitute Amended, Passed House and Senate
	<b>HB 1159: "Move Over" Law. (Oder)</b> Requires drivers to move left on a four lane highway when approaching vehicles displaying flashing blue, red or amber lights. Violation of any provision of this section shall be punishable as a traffic infraction, except that a second or subsequent violation of any provision of this section, when such violation involved a vehicle with flashing, blinking, or alternating blue or red lights, shall be punishable as a Class 1 misdemeanor. The provisions of this section shall not apply in highway work zones. (Incorporates HB 403)	Substitute Passed House; in Senate

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
HOV/HOT Lanes	<p><b>HB 214: Clean Special Fuel License Plates. (Greason, et al)</b>            Extends until July 1, 2011, the sunset on use of HOV lanes by clean special fuel vehicles, regardless of the number of occupants. (Incorporates HB 320 and HB 980)</p>	Substitute Passed House; in Senate Transportation Committee
	<p><b>HB 746: Toll Payments Penalty. (Rust)</b>            Provides that the operator of any toll facility or the locality within which such toll facility is located may install and operate a video-monitoring system in conjunction with an automatic vehicle identification system on facilities that do not offer manual toll collection. The video-monitoring system shall include electronic systems that monitor and capture images of vehicles using the toll facility to enable toll collection for vehicles that do not pay using a toll collection device. Requires the operator of the toll facility to send an invoice or bill for unpaid tolls to the registered owner of a vehicle as part of a video-monitoring toll collection process, prior to seeking remedies under this section. Also includes an enactment clause requiring the Commissioner, in consultation with the DMV Commissioner, to convene a working group of toll facility operators and other stakeholders and submit a report by December 15, 2010 (1) examining the impact of increased development of toll roads on the ability of the courts to carry out the provisions of this act, (2) evaluating ways to improve processes for enforcing toll violation laws, and (3) examining opportunities for alternative toll violation resolution.</p>	Substitute Passed House; in Senate Transportation Committee
	<p><b>HB 759/SB 696: HOV Lanes Use by Military Personnel. (Stolle/McWaters)</b>            Allows any active duty military member in uniform who is utilizing I-264 and I-64 for the purposes of traveling to or from a military facility in the Hampton Roads Planning District to use HOV lanes. SB 696 includes an enactment clause specifying that the provisions of the act shall only become effective upon approval by FHWA. (HB 759 incorporates HB 788)</p>	<p>HB 759: Substitute Passed House; in Senate Transportation Committee</p> <p>SB 696: Substitute Passed Senate; in House Transportation Committee</p>

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>HOV/HOT Lanes (cont.)</b>	<p><b>SB 404: Clean Special Fuel Vehicles. (Petersen)</b> Removes the requirement that the Commissioner provide written regulations before DMV may issue government-use license plates for clean special fuel vehicles. Provides that only vehicles registered with and displaying clean special fuel license plates issued prior to July 1, 2006 may use the HOV lanes serving the I-64/264 corridor (in addition to the I-95/395 corridor). Also adds new energy sources to the definition of clean special fuel vehicles.</p>	Substitute Passed Senate; in House Transportation Committee
	<p><b>SB 552: HOV Lanes. (Barker, Colgan)</b> Extends the "sunset" on use of HOV lanes by clean special fuel vehicles, regardless of the number of their occupants, until July 1, 2011. For HOV lanes serving the I-66 corridor, only vehicles registered with and displaying special license plates issued prior to July 1, 2010, shall be treated as vehicles displaying special license plates. Also requires qualifying vehicles to be issued a third design of distinctively different clean special fuel license plates on and after July 1, 2010.</p>	Substitute Passed Senate; in House
<b>Impact Fees/Proffers</b>	<p><b>HB 374/SB 632: Cash Proffers Acceptance by Localities. (Cosgrove/Obenshain)</b> Delays collection or acceptance of a cash proffer by a locality only after completion of the final inspection of the subject property and prior to the time of the issuance of any certificate of occupancy.</p>	<p>HB 374: Amended, Passed House; in Senate Local Government Committee</p> <p>SB 632: Passed Senate; in House Counties, Cities and Towns Committee</p>
<b>Land Use</b>	<p><b>HB 882: Transfer of Development Rights. (Athey)</b> Allows the development rights permitted to be attached in the receiving areas to be equal to or greater than the development rights permitted to be severed from the sending areas.</p>	Amended, Passed House; in Senate Local Government Committee

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Land Use (cont.)</b>	<b>HB 1071/SB 420: Urban Development Areas. (Athey/Vogel)</b> Sets certain densities in urban development areas according to the population of the locality that designated the urban development area. Provides that the planning horizon for urban development areas in the urban county executive form of government that includes planned or existing rail transit may be for an ensuing period of at least 10 but not more than 40 years. (The planning horizon for other forms of government is for at least 10 but not more than 20 years.) The bill also requires that certain federal funding and state water and sewer facility and public infrastructure funding be directed to urban development areas or other designated growth areas. Provides that any locality having adopted a resolution certifying compliance with requirements for designating urban development areas prior to February 1, 2010 is not required to comply until the next review of the locality's comprehensive plan. Localities that become subject to urban development area designation requirements will have until July 1, 2012 to amend their comprehensive plans accordingly. The bill mandates that the Commission on Local Government report on localities' compliance with the statute requiring the designation of urban development areas.	HB 1071: Substitute Passed House; in Senate  SB 420: Substitute Passed Senate; in House
	<b>SB 222: VDOT Land Use Review. (Puller, Surovell)</b> Exempts localities or other public agencies from payment of certain Department fees for the review of applications, plans and plats . Furthermore, no fee shall be charged by the Department to a citizens' organization or neighborhood association that proposes comprehensive plan amendments through its local planning commission or local governing body.	Substitute Passed Senate; in House Counties, Cities and Towns Committee

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Miscellaneous</b>	<p><b>SB 272: Biodiesel and Green Diesel. (Whipple)</b>                      Requires state public bodies to procure only diesel fuel containing, at a minimum, two percent, by volume, biodiesel fuel or green diesel fuel. The requirement will only apply to procurements of diesel fuel for use in on-road internal combustion engines and shall not apply if (i) such fuel is not practically available or (ii) the cost of such procurement exceeds the cost of unblended diesel fuel by five percent or more. Based on a finding of sufficient availability of biodiesel or green diesel, the Governor may increase the requirement of biodiesel fuel or green diesel fuel up to 20 percent by volume. The provisions of this act shall not become effective unless an appropriation of general funds effectuating the purposes of this act is included in a general appropriations act passed by the 2010 GA Session, which becomes law.</p>	Amended, Passed Senate; in House
<b>Overweight Vehicles</b>	<p><b>HB 473: Weight Limits for Trucks Hauling Gravel, etc. (Carrico)</b>                      Extends to July 1, 2011, the "sunset" on increased weight limits applicable to trucks hauling gravel and certain other cargoes in coal-producing counties.</p>	Amended, Passed House; in Senate Transportation Committee

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Photo Monitoring</b>	<p><b>HB 1292: Photo-Monitoring Systems. (Tata)</b>            Provides a private entity, on behalf of a locality, that operates a traffic light signal violation monitoring system may enter into an agreement with DMV to obtain vehicle owner information regarding the registered owners of vehicles that fail to comply with a traffic light signal. Information provided to the operator shall be used only for enforcement against individuals who violate the provisions of this section. Notwithstanding any other provision of this section, if a vehicle depicted in images recorded by a traffic light signal photo-monitoring system is owned, leased, or rented by a locality, then the locality may access and use the recorded images and associated information for employee disciplinary purposes.</p>	Substitute Passed House; in Senate Transportation Committee
	<p><b>HB 1295/SB 667: Dulles Access Highway. (Rust/Herring)</b>            Provides for the enforcement of the use of a photo-monitoring system or automatic identification system on the Dulles Access Highway in order to identify vehicles that are using the Dulles Access Highway in violation of the Metropolitan Washington Airports Authority regulation regarding usage. HB 1295 provides for “civil penalties” while SB 667 provides for “fines” for violations of the MWAA regulation regarding usage of the highway.</p>	<p>HB 1295: Substitute Passed House; in Senate Transportation Committee</p> <p>SB 667: Amended, Passed Senate; in House Transportation Subcommittee #4</p>
<b>PPTA</b>	<p><b>HB 402: Hampton Roads Bridge-Tunnel. (Oder)</b>            Directs VDOT to accept for review unsolicited proposals under the 1995 PPTA to add physical capacity to the I-64 Hampton Roads Bridge-Tunnel between Hampton and Norfolk. Unsolicited proposals shall be filed with the Department no later than September 30, 2010. No later than September 1, 2011, the Department shall make a recommendation to the Commissioner whether to execute an interim agreement to continue design, environmental reviews, and preliminary right-of-way acquisitions and to take any other steps necessary to advance the development of the project. VDOT shall inform the Joint Commission on Transportation Accountability, by written update, of its completion of each requirement of this act.</p>	Substitute Passed House; in Senate Transportation Committee

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Procurement/Contracting</b>	<b>HB 631/SB 254: Advertising for Bids Construction. (Scott, E./Miller)</b> Provides that the VDOT Commissioner may let projects costing below \$300,000 to contract. The bill further provides that the Commissioner may, at his discretion, build or maintain any of the roads by state or local employees as he may designate, in cases of emergency or on projects costing not more than \$600,000. (Admin Bill)	HB 631: Passed House and Senate  SB 254: Passed Senate; in House Transportation Committee
	<b>HB 1309: Virginia Public Procurement Act. (Scott, E.)</b> Increases from \$2 million to \$5 million the amount of all projects in one contract term for environmental location, design, and inspection work regarding highways and bridges awarded by the VDOT Commissioner to more than one offeror as a result of a competitive negotiation. Such contract may be renewable for two additional one-year terms at the option of the Commissioner.	Passed House; in Senate General Laws and Technology Committee
<b>Rail/Transit</b>	<b>HB 564: Norfolk/Virginia Beach Light Rail Project. (Tata)</b> Provides that funds for the Norfolk/Virginia Beach light rail project will be expended in accordance with Federal Transit Administration requirements, notwithstanding any contrary provision of law.	Passed House; in Senate Transportation Committee
	<b>HB 688/SB 25: Using Transportation District Trains Without a Valid Ticket. (Miller, J./Puller)</b> Rewrites the code section that punishes unlawfully riding on a transportation district train.	HB 688: Substitute Passed House; in Senate  SB 25: Substitute Passed Senate; in House Courts of Justice Committee



## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Rail/Transit (cont.)</b>	<p><b>HB 690/SB 28: Public Transit Services Criminal Background Checks. (Miller, J./Puller)</b>            Authorizes certain transportation district commissions and their contractors and public service corporations or contractors that provide public transit services to a locality to require fingerprint checks of certain applicants and employees so that an FBI criminal background check can be conducted.</p>	<p>HB 690: Substitute Passed House; in Senate</p> <p>SB 28: Passed Senate; in House Counties, Cities and Towns Subcommittee #2</p>
	<p><b>HB 1275: Virginia High-Speed Rail Commission. (Cosgrove)</b>            Establishes the Virginia High-Speed Rail Commission to promote and augment the state's competitive stance for matters related to high-speed passenger rail service in Virginia. The Commission is to study, assess, and advise the General Assembly and the Secretary of Transportation on effective and competitive design, planning, financing, construction, and operations involving high-speed rail service. The Commission is, further, to coordinate high-speed rail programs with neighboring states and federal and regional entities. This Commission shall replace the Virginia-North Carolina High Speed Rail Compact provided for in Chapter 662 of the Acts of Assembly of 2004, which is hereby repealed.</p>	<p>Amended, Passed House; in Senate</p>
	<p><b>SB 588: Felony Assault and Battery Against a Mass Transit Operator. (Marsden)</b>            Provides that any person who obstructs, hinders, or interferes with the operation or operator of a transit vehicle engaged in the performance of a public transportation service or a person engaged in his official duties as a conductor, station agent, or station attendant of a public transportation service is guilty of a Class 1 misdemeanor.</p>	<p>Substitute Passed Senate; in House</p>

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Reports/Studies</b>	<p><b>HB 42: Transportation Programs Performance Audit. (Oder)</b>                      Requires JLARC to administer an operational and programmatic performance audit focusing on the transportation planning and programming divisions within VDOT and DRPT. The audit shall provide an objective and independent cost savings assessment of the Commonwealth's organizational structure and the efficiency, level of adherence to federal regulations, and effectiveness of the Commonwealth's transportation planning and programming procedures to provide information to the Governor and the General Assembly on ways to reduce duplication of effort and implement cost savings measures and programmatic efficiencies in the operation of state transportation programs. The audit may consist of a series of concurrent audits concentrating on specified categories or groupings. The audit shall be conducted by a private management consulting firm and a final report submitted to the Joint Commission on Transportation Accountability and the Governor no later than December 31, 2010. The audit costs shall be funded from existing appropriations to agencies for which the Secretary of Transportation is responsible, as determined by the Secretary, and shall not exceed \$2 million. Any monetary savings realized from implementing recommendations of the audit shall be used to reimburse the applicable transportation account from which the Secretary authorized payment. (Governor's Bill)</p>	Substitute Passed House; in Senate
	<p><b>HJR 68: Tolling of Highways Report.</b>                      Directs the Joint Commission on Transportation Accountability to develop a plan to toll certain highways. Adds I-73 to the list of facilities. The Commission shall complete its plan by November 30, 2010, and the chairman shall submit to DALES an executive summary of the plan no later than the first day of the 2011 GA Regular Session.</p>	Amended, Agreed to by House; in Senate Rules Committee

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
Reports/Studies (cont.)	<p><b>HJR 81: Implementation of Hampton Roads Bridge-Tunnel Study Recommendations Report. (Oder)</b>            Requests VDOT to implement the recommendations of the Independent Review Panel and report on the status of such implementation to the Joint Commission on Transportation Accountability.</p>	Agreed to by House; in Senate Rules Committee
	<p><b>HJR 126/SJR 99: Privatizing Commonwealth's Rest Areas Report. (Nutter/Herring)</b>            Requests the Virginia Transportation Research Council to study alternatives to the public funding and operation of all or portions of the interstate safety rest areas.</p>	<p>HJR 126: Substitute Agreed to by House; in Senate Rules Committee</p> <p>SJR 99: Substitute Agreed to by Senate; In House</p>
	<p><b>SB 201: Transportation Programs Performance Audit. (Blevins)</b>            Requires JLARC to administer an operational and programmatic performance audit focusing on the agencies within the Transportation Secretariat, with primary emphasis on the transportation planning and programming divisions within VDOT and DRPT. The audit shall provide an objective and independent cost savings assessment of the Commonwealth's organizational structure and the efficiency, level of adherence to federal regulations, and effectiveness of the transportation planning and programming procedures in order to provide information to the Governor and the General Assembly on ways to reduce duplication of effort and implement cost savings measures and programmatic efficiencies in the operation of state transportation programs. The audit may consist of a series of concurrent audits concentrating on specified categories or groupings. The audit shall be conducted by a private management consulting firm and a final report shall be submitted to the Joint Commission on Transportation Accountability and the Governor no later than December 31, 2010.</p>	Substitute Passed Senate; in House

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Reports/Studies (cont.)</b>	<b>SB 553: Increase Transit Use Strategies. (Barker, et al)</b> Requires the Secretary of Transportation to make an annual report to the General Assembly on actions taken to promote transit use, etc.	Passed Senate; in House
	<b>SJR 63: Funding of High-Speed Passenger Rail Service Report.</b> Establishes a joint subcommittee to study funding of high-speed and intercity passenger rail operations in the Commonwealth.	Substitute Agreed to by Senate; in House
	<b>SJR 94: Replacement of the State Motor Fuel Tax. (Miller, J.)</b> Requests the Virginia Transportation Research Council to study the desirability and feasibility of replacing the state motor fuel tax with alternatives including a mileage-based fee predicated on vehicle-miles traveled in Virginia.	Substitute Agreed to by Senate; in House
	<b>SJR 98: Joint Subcommittee to Study the Feasibility of Creating a Regional Rapid Transit Network for Connecting Existing and Emerging Population Centers in Major Transportation Corridors. (Barker, et al)</b> Continues the work of the joint subcommittee for a third year.	Agreed to by Senate; in House
<b>Safety Belts</b>	<b>SB 9: Safety Belts. (Blevins)</b> Makes nonuse of safety belts a primary offense. (Also HB 901)	Passed Senate; in House
	<b>SB 219: Safety Belt Use for Persons Under 18 Years of Age. (Howell, Rust)</b> Requires any driver, and any other person at least eighteen years of age and occupying the front seat, to wear the appropriate safety belt system at all times while the motor vehicle is in motion. Any person transporting another person less than eighteen years old shall ensure that the person is provided with and properly secured by an appropriate safety belt system.	Substitute Passed Senate; in House Militia, Police and Public Safety Committee

## Legislative Briefing to the Commonwealth Transportation Board - February 17, 2010

Category	Bill Number/Bill Points	Status
<b>Safety Belts</b>	<b>SB 229: Safety Belt Use. (Barker)</b> Extends requirement for safety belt use to all occupants of a motor vehicle, not just those in the front seat.	Passed Senate; in House Militia, Police and Public Safety Committee
<b>Speed Limits</b>	<b>HB 504: Maximum Speed Limit on Nonsurface Treated Highways for Certain Counties. (Gilbert)</b> Adds Rappahannock County to the list of counties where the unposted maximum speed limit on nonsurface treated highways (dirt roads) is 35 miles per hour. (Also SB 172)	Passed House and Senate
	<b>HB 856/SB 537: Highway Speed Limits. (Carrico/Newman)</b> Increases the general highway speed limit on highways where it is presently 65 mph to 70 mph. (Governor's Bill)	HB 856: Substitute Passed House and Senate  SB 537: Passed Senate; in House Transportation Committee
	<b>SB 172: Maximum Speed Limit on Nonsurface Treated Highways for Certain Counties. (Deeds)</b> Adds Nelson County to the list of counties where the unposted maximum speed limit on nonsurface treated highways (dirt roads) is 35 miles per hour. (Also HB 504)	Passed Senate; in House Transportation Committee