

CTB Status Report – 2018 General Assembly Session

	Bill Number/Bill Points	Status
<p>Budget Amendments</p>	<p><u>HB 5002 Item 1 O.</u> Intercity Passenger Rail Operating and Capital Funds. Directs the Joint Commission on Transportation Accountability (JCTA) to regularly review, and provide oversight of the usage of funding generated pursuant to the provisions of House Bill 2313, 2013 Session of the General Assembly. To this end, by November 15th of each year, the Secretary of Transportation, the Northern Virginia Transportation Authority and the Hampton Roads Transportation Accountability Commission shall each prepare a report on the uses of the Intercity Passenger Rail Operating and Capital Funds, the Northern Virginia Transportation Authority Fund, and the Hampton Roads Transportation Fund, respectively, each year to be presented to the JCTA.</p>	
	<p><u>HB 5002 Item 77 G.</u> Use of LEDs by State Agencies. Directs the Director of General Services to work with the Commissioner of VDOT and other agencies to maximize the use of light-emitting diodes (LEDs) instead of traditional incandescent light bulbs when any state agency installs new outdoor lighting fixtures or replaces nonfunctioning light bulbs on exterior outdoor lighting fixtures as long as the LEDs lights are determined to be cost effective.</p>	

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Bill Number/Bill Points	Status
<p>Budget Amendments (Cont.)</p>	<p>HB 5002 Item 443. Distribution of Sales Tax on Fuel in Certain Transportation Districts. Reflects the General Assembly’s imposition of a regional sales tax floor in Northern Virginia and Hampton Roads.</p> <p>HB 1539/SB 856 creates and directs allocations to the Washington Metropolitan Area Transit Authority (WMATA) Capital Fund in the sum of \$154 million annually, a portion of which is funded by regional gasoline taxes collected in Northern Virginia Transportation Commission (NVTC) jurisdictions. DMV will distribute these funds to the NVTC, which in turn is required to meet all WMATA Capital Fund obligations and requirements specified in HB 1539/SB 856.</p> <p>HB 1539/SB 856 creates and directs allocations to the Commuter Rail Operating and Capital Fund (C-ROC), in the sum of \$15 million annually, funded by regional gasoline taxes collected in NVTC and PRTC jurisdictions. DMV will distribute these funds to NVTC and PRTC, which in turn is required to meet the \$15 million annual obligation requirements specified in HB 1539/SB 856. These requirements include a cost-share formula allocation between the two entities, \$4.85 million from NVTC and \$10.15 million from PRTC.</p> <p>HB 1539/SB 856 also directs allocations requiring expenditure of gasoline taxes collected in PRTC jurisdictions to mass transit and other transportation needs. In Prince William County, and the Cities of Manassas and Manassas Park, these allocations must be used for mass transit. In Stafford and Spotsylvania Counties, as well as the City of Fredericksburg, jurisdictions may use these revenues for any transportation needs, but must maintain a level of effort towards mass transit funding equal to the average of existing funding provided between FY 2016-2018.</p>

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Bill Number/Bill Points	Status
<p>Budget Amendments (Cont.)</p>	<p>HB 5002 Item 445. Commonwealth Mass Transit Trust Fund.</p> <p>Reflects the General Assembly’s restructuring of the Commonwealth Mass Transit Trust Fund (MTTF) enacted under HB 1539/SB 856. The bill requires the CTB to create and allocate a formula based percentage of the MTTF to four funding categories:</p> <ul style="list-style-type: none"> • Statewide Capital (12%) • Statewide Operating (31%) • Special (3%) • WMATA Operating and Capital (53.5%)
	<p>HB 5002 Item 445. State Safety Oversight.</p> <p>Provides a specific appropriation to the federally mandated state-safety oversight requirements DRPT must perform on WMATA’s rail system in conjunction with the Metrorail Safety Commission (MSC), and directly to Hampton Roads Transit’s Tide light rail system.</p>
	<p>HB 5002 Item 445 F1-3. Master Equipment Leasing Program.</p> <p>DRPT, in conjunction with the Department of Treasury and the Department of General Services shall investigate options to develop a program for the financing of statewide transit capital needs using the Master Equipment Leasing Program currently operated through the Department of the Treasury as a model to facilitate group purchases of mass transit equipment. The goal of the program would be twofold: (i) to achieve cost savings through bulk purchases and (ii) to establish a revolving fund to meet transit capital replacement needs that does not rely on the use of longer-term debt for items with a limited life cycle. The Director of DRPT shall submit a report on the proposed program, including legal requirements, terms, rates and operational structure to the Governor, the Chairman of the House Appropriations Committee and the Senate Finance Committee by November 1, 2018.</p>

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Bill Number/Bill Points	Status
<p>Budget Amendments (Cont.)</p>	<p>HB 5002 Item 450 H. Condition and Funding Needs of Bridge and Tunnel Structures. Directs the CTB to report on the overall condition and funding needs of large and unique bridge and tunnel structures in the Commonwealth. As part of the review, the Board shall make recommendations addressing funding of such projects within the State of Good Repair program. In developing these recommendations the Board shall assess the impact of establishing a set aside from the State of Good Repair funding pot, limited use of the provisions of § 33.2-369 B, which allows for the waiving of district minimum caps in a single year, or such other options as they may identify. The report is due no later than December 1, 2018 to the Chairmen of House and Senate Transportation Committees, the Joint Commission on Transportation Accountability, House Appropriations and Senate Finance Committees.</p>
	<p>HB 5002 Item 453. Distribution of Washington Area Transit Authority Capital Fund Revenues (60708). Includes the remaining appropriations of the \$154 million additional annual support to WMATA enacted in HB 1539/SB 856, including transient occupancy and grantor’s taxes collected in NVTC jurisdictions and allocated to the WMATA Capital Fund. The figure excludes the gasoline tax revenues in Item 443.</p> <p>Item 453 also excludes approximately \$20 million in recordation tax collections dedicated to the Northern Virginia Transportation District Program and allocated to the WMATA Capital Fund under HB1539/SB 856, due to concerns regarding its impact to statewide debt capacity.</p>

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Bill Number/Bill Points	Status
<p>Budget Amendments (Cont.)</p>	<p>HB 5002 Item 453. Distribution of Certain Taxes to Certain Localities in Planning District 8 (60709). Item 453 includes the balance of local transient occupancy taxes and grantor’s taxes collected in District 8 but not otherwise allocated to the WMATA Capital Fund.</p>
	<p>HB 5001 Item 456 F. and HB 5002 Item 453 F. Maintenance Payments. Consistent with § 33.2-366, Code of Virginia, the CTB, when establishing annual rates of payments to Counties that have elected to withdraw from the secondary highway system, shall adjust such rate annually with i) procedures established for adjusting payments to cities, and ii) lane mileage adjustments. It is the express intent of the General Assembly, that under no circumstance shall the addition of lane miles to one jurisdiction result in the direct or indirect reduction in the calculation of payment to any other jurisdiction receiving payment from funds appropriated for Financial Assistance for County Road Maintenance.</p>
	<p>HB 5001 Item 456 E. and HB 5002 Item 452 B. Express Lanes I-64 Toll Revenues and Bond Proceeds. Intent of General Assembly that the toll revenues, and any bond proceeds or concession payments backed by such toll revenues, derived from the express lanes on I-64 between the interchange of I-64 with I-664 and the interchange of I-64 with I-564 be used to reduce the necessary contribution from the Hampton Roads Transportation Accountability Commission, for a project to expand the capacity of I-64 between the interchange of I-64 with I-664 and the interchange of I-64 with I-564.</p>

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	Bill Number/Bill Points	Status
Budget Amendments (Cont.)	<p>HB 5002 Additional Enactments. Membership Requirements of the NVTC and the PRTC Boards.</p> <p>Additional enactments include revision of legal requirements to the General Assembly appointment authorities to regional transportation commission no longer requiring the membership of members currently serving in the Virginia General Assembly House of Delegates.</p> <p>No amendments to the WMATA Board are included beyond what is already enacted under Virginia Code 33.2-1907 as well as HB 1539/SB 856.</p>	

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Bill Number/Bill Points		Status
<p>Governor's Bill</p>	<p><u>SB 995:</u> Regulation of Outdoor Advertising in Sight of Public Highways; Exception. (Carrico, C.) Provides that signs that are related to public safety, provide directional information, or provide public information may be situated or installed in highway rights of way. The bill provides that any signs other than those related to public safety, providing directional information, or providing public information may not be situated or installed in highway rights of way.</p>	<p>Amended, Passed Senate and House; Approved by Governor – Chapter 794 (effective 7/1/18)</p>

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	Bill Number/Bill Points	Status
<p>Secretary of Transportation</p>	<p><u>HB 765:</u> Transportation Processes in the Commonwealth; Responsibilities of Transportation Entities; Funding. (Jones, C.) Expands the responsibilities of the Office of Intermodal Planning and Investment of the Secretary of Transportation (Office). The bill clarifies the residency requirements for the urban and rural at-large members of the Commonwealth Transportation Board (Board) and provides that no member of a governing body of a locality is eligible to be appointed to the Board during his term of office. The bill provides that the Board's Six-Year Improvement Program shall only commit funds from the State of Good Repair Program, the High Priority Projects Program, or the Highway Construction District Grant Programs to a project or program if such commitment is sufficient to complete the project or program. The bill changes the timing of reports from annually to biennially, expands the requirements of the biennial report provided by the Commissioner of Highways, and requires the Office to submit a biennial report as described in the bill. The bill decreases the maximum matching allocation that the Board may make to a locality from \$10 million to \$5 million and provides that no more than \$2.5 million of such funds can be used for the maintenance of highway systems. The bill changes the amount of Commonwealth funds allocated to the Board for revenue-sharing from no less than \$15 million and no more than \$200 million to not in excess of \$100 million or seven percent of funds available for distribution by the Board from all funds made available for highway purposes, whichever is greater.</p>	<p>Substitute Amended, Passed House and Senate; House and Senate Agreed to Governor recommendation; Chapter 828 (effective 7/1/18)</p>

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Bill Number/Bill Points	Status
<p>Secretary of Transportation (Cont.)</p>	<p>HB 1539 / SB 856: Mass Transit in the Commonwealth. (Hugo, T. / Saslaw, R.)</p> <p>Directs the Commonwealth Transportation Board (the Board) to develop a prioritization process for the use of funds in the Commonwealth Mass Transit Fund (the Fund), based on criteria specified in the bill. The prioritization process would apply to capital projects administered by the Department of Rail and Public Transportation (DRPT).</p> <p>The bill establishes procedures for allocating funds in the Fund. The bill would allocate 53.5 percent to the Northern Virginia Transportation Commission (NVTC) for distribution to the Washington Metropolitan Area Transit Authority (WMATA) for operating and capital costs. Thirty-one percent would be allocated to support operating costs of non-WMATA transit providers, and 12.5 percent would be allocated to non-WMATA capital costs. Three percent would be allocated for special programs, including ridesharing. The allocation procedures would provide for other uses of the Fund, including establishing a reserve fund.</p> <p>The bill provides that funds allocated to NVTC for distribution to WMATA would be credited to the Counties of Arlington and Fairfax and the Cities of Alexandria, Fairfax, and Falls Church, and, upon commencement of construction of the Silver Line, to Loudoun County. If operating assistance to WMATA increases by more than two percent in a year, the Board is directed to withhold 50 percent of the allocation for WMATA capital purposes.</p> <p>The bill establishes the Washington Metropolitan Area Transit Authority Capital Fund (the WMATA Fund) to be used to fund WMATA capital costs. The bill establishes a three-member Metro Reform Commission to advise the signatories of the WMATA compact. The bill directs NVTC to request information from WMATA regarding its budget, independent audits, National Transit Data profile, and other subjects.</p> <p>The provisions of the bill regarding WMATA funding would not take effect until Maryland and the District of Columbia take action to provide their share of \$500 million in capital funding to WMATA.</p>

HB 1539: Conference Substitute Agreed to by House and Senate; House and Senate Adopt in-part Governor recommendations; Chapter 854 (varied effective dates)

SB 856: Conference Substitute Agreed to by Senate and House; Senate and House Adopt in-part Governor recommendations; Chapter 856 (varied effective dates)

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	Bill Number/Bill Points	Status
<p>Agency Bills (DRPT and VDOT)</p>	<p><u>HB 712:</u> Naming Highways, Bridges, Interchanges, and Other Transportation Facilities; Private Entity. (Adams, D.) Removes the authority of the CTB (the Board) to name any highway, bridge, interchange, or other transportation facility forming a part of the system of state highways after a private entity. The bill provides that the Board shall not have the power to name any highway, bridge, interchange, or transportation facility that has been or may hereafter be named by the General Assembly, nor may the name chosen by the Board reflect the name of any living person. The bill repeals the requirement that VDOT develop guidelines on the naming of highways, bridges, interchanges, and other transportation facilities after private entities. Includes an enactment clause that states that this act shall not be construed to affect any action previously taken by the General Assembly or Board to name a transportation facility for a living person. (VDOT Agency Bill)</p>	<p>Amended, Passed House; Reported from Senate Transportation Committee; Recommitted to Senate Transportation Committee; Left in Senate Transportation Committee</p>
	<p><u>HB 727:</u> FOIA; Exclusion of Records Relating to Public Safety. (Delaney, K.) Technical amendment to existing FOIA exemption relating to disclosures of safety related information that could adversely impact an active safety investigation as part of DRPT's federally mandated state safety oversight of fixed guideway rail transit systems in the Commonwealth. Clarifies outdated federal code reference to ensure continuity of disclosure protections.</p>	<p>Passed House and Senate; Approved by Governor – Chapter 52 (effective 7/1/18)</p>

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	Bill Number/Bill Points	Status
Agency Bills (DRPT and VDOT) (Cont.)	<p>HB 1275: FOIA; Record Exclusion for Trade Secrets Supplied to VDOT. (Aird, L.) Excludes from the mandatory disclosure provisions of FOIA trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), supplied to VDOT as part of an audit, special investigation, or any study requested by VDOT. The bill provides that in order for such trade secrets to be excluded, the submitting party shall (i) invoke this exclusion upon submission of the data or materials for which protection from disclosure is sought, (ii) identify the data or materials for which protection is sought, and (iii) state the reasons why protection is necessary. (VDOT Agency Bill)</p>	Passed House and Senate; Approved by Governor – Chapter 470 (effective date 7/1/18)
Authorities/Commissions	<p>HB 384: Washington Metropolitan Area Transit Authority Board of Directors; Review of Board. (Keam, M.) Directs the Secretary of Transportation to conduct a review of the Washington Metropolitan Area Transit Authority Board of Directors membership provisions.</p>	Amended, Passed House and Senate; Approved by Governor – Chapter 429 (effective date 7/1/18)
	<p>HB 1154: Virginia Coalfields Expressway Authority; Powers and Duties; Grants. (Pillion, T.) Authorizes the Virginia Coalfields Expressway Authority to apply for and accept grants and gifts to carry out its powers and duties.</p>	Passed House and Senate; Approved by Governor – Chapter 508 (effective date 7/1/18)

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	Bill Number/Bill Points	Status
CTB	<p>HB 1285: Transportation Project Selection in Planning District 8 (Northern Virginia); Public Meeting. (LaRock, D.) Requires the Northern Virginia Transportation Authority, the Northern Virginia Transportation Commission, the Virginia Railway Express, and the Commonwealth Transportation Board to annually conduct a joint public meeting for the purposes of presenting to the public, and receiving public comments on, the transportation projects proposed by each entity in Planning District 8. Each entity shall have at least one designee physically assembled at the joint public meeting.</p>	Amended, Passed House and Senate; Approved by Governor – Chapter 640 (effective 7/1/18)

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	Bill Number/Bill Points	Status
<p>Eminent Domain</p>	<p><u>SB 278:</u> Eminent Domain Proceedings; Prompt Payment of Funds. (Petersen, J.) Requires, upon any settlement or final determination in an eminent domain proceeding, that any funds due to the owner, whether funds have been paid to the court or are outstanding, all such funds shall be payable to the owner, or if the owner consents, to the owner's attorney, within 30 days of the settlement or final determination. Also provides that nothing in the newly enacted section shall be construed to alter the priority of liens or any obligation to satisfy or release any outstanding liens on the property or the funds.</p>	<p>Conference Substitute Agreed to by Senate and House; Senate and House Agreed to Governor Recommendation; Chapter 842 (effective 7/1/18)</p>
	<p><u>SB 809:</u> Eminent Domain; Calculation of Lost Profits. (Petersen, J.) Amends, in the definitions of "lost profits" and "business profit" for the purposes of eminent domain, the period for which lost profits are calculated to a period not to exceed three years from the later of (i) the date of valuation or (ii) the date the state agency or its contractor prevents the owner from using the land or any of the owner's other property rights are taken. Under current law, lost profits are calculated for a period not to exceed (a) three years from the date of valuation if less than the entire parcel of property is taken or (b) one year from the date of valuation if the entire parcel of property is taken. The bill specifies that the person claiming lost profits is entitled to compensation whether part of the property or the entire parcel of property is taken. The bill further specifies that if the owner is not named in the petition for condemnation, he may intervene in the proceeding by filing a motion to intervene accompanied by a petition for intervention setting forth the basis for the lost profits claim. Proceedings to adjudicate lost profits may be bifurcated from the other proceedings to determine just compensation if the lost profits claim period will not expire until one year or later from the date of the filing of the petition for condemnation, but such bifurcation shall not prevent the entry of an order confirming indefeasible title to the land interests acquired by the condemning authority.</p>	<p>Substitute Passed Senate and House; Approved by Governor – Chapter 702 (effective 7/1/18)</p>

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Bill Number/Bill Points		Status
Funding/Revenue/Taxes	<p><u>HB 680:</u> Motor Vehicle Sales and Use Tax; Trailers. (Pogge, B.) Provides for a \$35 minimum motor vehicle sales and use tax on trailers with a gross weight of 2,000 pounds or less. The bill Directs the DMV Commissioner, in consultation with VDOT and any applicable stakeholder groups, to review the impact of implementing an alternative to the minimum sales and use tax required by Chapter 766 of the Acts of Assembly of 2013 for trailers, as included in this bill, including the impact on Commonwealth transportation funds.</p>	<p>Amended, Passed House and Senate; House and Senate Agreed to Governor Recommendation; Chapter 826 (see bill for effective date)</p>
	<p><u>HB 768 / SB 896:</u> Motor Vehicle Fuels Sales Tax in Certain Areas of the Commonwealth; Price Floor. (Jones, C. / Wagner, F.) Establishes a floor relating to the price of fuels for purposes of calculating or applying the 2.1 percent sales tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads. The average distributor price of gasoline, as determined by the Commissioner of the Department of Motor Vehicles, on June 1, 2018, shall be the initial floor. If the average distributor price rises in future determinations, the new higher average will become the floor, until such time as the average distributor price of gasoline is determined to be equal to or greater than the average wholesale price of gasoline in the Commonwealth on February 20, 2013, which is the date of the floor used for the calculation of the state gasoline tax. After this threshold is met, the average distributor price used for the calculation of the regional tax will be the same as the average price used to calculate the state tax.</p>	<p>HB 768: Conference Substitute Agreed to by House and Senate; Approved by Governor – Chapter 798 (effective 7/1/18)</p> <p>SB 896: Conference Substitute Agreed to by Senate and House; Approved by Governor – Chapter 797 (effective 7/1/18)</p>

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	Bill Number/Bill Points	Status
Handheld Communications Device	<p><u>HB 1525:</u> Use of Handheld Communications Devices; Highway Work Zones. (Yancey, D.) Imposes a mandatory fine of \$250 for using a handheld personal communications device for reading emails or texting while operating a motor vehicle in a highway work zone, defined in the bill as a construction or maintenance area that is located on or beside a highway and marked by appropriate warning signs with attached flashing lights or other traffic control devices indicating that work is in progress.</p>	Substitute Passed House and Senate; Approved by Governor – Chapter 606 (effective 7/1/18)
Highways/Bridges/Signs	<p><u>HB 114:</u> Golf Carts and Utility Vehicles on Public Highways; Equine Events. (Webert, M.) Authorizes the use of golf carts and utility vehicles to cross a one-lane or two-lane highway from one portion of a venue hosting an equine event to another portion thereof, provided that such crossing occurs on the same day as the equine event, occurs in a temporary traffic control zone with a speed limit of no more than 35 miles per hour, and is monitored and controlled by a uniformed law-enforcement officer.</p>	Amended, Passed House and Senate; Approved by Governor – Chapter 112 (effective 7/1/18)
	<p><u>HB 505:</u> Traffic Signs; People with Disabilities. (Bell, R.) Allows any person who is deaf, blind, or deaf-blind, any person with autism or an intellectual or developmental disability, or the agent of any such person to request that VDOT post and maintain signs informing drivers that a person with a disability may be present in or around the roadway and directs the Department to post and maintain such signs in accordance with regulations developed by the Department.</p>	Passed House and Senate; Approved by Governor – Chapter 432 (effective 7/1/18)

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Bill Number/Bill Points	Status
<p>Highways/Bridges/Signs (Cont.)</p> <p><u>HB 662:</u> VDOT to Submit a Report for the Remediation of the American Legion Bridge. (Murphy, K.) Directs VDOT to begin the initial design and related assessments for remediating the American Legion Bridge at the earliest time possible once necessary decisions have been made by Maryland. VDOT shall consult with the CTB, DRPT, and the Northern Virginia Transportation Authority. VDOT shall submit an executive summary and report to the Governor and General Assembly of its design and assessments for publication as a House or Senate document when available.</p>	<p>Substitute Passed House and Senate; Approved by Governor – Chapter 738 (effective 7/1/18)</p>
<p><u>HB 1007 / SB 363:</u> Delegate Lacey E. Putney Memorial Highway. (Byron, K. / Newman, S.) Designates the portion of U.S. Route 221 between the Town of Bedford and the City of Lynchburg the "Delegate Lacey E. Putney Memorial Highway." The bill contains an emergency clause.</p>	<p>HB 1007: Amended, Passed House and Senate; Approved by Governor – Chapter 8 (effective 2/19/18)</p> <p>SB 363: Amended, Passed Senate and House; Approved by Governor – Chapter 235 (effective 3/9/18)</p>
<p><u>HB 1159:</u> Designating the Sgt. Lawrence G. Sprader, Jr., Memorial Bridge. (Brewer, E.) Designates the bridge on Middle Road over Interstate 295 in Prince George County the "Sgt. Lawrence G. Sprader, Jr., Memorial Bridge."</p>	<p>Amended, Passed House and Senate; Approved by Governor – Chapter 121 (effective 7/1/18)</p>
<p><u>HB 1395:</u> Trooper Michael Walter Memorial Highway. (Ware, R.) Designates the portion of Virginia Route 13 in Powhatan County between Virginia Route 1002 (Emmanuel Church Road) and Cumberland County the "Trooper Michael Walter Memorial Highway."</p>	<p>Passed House and Senate; Approved by Governor – Chapter 348 (effective 7/1/18)</p>

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Bill Number/Bill Points	Status
Highways/Bridges/Signs (Cont.) <u>HB 1522 / SB 905: Commercial Rest Areas. (Ingram, R. / Ruff, F.)</u> Prohibits a private entity from operating a rest area for commercial purposes without the prior approval of the General Assembly. The bill provides that the prohibition does not apply to or prohibit any program or contract between a private entity and an agency or political subdivision of the Commonwealth authorized pursuant to a federal law, regulation or policy as of July 1, 2018.	HB 1522: Amended, Passed House and Senate; Approved by Governor – Chapter 350 (effective 7/1/18) SB 905: Amended, Passed Senate and House; Approved by Governor – Chapter 351 (effective 7/1/18)
<u>HB 1523 / SB 925: Signs or Advertisements. (Ingram, R. / Ruff, F.)</u> Removes the requirement that an on-premises sign placed on real property visible to traffic proceeding on any Interstate System highway and advertising activities being conducted on the real property be no more than 250 feet from the center of the advertised activity. Such signs must still be no more than 50 feet from the advertised activity.	HB 1523: Amended, Passed House and Senate; Approved by Governor – Chapter 352 (effective 7/1/18) SB 925: Amended, Passed Senate and House; Approved by Governor – Chapter 353 (effective 7/1/18)
<u>HB 1571: William Preston Memorial Highway. (Austin, T.)</u> Designates the portion of U.S. Route 220 in Botetourt County between the Town of Fincastle and the intersection of State Route 675 the "William Preston Memorial Highway."	Passed House and Senate; Approved by Governor – Chapter 607 (effective 7/1/18)

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Bill Number/Bill Points	Status
<p>Highways/Bridges/Signs (Cont.)</p> <p><u>SB 496:</u> Off-Road Recreational Vehicles; Highway Speed Limit. (Carrico, C.) Increases from 25 to 35 miles per hour the maximum speed limit for those roads upon which the governing body of any county, city, or town embraced by the Southwest Regional Recreation Authority may by ordinance authorize the operation of any off-road recreational vehicle. The bill provides that such governing body may by ordinance authorize the operation of any such vehicle for a distance of no more than five miles on any highway that has a maximum speed limit of more than 35 miles per hour.</p>	<p>Passed Senate and House; Approved by Governor – Chapter 364 (effective 7/1/18)</p>
<p><u>SB 847:</u> Purple Heart State; Department of Transportation. (Norment, T.) Directs the Department of Transportation to place and maintain signs along certain highways reflecting the 2016 designation by the General Assembly of Virginia as a Purple Heart State.</p>	<p>Passed Senate and House; Approved by Governor – Chapter 366 (effective 7/1/18)</p>
<p><u>SB 941:</u> Designating the Trooper Pilot Berke Bates Memorial Bridge. (Norment, T.) Designates the bridge on Route 612 over Interstate 64 at mile marker 209 in the County of New Kent the "Trooper Pilot Berke Bates Memorial Bridge."</p>	<p>Substitute Passed Senate and House; Approved by Governor – Chapter 163 (effective 7/1/18)</p>

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<p>Interstate 81</p>	<p><u>SB 971:</u> Interstate 81 Corridor Improvement Plan. (Obenshain, M.) Directs the CTB, with the support of the Office of Intermodal Planning and Investment, to develop and adopt an I-81 Corridor Improvement plan and evaluate financing options for I-81 corridor improvements. The CTB shall evaluate the feasibility of using toll financing to improve I-81 throughout the Commonwealth. Such evaluation shall not consider options that toll all users of I-81, and shall not consider tolls on commuters using I-81, but may consider HOT lanes and tolls on heavy commercial vehicles. The CTB, with the support of the Office of Intermodal Planning and Investment, shall develop and adopt an I-81 Corridor Improvement Plan. Such plan shall include the examination of the entire length of I-81. The CTB shall submit a report of findings and recommendations to the Governor and General Assembly no later than the first day of the 2019 Regular General Assembly Session.</p>	<p>Conference Amendments Agreed to by Senate and House; Approved by Governor – Chapter 743 (effective 7/1/18)</p>
<p>Land Use</p>	<p><u>HB 901:</u> VDOT to Develop and Submit for Approval an Expedited Land Use Permit Process; Rights-of-Way. (Freitas, N.) Directs the VDOT to develop and submit for approval to the Federal Highway Administration an expedited land use permit process by which public or private utility companies that offer high-speed internet services may apply to use any right-of-way maintained by VDOT. This shall be completed by November 30, 2018. VDOT shall submit a report on the expedited land use permit process and, if possible, the response from FHWA to the Governor and General Assembly no later than the first day of the 2019 Regular General Assembly Session.</p>	<p>Substitute Amended, Passed House and Senate; Approved by Governor – Chapter 505 (effective 7/1/18)</p>

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	Bill Number/Bill Points	Status
<p>Local Roads</p>	<p><u>SB 622:</u> Local Transportation Plan; Secondary System Road Construction Program Allocation; Undergrounding Utilities. (Surovell, S.) Provides that if the adopted local transportation plan designates corridors planned to be served by mass transit, a portion of its allocation from (i) the NVTa distribution in section 33.2-2510, (ii) the commercial and industrial real property tax revenue in section 58.1-3221.3, and (iii) the secondary system road construction program may be used for the purpose of utility undergrounding in the planned corridor, if the locality matches 100 percent of the state allocation.</p>	<p>Amended, Passed Senate and House; Approved by Governor – Chapter 796 (effective 7/1/18)</p>
	<p><u>SB 993:</u> Local Planning Commissions; Proposed Plats. (Reeves, B.) The bill prohibits a local planning commission from delaying the official submission of any proposed plat, site plan, or plan of development by requiring presubmission conferences, meetings, or reviews. The bill eliminates exemptions (i) for deficiencies caused by changes, errors, or omissions occurring in the applicant's plat, site plan, or plan of development filings after the initial submission of such plat, site plan, or plan of development and (ii) from the review and approval of construction plans.</p>	<p>Substitute Passed Senate and House; Approved by Governor – Chapter 670 (effective 7/1/18)</p>

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Bill Number/Bill Points	Status
<p>Miscellaneous</p> <p><u>HB 1482:</u> Use of Unmanned Aircraft Systems by Public Bodies; Search Warrant Required. (Thomas, R.) Allows law enforcement to use unmanned aircraft systems without a warrant following an accident where a report is required, pursuant to § 46.2-373, to survey the scene of such accident for the purpose of crash reconstruction and record the scene by photographic or video images and provides VDOT same authority when assisting a law enforcement officer to prepare a report.</p>	<p>Conference Substitute Agreed to by House and Senate; Approved by Governor – Chapter 546 (effective 7/1/18)</p>
<p><u>SB 508:</u> Use of Unmanned Aircraft Systems by Public Bodies; Search Warrant Required. (Carrico, C.) Allows state and local agencies having jurisdiction over criminal law enforcement or regulatory violations to use unmanned aircraft systems without a warrant following an accident where a report is required pursuant to § 46.2-373, to survey the scene of such accident for the purpose of crash reconstruction and record the scene by photographic or video images. Also allows VDOT to use an unmanned aircraft system without a warrant when assisting a law enforcement officer to prepare a report.</p>	<p>Substitute Passed Senate and House; Approved by Governor – Chapter 654 (effective 7/1/18)</p>
<p><u>SB 725:</u> Posting Human Trafficking Hotline Information; Civil penalty. (Dunnavant, S.) Requires local departments of health, the Department of Transportation, at each rest area in the Commonwealth, and certain health care facilities to post notice of the existence of a human trafficking hotline to alert possible witnesses or victims of human trafficking to the availability of a means to report crimes or gain assistance.</p>	<p>Substitute Amended, Passed Senate and House; Approved by Governor – Chapter 571 (effective 7/1/18)</p>

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	Bill Number/Bill Points	Status
<p>Overweight Vehicles</p>	<p><u>HB 125:</u> Hauling Forest Products. (Austin, T.) Expands, for the purpose of issuing an overweight permit for hauling forest products, the definition of forest products to include rough-sawn green lumber.</p>	<p>Substitute Passed House and Senate; Approved by Governor – Chapter 12 (effective 7/1/18)</p>
	<p><u>HB 214 / SB 73:</u> Overweight Permits for Hauling Virginia-Grown Farm Produce. (Knight, B. / Cosgrove, J.) Provides that any five-axle combination vehicle must have at least 42 feet of axle space between extreme axles and may have a gross weight of no more than 90,000 pounds in order to be issued an overweight permit for hauling Virginia-grown farm produce. The bills also provide that no overweight vehicle permit issued for hauling Virginia-grown farm produce shall authorize any vehicle to violate any weight limitation applicable to bridges or culverts, as promulgated and posted in accordance with § 46.2-1130 of the <i>Code of Virginia</i>.</p>	<p>HB 214: Amended, Passed House and Senate; Approved by Governor – Chapter 501 (effective 7/1/18)</p> <p>SB 73: Amended, Passed Senate and House; Approved by Governor – Chapter 612 (effective 7/1/18)</p>

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	Bill Number/Bill Points	Status
<p>Overweight Vehicles (Cont.)</p>	<p>HB 1276 / SB 504: Commissioner of Highways; Federal Pilot Programs. (Garrett, S. / Carrico, C.) Directs VDOT to convene a work group to identify the implications of the Commonwealth's participation in a federal data collection pilot program or project involving six-axle tractor truck semitrailer combinations weighing up to 91,000 pounds and utilizing interstate highways. VDOT shall consult relevant stakeholders and shall review (i) the fee structure for qualifying tractor trucks, (ii) the axle spacing for qualifying tractor trucks, (iii) issues related to reasonable access from loading facilities onto a primary or secondary highway and interstate highways, (iv) the sufficiency of existing data in determining if certain routes and bridges should be excluded from the federal pilot program or project, and (v) any other issues as deemed relevant or appropriate by VDOT. Requires VDOT to complete its meetings by November 30, 2018 and submit an executive summary and a report of its findings no later than the first day of the 2019 Regular Session of the General Assembly.</p>	<p>HB 1276: Substitute Amended, Passed House and Senate; Approved by Governor – Chapter 553 (effective 7/1/18)</p> <p>SB 504: Substitute Amended, Passed Senate and House; Approved by Governor – Chapter 554 (effective 7/1/18)</p>

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Bill Number/Bill Points	Status
<p>Regulatory Reduction</p>	<p>HB 297: Administrative Process Act; Guidance Documents. (Bulova, D.) Exempts guidance documents, defined in the bill, from the requirements of the Administrative Process Act (§ 2.2-4000 et seq.). The agency that developed the guidance document shall certify that the document conforms to the definition of a guidance document. The guidance document shall be subject to a 30-day public comment period, to include public comment through the Virginia Regulatory Town Hall, after publication in the Virginia Registrar of Regulations and prior to its effective date. If a written comment received during the public comment period asserts that the guidance document is contrary to state law or regulation or that it should not be exempt, the effective date of the guidance document shall be delayed an additional 30 days. During this time, the agency shall respond to any comments in writing by certified mail to the commenter or by posting the response electronically in a manner consistent with the provisions for publication of comments on regulations.</p>
<p>HB 883 / SB 20: Department of Planning and Budget; Regulatory Pilot Program; Report. (Webert, M. / Chase, A.) By July 1, 2020, all executive branch agencies subject to the Administrative Process Act shall develop a baseline regulatory catalog and report their catalog data, and any specific federal or state mandates or statutory authority that require the regulations and associated regulatory requirements, to DPB. DPB shall track and report on the extent to which agencies comply with existing requirements to periodically review all regulations every four years. Agencies shall provide to DPB a schedule listing each regulation that shall be reviewed in each of the four years, to be published on the Regulatory Town Hall. The bill also directs DPB to administer a three-year regulatory reduction pilot program beginning July 1, 2018 to July 1, 2021. The program shall focus on regulations promulgated and administered by DPOR and DCJS.</p>	<p>Substitute Passed House and Senate; House and Senate Agreed to Governor Recommendation; Chapter 820 (effective 1/1/19)</p> <p>HB 883: Substitute Passed House and Senate; Approved by Governor – Chapter 444 (effective 7/1/18)</p> <p>SB 20: Substitute Amended, Passed Senate and House; Approved by Governor – Chapter 445 (effective 7/1/18)</p>

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Bill Number/Bill Points		Status
Reports/Studies	<p>HJR 77: Feasibility of a Statewide Dig Once Policy Study. (Boysko, J.) Directs the Secretary of Commerce and Trade to request the Center for Innovative Technology to study the feasibility of a statewide dig once policy, including the installation of conduits with bridge and tunnel construction projects. The Center for Innovative Technology shall submit a report no later than the first day of the 2019 Regular Session of the General Assembly.</p>	Substitute Agreed to by House and Senate
Right of Way	<p>HB 698: Conveyances of Right-of-Way Usage to Certain Nonpublic Service Companies by VDOT. (Poindexter, C.) Allows the Virginia Department of Transportation (Department) to issue land use permits to the owner of a private residence or business for water and sewer service to cross the Department's right-of-way when no viable alternative exists to provide potable water or to transfer sewer effluent to a qualified drain field as long as the utilities are marked in accord with requirements established by the Department. Currently, the Department may issue land use permits only to a public service company, a company owning or operating an interstate natural gas pipeline, a franchised cable television systems operator, a company that has registered as an operator and has provided proper notification, or a person providing utility service solely for his own agricultural or residential use when the utilities are located on the property owned by the person.</p>	Passed House and Senate; Approved by Governor – Chapter 270 (effective 7/1/18)

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Bill Number/Bill Points	Status
<p>Right of Way (Cont.)</p> <p><u>HB 1258 / SB 405: Zoning for Wireless Communications Infrastructure.</u> Establishes parameters regarding applications for zoning approvals for certain wireless support structures. Applications for certain new wireless support structures that are 50 feet or less above ground level and for the co-location on an existing structure of a wireless facility that is not a small cell facility are exempt from requirements that they obtain a special exception, special use permit, or variance, though a locality may require administrative review for the issuance of any zoning permits or an acknowledgement that zoning approval is not required for such projects. Aspects of the zoning approval process addressed in this measure include periods for approval or disapproval of applications; a requirement that applications are deemed approved if not approved or disapproved within the applicable period; application fees; a prohibition against unreasonably discriminating between applicants and other wireless services providers, providers of telecommunications services, and other providers of functionally-equivalent service; and limits on the number of new wireless support structures that can be installed in a specific location. The measure prohibits a locality, in its receiving, consideration, and processing of an application for zoning approval, from engaging in certain activities. The measure states that it does not prohibit a locality from disapproving an application submitted under a standard process project on the basis of the availability of existing wireless support structures within a reasonable distance that could be used for co-location at reasonable terms and conditions without imposing technical limitations on the applicant. The measure also requires that any publicly owned or privately owned wireless service provider operating within the Commonwealth or serving residents of the Commonwealth shall, by January 1, 2019, and annually thereafter until January 1, 2025, provide to the Department of Housing and Community Development a report detailing, by county, city, or town, enhanced service capacity in previously served areas and expansion of service in previously unserved geographic areas that are provided access to wireless service. The measure also directs the Secretariats of Commerce and Trade and Public Safety and Homeland Security to convene a group of stakeholders to develop a plan for expanding access to wireless services in unserved and underserved areas of the Commonwealth, which must be completed by December 15, 2018.</p>	<p>HB 1258: Substitute House and Senate; House and Senate Agreed to Governor Recommendation; Chapter 835 (effective 7/1/18)</p> <p>SB 405: Substitute Passed Senate and House; Senate and House Agreed to Governor Recommendation; Chapter 844 (effective 7/1/18)</p>

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	Bill Number/Bill Points	Status
<p>Right of Way (Cont.)</p>	<p>HB 1427 / SB 823: Wireless Support Structures; Public Rights-of-Way Use Fees. (Kilgore, T. / McDougle, R.)</p> <p>Establishes an annual wireless support structure public rights-of-way use fee to be charged to wireless services providers and wireless infrastructure providers in connection with a permit for occupation and use of the public rights-of-way under the jurisdiction of the Department of Transportation (VDOT) for the construction of new wireless support structures. The amount of the use fee is (i) \$1,000 for any wireless support structure at or below 50 feet in height; (ii) \$3,000 for any wireless support structure above 50 feet and at or below 120 feet in height; (iii) \$5,000 for any wireless support structure above 120 feet in height; and (iv) \$1 per square foot for any other equipment, shelter, or associated facilities constructed on the ground. The measure provides that the rights of way use fee amounts shall be adjusted every five years on the basis of inflation. The measure also provides that an existing agreement, contract, license, easement, or permit allowing the use of the public rights-of-way by a wireless services provider or wireless infrastructure provider may be enforced by VDOT only until the current term of the agreement, contract, license, easement, or permit expires.</p>	<p>HB 1427: Passed House and Senate; House and Senate Agreed to Governor Recommendation; Chapter 837 (effective 7/1/18)</p> <p>SB 823: Passed Senate and House; Senate and House Agreed to Governor Recommendation; Chapter 848 (effective 7/1/18)</p>

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Bill Number/Bill Points	Status
Speed Limit <u>HB 55:</u> Maximum Speed Limit on U.S. Route 501. (Edmunds, J.) Increases from 55 miles per hour to 60 miles per hour the maximum speed limit on U.S. Route 501 between the Town of South Boston and the North Carolina state line, where it is a nonlimited access, multilane, divided highway.	Passed House and Senate; Approved by Governor – Chapter 339 (effective 7/1/18)
<u>HB 73 / SB 466:</u> Maximum Speed Limits on Certain Highways. (Thomas, B. / Reeves, B.) Increases from 55 miles per hour to 60 miles per hour the maximum speed limit on U.S. Route 301, the entirety of U.S. Route 17, and State Routes 3 and 207, where such routes are nonlimited access, multilane, divided highways.	HB 73: Passed House and Senate; Approved by Governor – Chapter 340 (effective 7/1/18) SB 466: Substitute Passed Senate and House; Approved by Governor – Chapter 160 (effective 7/1/18)
<u>HB 684:</u> Maximum Speed Limits on Certain Highways. (Ransone, M.) Increases from 55 miles per hour to 60 miles per hour the maximum speed limit on State Route 3 between the corporate limits of the Town of Warsaw and the unincorporated area of Emmerton, where such route is a nonlimited access, multilane, divided highway.	Passed House and Senate; Approved by Governor – Chapter 345 (effective 7/1/18)

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Bill Number/Bill Points		Status
Tolling	<p><u>HB 1069 / SB 575: Vehicle Registration Extension for Satisfaction of Certain Requirements. (Heretick, S. / DeSteph, B.)</u> Expands eligibility for a one-month extension of a vehicle registration period to include persons whose vehicle registration has been withheld for failure to pay tolls.</p>	<p>HB 1069: Amended, Passed House and Senate; Approved by Governor – Chapter 286 (effective 7/1/18)</p> <p>SB 575: Amended, Passed Senate and House; Approved by Governor – Chapter 288 (effective 7/1/18)</p>
	<p><u>SB 643: VDOT; Electronic Toll Collection Device Fees or Exchange. (McPike, J.)</u> Prohibits VDOT from charging fees for or requiring users to exchange their electronic toll collection device as a result of inactivity for a period of time less than one year.</p>	<p>Passed Senate and House; Approved by Governor – Chapter 629 (effective 7/1/18)</p>
Value Engineering	<p><u>HB 134 / SB 125: Value Engineering. (Bell, J. / Black, R.)</u> Raises the estimated construction cost requiring the use of value engineering from \$5 million to \$15 million. The bill exempts projects that are designed utilizing (i) a design-build contract or (ii) the Public-Private Transportation Act of 1995 from the value engineering requirements.</p>	<p>HB 134: Substitute Passed House and Senate; Approved by Governor – Chapter 423 (effective 7/1/18)</p> <p>SB 125: Substitute Passed House and Senate; Approved by Governor – Chapter 290 (effective 7/1/18)</p>

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Bill Number/Bill Points	Status
<p>Carried Over</p> <p><u>HB 1137:</u> Commuter Rail Operating and Capital Fund. Establishes the Commuter Rail Operating and Capital Fund to be used by the Director of the Department of Rail and Public Transportation, with the approval of the Commonwealth Transportation Board, on projects that expand and improve commuter rail service. (Same as SB 683)</p>	<p>House Transportation Subcommittee #4; recommends reporting and referring to House Appropriations Committee; Carried Over to 2019 in House Transportation Committee</p>
<p><u>HB 295:</u> Turns in Certain Residential Areas; Resident Stickers. (Murphy, K.) Allows a county operating under the urban county executive form of government (Fairfax County) may by ordinance to develop a program to issue permits to residents of a designated area that will allow such residents to make turns into or out of the neighborhood during certain times of the day where such turns would otherwise be restricted.</p>	<p>Amended, Passed House; Referred to Senate Local Government Committee; Carried Over to 2019 in Senate Local Government Committee</p>
<p><u>SB 141:</u> Use of Certain Revenues by the Northern Virginia Transportation Authority. (Petersen, C.) Allows revenues of the Northern Virginia Transportation Authority distributed to localities to be used, as determined solely by the applicable locality, to fund new sidewalk projects that reduce congestion.</p>	<p>Carried Over to 2019 in Senate Transportation Committee</p>
<p><u>SB 207:</u> Statewide Prioritization Process Project Selection. (Stuart, R.) Requires the total cost of a transportation project to be considered in evaluating projects under the statewide prioritization process. The bill requires the CTB to evaluate congestion mitigation on the basis of total traffic volumes, not just traffic volumes during weekdays. The bill imposes restrictions on projects receiving funding from the High Priority Projects Program that are evaluated under the statewide prioritization process.</p>	<p>Carried Over to 2019 in House Transportation Committee</p>

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Bill Number/Bill Points	Status
<p>Carried Over (Cont.)</p>	
<p><u>SB 561:</u> Right Lane Restrictions for Tractor Trucks on Interstate 81; Pilot Program. (Obenshain, M.) Directs VDOT to conduct a pilot program establishing zones on Interstate 81 where tractor trucks would be required to travel in the right lane only. The bill establishes requirements for any such designated zone.</p>	<p>Carried Over to 2019 in Senate Transportation Committee</p>
<p><u>SB 583:</u> Western Virginia Transportation Commission and the Western Virginia Transportation Fund. (Hanger, E.) Creates the Western Virginia Transportation Commission and the Western Virginia Transportation Fund (Fund). The Commission shall consist of the chief elected officer of the governing body of each of the counties and cities embraced by the Commission, 2 members of the House of Delegates, 2 members of the Senate, a CTB member who resides in a locality embraced by the Commission, the Director of DRPT and the Commissioner of Highways. Moneys in the Fund shall be used solely for the purposes of new construction projects on new or existing highways, bridges and tunnels in the localities located in Planning Districts 1, 2, 3, 4, 5, 6, and 7. The bill imposes an additional tax upon every distributor who engages in the business of selling fuels at wholesale to retail dealers for retail sale in any county/city that is a member of the Commission.</p>	<p>Substitute Passed Senate; Referred to House Finance Committee; Carried Over to 2019 in House Finance Committee</p>

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Bill Number/Bill Points	Status
<p>Carried Over (Cont.)</p> <p><u>SB 600:</u> Distracted Driving; Penalty. (Vogel, J.) Expands the prohibition on manually entering multiple letters or text in a handheld communications device while operating a motor vehicle to also prohibit the manual selection of multiple icons and removes the condition that such manual entry is prohibited only if performed as a means of communicating with another person. The bill prohibits the operator of a motor vehicle from reading any information displayed on the device; current law prohibits reading an email or text message. The bill provides that this prohibition does not apply to reading any information displayed through the use of a global positioning system for the purpose of navigation. The bill eliminates the current exemption from the prohibition on using a handheld personal communications device while operating a motor vehicle when the vehicle is stopped or not moving; the current exemption from the prohibition when the vehicle is parked is not affected.</p>	<p>Carried Over to 2019 in Senate Courts of Justice Committee</p>
<p><u>SB 857:</u> Public Rights-of-Way Use Fees; High-Speed Internet Access. (Chafin, A.) Allocates a portion of Public Rights-of-Way Use fees collected by the Virginia Department of Transportation and certain localities to be used for the deployment and expansion of high-speed Internet services in underserved areas.</p>	<p>Substitute Reported from Senate Commerce and Labor Committee; Referred to Senate Finance Committee; Carried Over to 2019 in Senate Finance Committee</p>
<p><u>SJR 32:</u> VDOT to Study Feasibility of Eastern Bypass for U.S. Route 29 Around Charlottesville; Report. (Peake, M.) Requests VDOT to study the feasibility of an eastern bypass for U.S. Route 29 around Charlottesville.</p>	<p>Carried Over to 2019 in Senate Rules Committee</p>
<p><u>SJR 33:</u> Study; VDOT; Route 60 Corridor; Report. (Peake, M.) Requests VDOT to review and update its 1999 study entitled "Route 60 Corridor Study: Amherst, Nelson, Appomattox, Buckingham, Cumberland, and Powhatan Counties."</p>	<p>Carried Over to 2019 in Senate Rules Committee</p>