

Legislative Report

2013 Virginia General Assembly Session



Policy Division

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The 2013 General Assembly adjourned February 23rd. This session resulted in a transportation funding bill that is expected to raise millions of dollars a year for roads construction, maintenance and mass transit. This bill replaces the 17.5 cent per gallon gas tax with a 3.5 percent wholesale gas tax, as well as a 6 percent wholesale diesel gas tax. In addition, the state sales tax is increased to 5.3 percent. Other items of note in the funding bill include a prohibition on tolling of I-95 south of Fredericksburg without General Assembly approval, increase in the amount of general fund revenue paid to transportation over time and the imposition of a \$64 annual registration fee on alternative fuel vehicles and hybrids. For more details, please refer to HB 2313 below.

During the 2013 legislative session, 2,574 bills were introduced in the General Assembly. VDOT tracked 234 bills that directly or indirectly impacted the Department. The following pages highlight some legislation of interest that was enacted into law or failed to pass by the 2013 General Assembly. Unless otherwise noted, all bills enacted into law have an effective date of July 1, 2013.

Please contact the Policy Division if you have any questions concerning the 2013 General Assembly session. Additional information can be found at the Policy Division's General Assembly Website — <http://gaweb/>.

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Bill Number/Bill Points	Status
Agency/Governor's Bills <u>HB 2040:</u> Noise Abatement Practices and Technologies. (Comstock) Extends for two additional years (until June 30, 2015) VDOT's evaluation of noise abatement practices and technologies (quiet pavement) by means of demonstration projects and provides for a second interim report by June 30, 2013.	Passed House and Senate; Enrolled; Chapter 120
<u>HB 2041:</u> Fund for Access Roads and Bikeways to Public Recreational Areas and Historical Sites. (Filler-Corn) Authorizes the CTB to establish guidelines, instead of regulations, in connection with administration and use of recreational access funds.	Passed House and Senate; Enrolled; Chapter 222
<u>HB 2044:</u> Recycled Materials in Highway Construction Advisory Committee. (Poindexter) Eliminates the Recycled Materials in Highway Construction Advisory Committee.	Passed House and Senate; Enrolled; Chapter 121
<u>HB 2105:</u> Junkyards Policy and Definitions. (Villanueva) Makes technical amendments to conform Virginia's statutes with corresponding changes in federal law (as a result of MAP-21) regarding the National Highway System.	Passed House and Senate; Enrolled; Chapter 127
<u>HB 2106 / SB 1200:</u> Regulation of Traffic. (Villanueva/Smith) Conforms Title 46.2 (Motor Vehicles) of the Code of Virginia to the most recent version of the Manual on Uniform Traffic Control Devices (adopted by the CTB in December, 2011).	HB 2106: Amended, Passed House and Senate; Enrolled; Chapter 128 SB 1200: Amended, Passed Senate and House; Enrolled; Chapter 400

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Bill Number/Bill Points		Status
Agency/Governor's Bills cont.	<p><u>HB 2116 / SB 1209: Powers and Duties of the VDOT Commissioner and the CTB. (Garrett/Stuart)</u> Amends the powers and duties of the VDOT Commissioner and the CTB to create new efficiencies and streamline procedures by assigning the Commissioner authority/responsibility for specified administrative operations and engineering functions while continuing to reserve with the CTB authority over duties and functions consistent with those of a Policy Board. Also makes technical amendments in recognition of the fact that the CTB does not employ personnel/staff. (Governor's Bill)</p>	<p>HB 2116: Substitute Passed House and Senate; Enrolled; Chapter 585</p> <p>SB 1209: Substitute Passed Senate and House; Enrolled; Chapter 646</p>
	<p><u>HB 2186: Transfer of Property by VDOT. (Dudenhefer)</u> Authorizes VDOT to exchange a portion of VDOT's Keene Area Headquarters property in Albemarle County(that will not perk) for private property adjacent to VDOT's property (that will perk), for purposes of installing a drain field for the Keene Area Headquarters.</p>	<p>Substitute Passed House and Senate; Enrolled; Chapter 238</p>

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Bill Number/Bill Points	Status	
<p>Agency/Governor’s Bills cont.</p>	<p>HB 2313: Revenues and Appropriations of the Commonwealth. (Howell, W.) Creates the Northern Virginia Transportation Authority Fund and the Hampton Roads Transportation Fund; replaces the 17.5 cent per gallon tax on gasoline with a 3.5 percent tax on gasoline and 6 percent tax on diesel fuel at the wholesale level (refunds equal to 2.5 percent tax are authorized for diesel fuel purchases for passenger cars/pickup trucks/other trucks with a GVWR of 10,000 lbs or less); raises the state sales tax from 5 percent to 5.3 percent statewide and 6 percent in planning districts meeting specified criteria (currently Northern Virginia and Hampton Roads planning districts); imposes a 2 percent Transient Occupancy Tax in planning districts meeting certain criteria (currently Northern Virginia planning district); includes a regional congestion relief fee of \$0.15/\$100 for real estate transactions (grantor’s tax) in planning districts meeting certain criteria (currently Northern Virginia planning district); imposes a new 2.1% tax on wholesale fuels distributors in certain planning districts (currently Hampton Roads planning district—the same tax is already imposed in the NOVA planning district); increases the motor vehicle sales tax over time, from 3 percent to 4.15 percent; establishes a new base rate beginning fiscal year 2014 for annual maintenance payments to Henrico and Arlington; increases the amount of general fund revenue paid to transportation over time, from 0.5 percent to 0.675 percent; prohibits tolling on I-95 south of Fredericksburg pursuant to the Interstate System Reconstruction and Rehabilitation Pilot Program without General Assembly approval; imposes a \$64 annual registration fee on alternative fuel vehicles and hybrids; draws funds for transportation from future internet sales tax proceeds if Congress passes the Marketplace Fairness Act. If the Act fails, the revenue would be replaced through an additional 1.6 percent tax applied to the wholesale gasoline tax. (Introduced as Governor's Bill)</p> <p><i>Please see HB 5001 from the 2013 Special Session I for additional changes.</i></p>	<p>Substitute Passed House and Senate; Chapter 766</p>

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Bill Number/Bill Points	Status
Budget Amendments	
<u>HB 1500: Budget Bill. (Putney)</u> Amending Chapter 3, 2012 Special Session I Acts of Assembly.	Amended, Passed House and Senate; Chapter 806
<u>HB 1500, Item 83 J.:</u> Directs DHRM to provide a statement of total compensation to all executive department employees, as shown in Recommendation 1 from the JLARC Review of State Employee Total Compensation.	
<u>HB 1500, Item 84 G.:</u> Directs DHRM to develop a plan to convert to a mandatory provision for the electronic distribution of explanation of health benefits to employees. Reduce costs by elimination paper statements.	
<u>HB 1500, Item 430 N.:</u> Prohibits the use of state funding on Phase II of the Dulles Metro project unless the funding agreement includes provisions stating that the recommendations identified by U.S. Inspector General report have been addressed or the Governor notifies the General Assembly as to why a certain recommendation has not yet been implemented.	
<u>HB 1500, Item 430 K.2:</u> Restores language agreed to by the 2012 General Assembly regarding the source of transportation funding (HMOF) used to fulfill commitments related to payment to Orbital Sciences for repayment of amounts associated with Launch Pad 0-A and liquid fueling facility improvements at the Mid-Atlantic Regional Spaceport.	
<u>HB 1500, Item 430 O.1-4:</u> Directs the Secretary of Transportation to evaluate whether it would be in the best interest of the public to enter into an agreement to purchase the Dulles Greenway to ensure reasonable toll rates to the traveling public. The Secretary shall submit findings to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2013.	
<u>HB 1500, Item 446 G.1-2:</u> Directs the CTB, prior to adopting the SYIP for FY 2014, to establish a state funded transportation enhancement program for Virginia assets such as Virginia Byways, to be funded at amounts of not less than \$500,000 and not more than \$2,500,000 and dedicates \$500,000 to the Route 15 "Journey Through Hallowed Ground" program in the second year.	

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Bill Number/Bill Points	Status
Budget Amendments cont.	
<u>HB 1500, Item 446 H.</u> : Provides \$5.0 million to fund an environmental study for the replacement of the I-64 High Rise Bridge in the Bower's Hill area of Chesapeake from existing transportation funding.	
<u>HB 1500, Item 447.</u> : Provides additional maintenance funding based on the latest calculations for the additional 0.05 percent sales and use tax that is being redirected for transportation activities.	
<u>HB 1500, Item 456 D.</u> : Directs the Virginia Port Authority to undertake a study to further investigate the improvements identified in a 2010 study conducted for the Virginia Port Authority related to the Commonwealth Railway Mainline Safety Relocation in the City of Suffolk. State funds previously were provided to relocate the rail line through the Cities of Portsmouth and Chesapeake, but no such relocation was undertaken in Suffolk. Currently there are 51 public at-grade crossings in Suffolk, traversed by 167,046 vehicles per day, and resulting in 227 daily hours of vehicle delay. The Authority shall submit a report to the Chairmen of the House Appropriations and Transportation Committees and the Senate Finance and Transportation Committees by November 15, 2013 outlining the potential funding sources and a proposed schedule of completion for the detailed study.	
<u>HB 1500, Item 468 S.</u> : Increases salary for state employees who have five years or more of continuous state service by providing \$65 for each full year of service, up to thirty years, effective July 25, 2013. Also moves 2% salary increase from July 10, 2013 to July 25, 2013.	
<u>HB 1500, Item 35.30.</u> : Authorizes VDOT to exchange land parcels with an adjacent property owner in Keene to allow for a new septic system. The land parcel currently owned by VDOT is not suitable for a septic system.	
<u>HB 1500, Item 4-7.01.</u> : This amendment clarifies language in the introduced budget limiting the number of hours that can be worked by part time employees. The language clarifies that the limit of less than an average of 30 hours a week shall be calculated based on the average over an entire 12 month period.	

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Bill Number/Bill Points		Status
CTB	<p>HB 1809: Powers of the Commonwealth Transportation Board (CTB). (McQuinn) Limits the types of funds that are subject to reallocation by the CTB when local highway transportation plans are determined to be inconsistent with the CTB's Statewide Transportation Plan or the Six-Year Improvement Program, by prohibiting the CTB from reallocating certain types of funds.</p>	Amended, Passed House and Senate; Enrolled; Chapter 569
	<p>HB 2276 / SB 1305: Virginia Economic Development Partnership, VPA and CTB. (Jones / Wagner) Implements reforms of the VPA by adding the Chief Executive Officer of the Virginia Economic Development Partnership to the Board of Commissioners, adding the VPA Executive Director to the CTB as a non-voting member, and preventing the Commonwealth and the VPA from accepting any unsolicited proposal under the 1995 PPTA or the PPEA regarding the ownership or operation of any seaport or port facility.</p>	HB 2276: Substitute Amended, Passed House and Senate; Enrolled; Chapter 762 SB 1305: Substitute Passed Senate and House; Enrolled; Chapter 794

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Bill Number/Bill Points		Status
Environmental	<p>HB 2137: Environmental Impact Reports and the Purchase of Certain Deicing Agents. (Byron) Raises from \$500,000 to \$2 million the cost threshold at which a locality will be required to obtain an environmental impact report for a highway project. For certain projects costing more than \$500,000 and less than \$2 million, the locality is required to consult with the Department of Historic Resources to make efforts to minimize impacts to historic resources. The bill also exempts the sale of deicing agents containing urea from the current prohibition on such sales where the deicing agent is to be used by a municipal corporation located in Planning District 11 or a political subdivision in Planning Districts 6 or 7. (Governor's Bill)</p>	Substitute Amended, Passed House and Senate; Enrolled; Chapter 758
	<p>SB 1166: Littering and Illegal Dumping. (Smith) Provides that when a person is convicted of illegally dumping or disposing of garbage or refuse on public property or on private property without the permission of the owner, the court may order a mandatory minimum of 10 hours of community service.</p>	Substitute Passed Senate and House; Chapter 156

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Bill Number/Bill Points		Status
Funding/Revenue/Taxes	<p>HB 1953: U.S. Route 58 Corridor Development Program. (Poindexter) Changes the maximum amount of bonds that the Commonwealth Transportation Board may issue from an aggregate principal amount not exceeding \$704,300,000 to an aggregate principal amount not exceeding \$1,300,000,000, provided that the debt service on the additional bonds that may be issued pursuant to the bill shall be paid solely by the recordation tax revenue dedicated for the development of the U.S. 58 Corridor and other funds as may be appropriated by the General Assembly. The bill is contingent upon a comprehensive, statewide transportation funding bill being passed by the 2013 Session of the General Assembly (HB 2313).</p>	Substitute Amended, Passed House and Senate; Enrolled; Chapter 296
	<p>HB 5001: Transportation funds for certain localities. (O’Bannon) Reverts to current law regarding a portion of the calculation of certain transportation funds for counties that have withdrawn or elect to withdraw from the secondary system of state highways, referring to amounts per lane-mile, not per moving lane-mile. The change to moving lane-mile made under HB 2313 becomes effective July 1, 2013, and the reversion pursuant to HB 5001 is effective on the constitutionally "in due course" date of August 1, 2013. This legislation was introduced during the 2013 Special Session I.</p>	Passed House and Senate; Chapter 1 (2013 Special Session I)

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Bill Number/Bill Points	Status
Highways/Bridges/Signs HB 1508: Congressman William Wampler, Sr., Memorial Highway. (O'Quinn) Designates I-81 between the Virginia/Tennessee line and Exit 118 the "Congressman William Wampler, Sr., Memorial Highway." 	Passed House and Senate; Chapter 112
HB 1514: Golf Carts and Utility Vehicles. (Lewis) Adds the town of Wachapreague to the list of towns that may authorize over-the-road operation of golf carts and utility vehicles, even though the town does not have its own police department. 	Passed House and Senate; Chapter 64
HB 1633: Local Beautification Projects. (Cosgrove) Requires localities to provide a 30-day written notice to the Commissioner prior to installation of a local beautification project in the public right-of-way of a VDOT maintained highway that may obstruct the motorists' view of signs displayed on outdoor advertising structures. Such notice shall include a description of the plant materials to be used in, and a copy of the plans for, such beautification project. 	Substitute Passed House and Senate; Enrolled; Chapter 737
HB 1885: Quantitative Rating of Pavement Condition and Ride Quality of Highways. (LeMunyon) Requires VDOT to determine a quantitative rating on the pavement condition and ride quality of every highway in the primary and secondary state highway systems at least every five years and to post the ratings on its website. Quarterly updates are required. 	Amended, Passed House and Senate; Enrolled; Chapter 290
HB 2029: Speed Limits. (Dudenhefer) Allows the governing body of any town located entirely within the confines of a United States military base to reduce the speed limit to less than 25 miles per hour on any highway within its boundaries, by ordinance, provided such reduced speed limit is indicated by lawfully placed signs. 	Substitute Passed House and Senate; Enrolled; Chapter 303
HB 2215: "Charles K. 'Pete' Estes Memorial Bridge." (Webert) Designates the newly replaced U.S. Route 522 bridge in Sperryville as the "Charles K. 'Pete' Estes Memorial Bridge." 	Passed House and Senate; Chapter 134

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Bill Number/Bill Points	Status	
Highways/Bridges/Signs cont.	<p>HB 2217 / SB 959: Crossing Highways. (Greason/Favola) Allows local governing bodies to adopt ordinances requiring users of shared-use paths to stop before crossing highways at marked crosswalks where there are no traffic control signals at the crossing. A locality adopting such an ordinance shall install and maintain stop signs at the crossing in a manner that is consistent with CTB standards and in coordination with VDOT when necessary. For shared-use paths owned and operated by a park authority, placement and enforcement of stop-signs shall be coordinated with the authority.</p>	<p>HB 2217: Substitute Passed House and Senate; Enrolled; Chapter 507</p> <p>SB 959: Substitute Passed Senate and House; Enrolled; Chapter 681</p>
HOT Lanes	<p>HB 1526: HOT Lanes. (Rust) Provides that emergency vehicles and law-enforcement vehicles that otherwise would be allowed free use of HOT lanes in the performance of their duties are not authorized to such free use when the vehicle is being used to commute.</p>	<p>Amended, Passed House and Senate; Enrolled; Chapter 195</p>
	<p>HB 2052 / SB 1204: HOT Lanes. (Rust/McDougle) Provides that drivers of state and local law enforcement vehicles, firefighting trucks, ambulances, and rescue squad vehicles that enter HOT lanes by crossing a barrier or buffer while performing official duties are not guilty of reckless driving. The bill contains an emergency enactment clause. (VSP Agency Bill)</p>	<p>HB 2052: Amended, Passed House and Senate; Chapter 85</p> <p>SB 1204: Amended, Passed Senate and House; Chapter 101</p>
Miscellaneous	<p>HB 1384: Joint Commission on Transportation Accountability. (May) Removes obsolete provision requiring the Commonwealth to provide the Commission with "adequate office space."</p>	<p>Passed House and Senate; Enrolled; Chapter 332</p>
	<p>HB 1393: Department of General Services Fleet Management. (Marshall, D.) Provides for DGS to issue guidance documents, rather than regulations, to govern use of vehicles in the state fleet. (Agency Bill)</p>	<p>Passed House and Senate; Enrolled; Chapter 485</p>

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Bill Number/Bill Points		Status
Outdoor Advertising	<p>HB 2298 / SB 820: Billboards. (Anderson/Puckett)</p> <p>Establishes that a non-conforming billboard may be relocated if land on which the billboard is located is acquired by eminent domain in connection with a highway project, provided that (1) the only reason the billboard is non-conforming is due to a local ordinance and (2) upon relocation the billboard will be in compliance with applicable outdoor advertising laws and regulations.</p>	<p>HB 2298: Substitute Passed House and Senate; Enrolled; Chapter 603</p> <p>SB 820: Substitute Passed Senate and House; Enrolled; Chapter 611</p>
	<p>SB 888: Advertising Within Highway Rights-of-Way. (Deeds)</p> <p>Provides that penalties and costs collected as the result of an agreement between the Commissioner of Highways and a locality for enforcement of illegal signs on highway rights-of-way may be paid as agreed to in the agreement. Existing law would allow localities to only receive costs.</p>	<p>Amended, Passed Senate and House; Enrolled; Chapter 457</p>

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Bill Number/Bill Points		Status
Overweight/Weight Limits	<p>HB 1453 / SB 1050: Extension of Loads Beyond Front of Vehicle. (Cox / McDougle)</p> <p>Allows loads to extend 10 feet beyond the front of the vehicle for utility poles during the daytime and for emergency utility repair at night. Under current law, no vehicle is allowed to carry a load that extends more than three feet beyond the front of the vehicle.</p>	<p>HB 1453: Passed House and Senate; Enrolled; Chapter 242</p> <p>SB 1050: Passed House and Senate; Enrolled; Chapter 385</p>
	<p>HB 1985: Vehicle Weight Limits and Overweight Permits. (May)</p> <p>Clarifies 2012 legislation dealing with vehicle weight limits and overweight permits. Specifically, the bill increases from 400 pounds to 550 pounds the amount of additional weight allowed for motor vehicles that utilize an auxiliary power unit or other idle reduction technology to reduce fuel use/emissions. Also increases allowable weights for certain vehicles hauling Virginia-grown farm products. Added language making it clear that notwithstanding any other provision of law (such as those establishing weight limits for certain vehicles) it is unlawful to operate a vehicle or combination of vehicles on any public highway or section thereof when the weight, size, or speed thereof exceeds the maximum posted by the Commissioner of Highways or local authorities pursuant to § 46.2-1104.</p>	<p>Substitute Amended, Passed House and Senate; Chapter 118</p>
	<p>HB 2228: Overweight Vehicle Permit Fees. (Morefield)</p> <p>Provides that the engineering analysis performed prior to issuance of an overweight vehicle permit is not to exceed three hours for purposes of calculating and assessing the cost-based permit fee.</p>	<p>Passed House and Senate; Enrolled; Chapter 354</p>

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	Bill Number/Bill Points	Status
<p>PPTA</p>	<p>HB 1692 / SB 977: PPTA Proposals Comprehensive Agreements. (Jones, C. / Lucas) Requires that for proposals submitted pursuant to the PPTA, the notice that must be posted shall provide for a period of 120 days for the submission of competing proposals; include specific information regarding the proposed nature, timing, and scope of the qualifying transportation facility; and outline the opportunities that will be provided for public comment during the review process. Once the negotiation phase for the development of an interim or a comprehensive agreement is complete and a decision to award has been made by a responsible public entity, the responsible public entity must post the major business points of the interim or comprehensive agreement, including the projected use of any public funds, on DGSs central electronic procurement website and outline how the public can submit comments on those major business points.</p>	<p>HB 1692: Substitute Passed House and Senate; Enrolled; Chapter 560</p> <p>SB 977: Substitute Passed Senate and House; Enrolled; Chapter 622</p>
	<p>HB 1994: Virginia Public Procurement Act Contract Pricing Arrangements. (Massie) Provides that the award of a public contract may be made on the basis of cost plus a percentage of the private investment made by a private entity when procuring commercial or financial consulting services to solicit or to solicit and evaluate proposals for a qualifying transportation facility under the PPTA or a qualifying project under the PPEA.</p>	<p>Passed House and Senate; Enrolled; Chapter 496</p>

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Bill Number/Bill Points		Status
Procurement/Contracting	<p>HB 2079: Virginia Public Procurement Act Methods of Procurement. (Jones) Reorganizes the definitions of competitive sealed bidding and competitive negotiation. The bill also adds a definition of job order contracting. Directs the Chairmen of the House and Senate General Laws Committees to convene a working group consisting of representatives of the Department of General Services and the contracting community, local government procurement officials, professional service contractors and other interested parties to examine the provisions of the Virginia Public Procurement Act and make recommendations for changes in the law. (Governor's Bill)</p>	Amended, Passed House and Senate; Chapter 583
	<p>HB 2316 / SB 1246: Virginia Public Procurement Act Architectural or Professional Engineering Services. (Byron / Colgan) Raises, for certain local public bodies, the maximum cost of architectural or professional engineering services for all projects in one contract term of a multiple project contract from \$500,000 to \$1.5 million for airports and aviation transportation projects, and raises the maximum cost of architectural or professional engineering services for any single project from \$100,000 to \$500,000 for airports and aviation transportation projects. For a locality or authority or sanitation district with a population in excess of 80,000, the bill keeps the maximum cost of such services at \$2 million.</p>	HB 2316: Substitute Passed House and Senate; Chapter 518 SB 1246: Substitute Passed Senate and House; Chapter 543

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Bill Number/Bill Points		Status
Property Conveyance/Eminent Domain	<p>HB 1627: Transfer of Property by VDOT. (Webert) Authorizes VDOT to convey certain real property in Fauquier County controlled by the Department in exchange for other real property in Fauquier County to be used for a park-and-ride.</p>	Substitute Passed House and Senate; Enrolled; Chapter 736
	<p>HB 1983: Vesting of Certain Real Property in the County of Loudoun. (May) Vests real property of the former Town of Waterford in the County of Loudoun. The Board of Supervisors may alter or vacate streets, alleys, and other public rights of way of the former town.</p>	Passed House and Senate; Enrolled; Chapter 753
	<p>HB 2306: Eminent Domain Just Compensation. (Ramadan) Provides that offers made and certificates of deposit filed for real property to be taken pursuant to eminent domain shall not be less than the appraisal of the fair market value of such property, or the current assessed value of such property for real estate tax purposes when the entire parcel for which the assessment has been made is to be acquired, whichever is greater. An exception is made when the property has physically changed in a material and substantial way since the current assessment date such that the real estate tax assessment no longer represents a fair valuation of the property. Under current law, such offers and certificates of deposit shall not be less than the appraisal of fair market value. Language in the bill provides that nothing in the affected sections shall make evidence of tax assessments admissible as proof of value in an eminent domain proceeding.</p>	Substitute Passed House and Senate; Enrolled; Chapter 764

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Bill Number/Bill Points	Status	
<p>Property Conveyance/Eminent Domain cont.</p>	<p><u>SB 1317:</u> Property Conveyance to the Mennel Milling Company. (Smith) Modifies the 2011 enactments whereby DGS was authorized to swap certain real property owned by VDOT to the Mennel Milling Company in Roanoke County, in exchange for property owned by Mennel Milling. Provides that the swap is authorized to be made at no cost to the Commonwealth relating to such items as title insurance fees and premiums, environmental investigations, and survey costs, but expressly excluding any potential costs expended by the Commonwealth related to the improvement and use of the property exchanged or for costs expended in connection with the use of the parcel conveyed. (The VDOT parcel subject to conveyance is property VDOT intended to use for an area maintenance headquarters for southwestern Roanoke.) The bill also removes the emergency clause on the 2011 enactments.</p>	<p>Amended, Passed Senate and House; Enrolled; Chapter 795</p>
<p>Reports/Studies</p>	<p><u>SJR 277:</u> National Unified Goal for Traffic Incident Management Report. (Blevins) Requests the Secretary of Public Safety to establish a Statewide Traffic Incident Management Committee to coordinate the adoption and implementation of the National Unified Goal for Traffic Incident Management.</p>	<p>Substitute Agreed to by Senate and House</p>
	<p><u>SR 30:</u> Toll Mitigation Measures Report. (Lucas) Directs the Senate Committee on Finance to study how the impact of tolls on Virginia's disadvantaged citizens can be mitigated. Incorporates SJR 312 and SJR 317.</p>	<p>Substitute Agreed to by Senate</p>

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Bill Number/Bill Points		Status
State Employees	<p><u>SB 780:</u> Individual Accident and Sickness Insurance. (Watkins) Repeals the requirement that a health insurer that is, or is successor to a health services plan, provide an open enrollment program for individual accident and sickness contracts. Under the open enrollment program, an individual may purchase a product at any time during the year, with the caveat that the individual serve a 12-month waiting period before services are covered for any preexisting condition. This requirement is inconsistent with guaranteed issue provisions of the federal Patient Protection and Affordable Care Act (ACA) that prohibit waiting periods for coverage for preexisting conditions and that provide for limited open enrollment periods. The measure also eliminates certain provisions that set a tax rate of 0.75 percent on premiums from policies sold under the open enrollment program. The measure will become effective January 1, 2014.</p>	Amended, Passed Senate and House; Chapter 136
	<p><u>SB 995:</u> Virginia Retirement System. (Watkins) Makes technical changes to carry out provisions enacted by the General Assembly in 2012 regarding retirement plans administered by the Virginia Retirement System.</p>	Amended, Passed Senate and House; Enrolled; Chapter 463

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Bill Number/Bill Points		Status
Transportation Planning	<p><u>HB 1717</u> / <u>SB 1293</u>: Comprehensive Plan Transportation. (Anderson / Barker)</p> <p>Provides that VDOT must, in performing reviews of local transportation/comprehensive plans for consistency with the CTB's Statewide Transportation Plan, the Six-Year Improvement Program, and the location of routes for roads comprising systems of state highways, provide written comments to the locality within 90 days of receipt of the plan, or such other shorter period of time as may be agreed upon by the Department and the locality.</p>	<p>HB 1717: Amended, Passed House and Senate; Enrolled; Chapter 561</p> <p>SB 1293: Amended, Passed Senate and House; Chapter 656</p>
	<p><u>HB 1718</u> / <u>SB 1075</u>: Transportation Planning and Projects. (Anderson / Barker, Stewart)</p> <p>Amends legislation enacted last year providing for localities and MPOs to reimburse VDOT when the locality or MPO requests termination of a project for which state or federal funds have been expended—this legislation provides that reimbursement may be required if VDOT does not agree to the termination. The bill also provides that if, after design approval by the Chief Engineer, a locality or MPO requests alterations to a project that result in increased project costs in excess of 10 percent of the original cost, the locality or MPO may be required to pay the additional costs.</p>	<p>HB 1718: Amended, Passed House and Senate; Enrolled; Chapter 741</p> <p>SB 1075: Amended, Passed Senate and House; Enrolled; Chapter 388</p>
	<p><u>HB 2239</u>: Cash Proffers. (Marshall, D.)</p> <p>Provides that no cash payment proffered shall be used for any capital improvement to an existing facility, such as a renovation or technology upgrade, that does not expand the capacity of such facility or for any operating expense of any existing facility such as ordinary maintenance or repair. The legislation is not intended to impact cash proffers offered for road and/or transportation improvements.</p>	<p>Substitute Passed House and Senate; Enrolled; Chapter 510</p>

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Bill Number/Bill Points	Status
<p>Failed Bills</p> <p>HB 1302: Tolling Fees. (Loupassi) Prevents VDOT from charging monthly fees for the automatic electronic tolling payment program and its transponders.</p>	Failed
<p>HB 1328: Commissioner of Highways Agreements with Localities. (Marshall, R.) Adds Prince William County to existing provisions that allow Fairfax County to enter into agreements with the Commissioner of Highways regarding enforcement of provisions related to signs and advertisements within highway limits. The penalties and costs collected under such agreements are paid to the affected locality.</p>	Failed
<p>HB 1403: Sales and Use Tax Revenue Dedicated to the TTF. (Cole) Increases the amount of sales and use tax revenue dedicated to the TTF from an amount generated by a 0.5 percent tax rate under current law to an amount generated by a one percent tax rate, phased in by a 0.1 percent increase each year for five years, or over a longer period of time if there is a lack of growth in general fund revenues.</p>	Failed
<p>HB 1405: Private Road Easements Maintenance and Repairs. (Bell, Richard) Provides that all the property owners served by a private road or right-of-way that serves as the primary source of ingress and egress for the properties are jointly and equally responsible for the cost of maintaining and repairing the road or right-of-way unless the owners agree otherwise. Such costs include the cost of snow removal but do not include the cost of capital improvements to the road or right-of-way.</p>	Failed

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Bill Number/Bill Points	Status
<p>Failed Bills cont.</p> <p>HB 1409: Motor Fuels Tax Rate. (Scott, J.) Converts the rate of taxation on motor fuels from cents per gallon to a percentage rate. The bill provides that the DMV Commissioner shall calculate the percentage rate in an amount that will most closely yield the amount of cents per gallon being charged on the applicable motor fuel prior to the effective date of the bill. Thereafter, the percentage rates would not change, but would be applied against the average price per gallon of the fuel, less federal and state taxes, as determined by the DMV Commissioner over rolling six-month periods, to determine the cents to be charged.</p>	Failed
<p>HB 1416: Weight Limits for School Buses. (Crockett-Stark) Exempts school buses from weight limits applicable to other vehicles traveling south on U.S. Route 52 on Fancy Gap Mountain.</p>	Failed
<p>HB 1438: Motor Fuels Tax Indexed. (Purkey) Requires that the motor fuels tax rate be indexed on January 1, 2014, and each year thereafter, to the average percentage change in the U.S. Department of Transportation's Transportation Services Index for the three years ending October 31 of the year immediately preceding the affected year.</p>	Failed
<p>HB 1450 / SB 824: Additional State Sales and Use Tax in the Hampton Roads Planning District Referendum. (Stolle, Villanueva/McWaters) Provides for an additional one percent sales and use tax in the counties and cities located in the Hampton Roads Planning District, with the additional revenues generated by the tax to be used for regional transportation projects. The tax would become effective on January 1, 2014, and only if approved by a majority of the voters in the Planning District at the November 2013 election.</p>	HB 1450: Failed SB 824: Failed
<p>HB 1460: Tolls Interstate Highway System. (Tyler) Prohibits tolling on Interstate 95 without the approval of the General Assembly.</p>	Failed

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	Bill Number/Bill Points	Status
<p>Failed Bills cont.</p>	<p><u>HB 1472:</u> Transportation Funding and Administration. (Watts, Scotts)</p> <p>Provides additional funding for transportation by imposing a motor fuels sales tax rate of five percent for highway maintenance; increasing the state sales tax in Northern Virginia by 0.5 percent for transportation projects in Northern Virginia; and adding an additional recordation tax in Northern Virginia at a rate of \$0.40 per \$100 valuation. The bill also reduces the sales and use tax rate on food for human consumption from 1.5 percent to one percent, and repeals the authority for certain localities to impose a local income tax. The bill removes the sunset date (June 30, 2018) from the legislation that reduced the special real property tax rate on commercial property in Northern Virginia from \$0.25 per \$100 of assessed value to \$0.125 per \$100 of assessed value. Finally, the bill increases the special real property tax rate on commercial property in localities in Hampton Roads from \$0.10 per \$100 of assessed value to \$0.125 per \$100 of assessed value.</p>	<p>Failed</p>
	<p><u>HB 1488:</u> Local Implementation of Stormwater Management Program. (Rush)</p> <p>Delays the date that local governments will have to assume responsibility for administering the stormwater management program from July 1, 2014, to July 1, 2015.</p>	<p>Failed</p>

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Bill Number/Bill Points	Status
<p>Failed Bills cont.</p> <p>HB 1624: Virginia Public Procurement Act; Contracts and Labor Organizations. (Hugo) Provides, under certain conditions, that when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of a transportation facility paid for in whole or in part by state funds, or when overseeing or administering such procurement, neither the CTB nor any state transportation agency nor any construction manager acting on behalf of such entities shall, in their bid specifications, project agreements, or other controlling documents, provide an incentive in the scoring of such bids that favors entities entering into project labor agreements. The bill defines "transportation facility" and sets out exceptions to this requirement.</p>	Failed
<p>HB 1663: Local Motor Fuels Tax. (Minchew) Authorizes any county or city to impose a tax at a rate not to exceed \$0.10 per gallon on motor fuel sold by a wholesale distributor to a retail dealer in the locality. The revenue from such tax shall be used solely for transportation projects.</p>	Failed
<p>HB 1677: Transportation Funding. (Hugo) Adjusts the sources and amounts of funding for transportation by repealing the tax on all motor fuels except diesel fuel and diesel blended fuel, increasing the retail sales and use tax rate by 0.75 percent and allocating the additional revenue to transportation according to the current formula for motor fuels tax revenue allocation, and doubling the amount of current sales and use tax revenue dedicated to the Transportation Trust Fund.</p>	Failed
<p>HB 1696: Dulles Toll Road and the Dulles Corridor Metrorail Project. (Minchew) Authorizes VDOT to enter into an agreement with the Metropolitan Washington Airports Authority (MWAA) whereby MWAA would reduce tolls on the Dulles Toll Road in exchange for the Commonwealth's moral obligation backing of bonds, not exceeding an aggregate principal amount of \$500 million, issued by MWAA to fund Phase 2 of the Dulles Corridor Metrorail project.</p>	Failed

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	Bill Number/Bill Points	Status
Failed Bills cont.	<p>HB 1732: Richmond Metropolitan Authority. (Loupassi) Equalizes board representation among the City of Richmond, Chesterfield County, and Henrico County. The bill also requires that certain actions of the Authority related to construction or acquisition of limited access highways receive approval from the local governing bodies.</p>	Failed
	<p>HB 1779: Tolling Transponder Fees. (Filler-Corn) Prohibits imposition of a monthly fee for any tolling transponder for any month in which the transponder is used at least 10 times.</p>	Failed
	<p>HB 1814: Comprehensive Agreements Under PPTA. (Joannou) Requires that every comprehensive agreement entered into under the 1995 PPTA on or after July 1, 2013, be subject to approval by a majority vote of both houses of the General Assembly.</p>	Failed
	<p>HB 1823: Public Procurement Posting. (Villanueva) Requires all state public bodies proceeding with written informal solicitations to post a notice on DGS's central electronic procurement website. In addition, public bodies may post the notice on other appropriate websites or publish in a newspaper of general circulation. Also, all state public bodies proceeding with reverse auctioning shall post a notice on DGS's central electronic procurement website. In addition, public bodies may post the notice on other appropriate websites or publish in a newspaper of general circulation.</p>	Failed

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	Bill Number/Bill Points	Status
<p>Failed Bills cont.</p>	<p><u>HB 1878:</u> Appropriations of the Commonwealth and its Localities. (Morrissey) Establishes a five percent tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the HMOF, the TTF, the Intercity Passenger Rail Operating and Capital Fund, and the localities to be used for transportation purposes; increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles to pay this fee. However, owners of hybrid electric motor vehicles would be eligible for a refund of the new five percent tax on motor fuels sales; lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014. Income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate; repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013; eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.</p>	<p>Failed</p>
	<p><u>HB 1879:</u> Photo-Monitoring Systems. (Morrissey) Provides that the length of the all-red clearance interval shall be established based on the recommended methodology of the Institute of Transportation Engineers. The bill also amends current provisions by detailing the instances in which citations may be issued to drivers making right-turn movements.</p>	<p>Failed</p>

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Bill Number/Bill Points	Status
<p>Failed Bills cont.</p> <p><u>HB 1882:</u> Virginia Public Procurement Act Required Contract Provisions. (Morrissey) Requires all public bodies to include in every contract of more than \$100,000 that involves the performance of work within the Commonwealth provisions requiring the contractor to agree (i) that 51 percent of all positions created in performance of the contract be filled by Virginia residents, (ii) that 35 percent of the total hours worked by apprentices in positions created in performance of the contract be performed by Virginia residents, and (iii) to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. Under the bill, "new position" shall not include a position that is filled by a current employee of the contractor or an individual who was previously laid off by the contractor. The bill provides that it does not apply to any contracts for professional services.</p>	Failed
<p><u>HB 1884:</u> Allocation of Highway Maintenance Funds. (LeMunyon) Provides that highway maintenance funds shall be allocated on the basis of vehicle miles traveled in each highway construction district compared to vehicle miles traveled in the Commonwealth as a whole. However, the bill also allows the Commissioner of Highways to direct funds to specific maintenance projects that he believes are needed to protect public safety, provided he provides written notice to the Commonwealth Transportation Board.</p>	Failed
<p><u>HB 1908:</u> Commonwealth Transportation Board Composition. (Surovell) Changes the composition of the CTB so that one member will be appointed from each of Virginia's congressional districts and three will be at-large appointees. The three ex officio members remain unchanged. The bill also replaces the term "metropolitan statistical areas" with "metropolitan planning areas with populations greater than 200,000."</p>	Failed
<p><u>HB 1949:</u> Reckless Driving Speed Limits on Toll Facilities. (Yancey) Eliminates the provision making driving 80 mph or faster reckless driving and allows speed limits of 80 mph on toll roads, including HOT lanes.</p>	Failed

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Bill Number/Bill Points		Status
<p>Failed Bills cont.</p>	<p><u>HB 1979:</u> Authorization of Bonds to Acquire the Dulles Greenway. (May)</p> <p>Authorizes the CTB to issue bonds to acquire the Dulles Greenway and if determined necessary by the Board, improve or upgrade the Dulles Greenway. If acquired, the Board would impose and collect tolls from all classes of vehicles in amounts established by the Board for the use of the same. The aggregate principal amount of bonds that could be issued by the Board would be conditioned upon the revenues from the tolls or other charges to be imposed on the Dulles Greenway as proposed and established by the Board, as follows: the revenues from the tolls or other charges proposed by the Board would reasonably be expected by the Board to pay (a) in full and when payable the debt service on all bonds or other obligations issued or entered into by the Board to acquire the Dulles Greenway, (b) the ongoing costs of operating and maintaining the Dulles Greenway, (c) the costs of purchasing and installing electronic tolling equipment or other equipment for the Dulles Greenway if such equipment is determined necessary, (d) the cost of purchasing parking facilities, and (e) ongoing necessary administrative costs relating to the Dulles Greenway. The bill provides no bonds could be issued by the Commonwealth Transportation Board to acquire the Dulles Greenway unless the Treasury Board provides through a written certification provided to the Governor and the CTB its opinion that the revenues from the tolls or other charges proposed by the CTB for use of the Dulles Greenway are reasonably expected to result in a debt service coverage ratio of at least 1.25.</p>	<p>Failed</p>

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Bill Number/Bill Points	Status
<p>Failed Bills cont.</p> <p><u>HB 1980:</u> Dulles Greenway Authority Created. (May) Creates the Dulles Greenway Authority to, among other things, operate and maintain the Dulles Greenway. The Authority would be governed by a board of directors composed of 15 voting members as follows: one current member of the local governing body of each of the Counties of Arlington, Fairfax, Loudoun, and Prince William and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park to be appointed by the Governor; four nonlegislative citizen members to be appointed by the Speaker of the House of Delegates; and two nonlegislative citizen members to be appointed by the Senate Committee on Rules. The Secretary of Transportation would serve as a nonvoting ex officio member of the Board. For voting purposes, the members of the Board appointed by the Governor from the local governing bodies of the County of Fairfax and the County of Loudoun would each be entitled to cast two votes on each question put before the Board. The Authority would operate, maintain, and administer the Dulles Greenway on behalf of the Commonwealth using such moneys as provided to it for such purposes. The Authority would collect all tolls and other charges established by the Commonwealth Transportation Board for the use of the Dulles Greenway and would deposit such funds into the state treasury. The Authority would be prohibited from establishing or fixing tolls, rents, fees, or other charges for the use or enjoyment of any facility owned by the Commonwealth. The provisions of the bill would not become effective unless and until the CTB acquires the Dulles Greenway on or before July 1, 2015.</p>	<p>Failed</p>
<p><u>HB 2020:</u> Use of Toll Revenues. (LeMunyon) Prohibits use of toll revenues for any purpose other than the construction, reconstruction, replacement, maintenance replacement, improvement, or maintenance of the facility for the use of which the tolls were imposed and collected, except as otherwise provided in § 33.1-23.03:4 (Toll Facilities Revolving Account) and subsection D of § 33.1-23.03:10 (tolls on Interstate Highway System components). The bill exempts from its provisions tolls imposed and collected on January 1, 2013.</p>	<p>Failed</p>

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	Bill Number/Bill Points	Status
<p>Failed Bills cont.</p>	<p><u>HB 2049:</u> Composition of Commonwealth Transportation Board. (Rust) Increases the total membership of the CTB from 17 to 20 members by doubling the representation for the Richmond, Hampton Roads, and Northern Virginia highway construction districts. (Governor's Bill)</p>	<p>Failed</p>
	<p><u>HB 2063:</u> Appropriations of the Commonwealth. (Rust) Establishes a 5% tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the HMOF, the TTF, the Intercity Passenger Rail Operating and Capital Fund, and the localities to be used for transportation purposes; increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered to pay this fee. However, owners of hybrid electric motor vehicles would be eligible for a refund of the new 5% tax on motor fuel sales; repeals income tax credits for vehicle emissions testing equipment effective for taxable years beginning on or after January 1, 2013; authorizes planning district commissions to be eligible to receive revenues to be used solely for transportation purposes within the planning district. The revenues would be generated by an additional 0.5% state sales and use tax and an additional state recordation tax of 15 cents per \$100 in the localities located in the planning district commission. In order to be eligible, the planning district commission must determine, in order of priority, a list of 10 transportation projects that it would like to fund with the revenues. Additionally, the governing bodies of the localities representing at least a majority of the residents within the planning district commission must pass a resolution in support of the generation of such revenues. After these requirements have been met, the General Assembly must specifically authorize the imposition of such taxes in the localities in the planning district commission during the next session of the General Assembly. If the revenues are authorized, then, if applicable, a locality would no longer be authorized to impose a local income tax.</p>	<p>Failed</p>

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Bill Number/Bill Points	Status
Failed Bills cont.	
<u>HB 2067</u> : Virginia Alternative Fuels Revolving Fund. (Poindexter) Replaces "regulations" governing the Fund with "guidelines."	Failed
<u>HB 2074</u> / <u>SB 1184</u> : VITA Procurement. (Robinson/Vogel) Clarifies that all information technology and telecommunications goods and services of every description procured on behalf of state agencies may only be purchased by VITA and details VITA's role in all aspects of the procurement of such goods and services on behalf of state agencies. In addition, the bill provides that any contract for information technology or telecommunications goods or services entered into by a state agency or institution without written authorization from VITA shall be void and prohibits the Comptroller from issuing payment under any contract not approved or authorized by VITA. (Technology Agency Bill)	Failed
<u>HB 2078</u> : Public Procurement. (Peace) Increases public notice of requests for proposals from 10 to 30 days. The bill also limits the use of competitive negotiation for construction projects, including certain public institutions of higher education, for which the aggregate or sum of all phases is not expected to exceed \$10 million, the nature of the project is such that it is unusually complex or extraordinary conditions exist, and the DGS Director and the Secretary of Administration certify such conditions exist; requires posting on eVa and other appropriate websites for state and local public bodies using certain methods of procurement; changes the process for procurement of design-build or construction management projects; and allows a bidder or offeror to protest a public body's use of competitive negotiation.	Failed
<u>HB 2129</u> : Toll Roads. (Spruill) Requires General Assembly approval for tolling of any Interstate, state primary, or state secondary highway system component.	Failed
<u>HB 2141</u> : Street Maintenance Payments. (Keam) Provides for increased highway maintenance payments by the VDOT Commissioner to municipalities where traffic volumes exceed the statewide average by more than 20 percent.	Failed

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Bill Number/Bill Points	Status
<p>Failed Bills cont.</p> <p>HB 2165: Signs or advertising within limits of highways. (Dudenhefer) Imposes a civil penalty of \$100 for first violations and \$250 for second or subsequent violations for placing advertising within highway rights-of-way.</p>	Failed
<p>HB 2179 / SB 717: Appropriations of the Commonwealth and its Localities. (Rust/Watkins) Establishes a five percent tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the HMOF, the TTF, the Intercity Passenger Rail Operating and Capital Fund, and the localities to be used for transportation purposes. Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles to pay this fee. However, owners of hybrid electric motor vehicles would be eligible for a refund of the new five percent tax on motor fuels sales. Prohibits the placement of tolls on existing roads without the approval of the General Assembly. Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014. Income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate. Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013. Eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.</p>	HB 2179: Failed SB 717: Failed
<p>HB 2196: Tolls on Interstate Highway System components. (Peace) Requires approval by the General Assembly prior to tolling any Interstate Highway System component in operation prior to July 1, 2013, except for HOV lanes and HOT lanes and continued tolling on toll facilities in operation prior to January 1, 2013.</p>	Failed

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Bill Number/Bill Points	Status
Failed Bills cont. <u>HB 2224:</u> Motor Fuels Tax Rate Increase. (Howell, A.) Increases the motor fuels tax rate by \$0.10 per gallon and dedicates the additional revenue to the operation, maintenance, improvement, and expansion of the Commonwealth's transportation system.	Failed
<u>HB 2227:</u> Weight Enforcement for Coal Trucks. (Morefield) Provides that weight enforcement cannot require a coal truck, the load on which does not rise above the top of the truck's bed (or can be shifted so it does not rise above the top of the truck's bed) to be actually weighed.	Failed
<u>HB 2253:</u> Transportation Funding. (Albo) Imposes a 5% state tax on motor fuels sales based on the statewide average wholesale price of a gallon of unleaded gas and be distributed for maintenance of roads in the secondary state highway system and construction of new roads. Increases the registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles to pay this fee who would be eligible for a refund of the new 5% tax on motor fuels sales. Imposes a 2% state transient occupancy tax, an initial 1% state motor vehicle registration fee, and a \$0.20 per \$100 recordation fee in any locality in Northern Virginia that is imposing either of the two local taxes set forth below. The bill exempts food from state and local sales taxes, repeals the sales and use tax exemption for nonprofit entities, and increases the amount of state sales tax distributed to localities from 1% to 1.23%. The bill authorizes the Counties of Fairfax, Loudoun, and Prince William to impose a 4% food and beverage tax without a referendum. The bill authorizes Arlington County, the cities in Northern Virginia, and localities in Hampton Roads to impose additional local sales and use tax. All provisions of the bill, except the adoption of market-based sourcing for corporate income tax (effective January 1, 2014), are effective January 1, 2016.	Failed

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Bill Number/Bill Points	Status
Failed Bills cont.	HB 2258: 1995 PPTA and 2002 PPEA. (James) Requires the responsible public entity to obtain the approval of each affected jurisdiction prior to the execution of a comprehensive agreement under the 1995 PPTA or the 2002 PPEA whenever the development or operation of the qualifying transportation facility or project impacts local tax revenues or increases the fees or expenses that are paid by residents of the affected jurisdictions. The bill also provides for the guidelines established by a responsible public entity under the PPTA to require that a final environmental impact study be completed prior to commencing project development and prohibits a comprehensive agreement under the PPTA from containing a non-compete or damage provision or any similar provision requiring additional payments to the private entity to recover reduced revenue due to improvements made by the Commonwealth to any other transportation facility.
Failed	

Legislative Report – 2013 General Assembly

Bill Number/Bill Points	Status	
Failed Bills cont.	<p><u>HB 2333</u>: Transportation Funding and Administration. (Watts) Provides additional funding for transportation by imposing a motor fuels sales tax rate of five percent for highway maintenance; increases the registration fee on electric vehicles from \$50 to \$102 and imposes it on hybrid motor vehicles who would be eligible for a refund of motor fuels taxes paid, with revenue distributed to the Intercity Passenger Rail Operating and Capital Fund; reduces the sales and use tax rate on food from 1.5 percent to one percent; repeals the authority for certain localities to impose a local income tax; removes the sunset date (June 30, 2018) that reduced the special real property tax rate on commercial property in Northern Virginia from \$0.25 per \$100 to \$0.125 per \$100 of assessed value; authorizes planning district commissions to receive revenues to be used solely for transportation purposes within the planning district. The revenues would come from an additional 0.5% state sales and use tax and an additional state recordation tax of 40 cents per \$100 in the localities located in the planning district. In order to be eligible, the planning district commission must determine, in order of priority, a list of 10 transportation projects that it would like to fund with the revenues. The governing bodies of the localities representing at least sixty percent of the residents within the planning district commission must pass a resolution in support of the generation of such revenues. After these requirements have been met, the General Assembly must authorize the imposition of such taxes in the localities in the planning district commission during the next session of the General Assembly.</p>	Failed

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Bill Number/Bill Points	Status
<p>Failed Bills cont.</p> <p>HB 2335: Transportation Revenue Fund. (Yancey) Establishes the Transportation Revenue Fund and dedicates revenues attributable to economic growth from Virginia's cargo marine terminals to the Fund. The bill also provides that if the operations at one or more ports of Virginia are turned over to a private entity, the money paid by the private entity to the Commonwealth shall be deposited to the Fund. Moneys in the Fund shall be used solely for the construction of new roads in any locality in which a port is located and for the extension of such roads into other localities if the extension is an integral part of the new road.</p>	Failed
<p>HJR 584: Transportation Funds Constitutional Amendment (First Resolution). (Watts) Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, TTF, HMOF, Priority Transportation Fund, and any other transportation fund established by general law, other than a general appropriation law. All revenues dedicated to Transportation Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment requires Funds be appropriated only for such transportation systems and projects as authorized by the General Assembly by law, but excluding a general appropriation law. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within three years.</p>	Failed
<p>HJR 586 / SJR 370: Weight Limits on Interstate Highways. (Tyler / Lucas) Memorializes the Virginia Congressional Delegation to support efforts to allow states to authorize higher weight limits for commercial motor vehicles carrying agricultural and forestry products on interstate highways.</p>	Failed

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Bill Number/Bill Points		Status
Failed Bills cont.	<p>HJR 620: JLARC to Study Transportation Funding Report. (Jones) Directs JLARC to study the efficiency and sufficiency of funding for transportation programs in the Commonwealth.</p>	Failed
	<p>HJR 622: Transportation Funds Constitutional Amendment (First Resolution). (Villanueva) Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, Priority Transportation Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2014, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds. The General Assembly by general law, other than a general appropriation law, may alter the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years. Moneys designated for deposit into funds other than Transportation Funds shall not be used for any transportation-related purpose except for making certain debt service payments on transportation-related bonds and notes.</p>	Failed

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Bill Number/Bill Points	Status
<p>Failed Bills cont.</p>	<p>HJR 651: Transportation Funds Constitutional Amendment (First Resolution). (Villanueva) Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2014, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds. The General Assembly by general law, other than a general appropriation law, may alter the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years. Moneys designated for deposit into funds other than Transportation Funds shall not be used for any transportation-related purpose except for making certain debt service payments on transportation-related bonds and notes.</p>

Failed

Legislative Report – 2013 General Assembly

Bill Number/Bill Points	Status
<p>Failed Bills cont.</p> <p>HJR 652: Transportation Funds Constitutional amendment (First Resolution). (O'Bannon) Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2014, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years. (</p>	Failed
<p>HJR 675 / SJR 317: Toll Mitigation Measures Report. (James / Lucas) Establishes a joint subcommittee to study how Virginia can mitigate the impact of tolls on Virginia's disadvantaged citizens.</p>	Failed
<p>HJR 753: Joint Commission on Transportation Accountability Report. (LeMunyon) Directs the Joint Commission on Transportation Accountability to conduct a one-year study of the policy of tolling transportation facilities in the Commonwealth, the financial performance of the Washington Metropolitan Area Transit Authority (WMATA), the possibility of using a portion of farecard fees collected by WMATA to pay for the Silver Line, registration processes at DMV, the feasibility of widening I-66 inside the Capital Beltway, and the effectiveness of transportation studies pertaining to local zoning decisions.</p>	Failed

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Bill Number/Bill Points	Status
<p>Failed Bills cont.</p> <p>HJR 909: Transportation Funds Constitutional Amendment (First Resolution). (Jones) Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2014, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years.</p>	Failed
<p>HR 130 / SJR 312: Toll Mitigation Measures. (James / Lucas) Recognizes the need for mitigation measures for disadvantaged populations adversely affected by the imposition of tolls in the Commonwealth.</p>	Failed
<p>SB 695: Virginia Toll Relief Act; Virginia Casino Gaming Commission. (Lucas) Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Proceeds shall be deposited into the TTF and the Local Casino Gaming Proceeds Fund.</p>	Failed

Legislative Report – 2013 General Assembly

Bill Number/Bill Points		Status
Failed Bills cont.	<p>SB 696: Virginia Toll Abatement Act; Virginia Casino Gaming Commission. (Lucas) Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Proceeds shall be deposited into the TTF and the Local Casino Gaming Proceeds Fund. Under the bill conduct of casino gaming shall be limited to counties, cities, and towns that are located in Planning District 8, 9, 10, 15, 16, 17, 18, 19 20, 21, 22, or 23.</p>	Failed
	<p>SB 697: Virginia Transportation Enhancement and Toll Abatement Act; Virginia Casino Gaming Commission. (Lucas) Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Proceeds shall be deposited into the TTF and the Local Casino Gaming Proceeds Fund. Under the bill conduct of casino gaming shall be limited to counties, cities, and towns that are located in Planning District 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, or 23.</p>	Failed

Legislative Report – 2013 General Assembly

Bill Number/Bill Points	Status	
Failed Bills cont.	<p><u>SB 700:</u> Taxes on Fuels; Issuance of Bonds. (Alexander) Makes the retail sale of gasoline, diesel and other fuels subject to the general five percent retail sales and use tax and reduces the fuels tax from \$0.175 to \$0.125 per gallon. Currently, the sale of fuels is exempt from the general retail sales and use tax, but subject to the fuels tax. Of the net additional revenues generated each year, \$250 million would be deposited into the HMOF and the remainder would be deposited into the Highway Construction Projects Trust Fund (“Fund”), created under the bill. Moneys deposited into the Fund would be used to finance the construction, acquisition, reconstruction, or replacement of or improvements or additions to highway projects as set forth in the general appropriation act to be financed using moneys from the Fund. The bill also authorizes the issuance of up to \$5 billion in bonds for such highway projects, with the bonds and interest to be repaid from the net additional revenues generated by the bill and deposited into the Fund. The CTB is charged with ensuring that of the revenues deposited into the Fund, approximately 38 percent would be used for projects in the Northern Virginia construction district, 31 percent for projects in the Hampton Roads construction district, and 31 percent for projects in all the other construction districts.</p>	Failed

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Bill Number/Bill Points	Status
<p>Failed Bills cont.</p> <p><u>SB 714:</u> Virginia Toll Mitigation Act; Virginia Casino Gaming Commission. (Lucas) Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Proceeds of the gross receipts tax and admission tax imposed on casino gaming operators will be paid into the Toll Mitigation Fund, which shall be used to mitigate the tolls established to support construction and maintenance of the Dominion Boulevard Bridge and Roadway Improvement Project and the Downtown Tunnel/Midtown Tunnel/Martin Luther King Freeway Extension Project. A referendum of the location of a casino gaming operation shall be limited to localities within the Hampton Roads Transportation District, and no initial license to operate a casino gaming operation may be issued unless a regional referendum approving casino gaming has been conducted and approved.</p>	Failed
<p><u>SB 731:</u> Mopeds. (Carrico) Prohibits the operation of mopeds on highways with posted speed limits in excess of 35 miles per hour.</p>	Failed
<p><u>SB 732:</u> Composition of the CTB. (Petersen) Increases the number of members of the CTB to 18 by the addition of one citizen member, and changes the areas of representation from the construction districts to the congressional districts.</p>	Failed

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	Bill Number/Bill Points	Status
Failed Bills cont.	<p><u>SB 733:</u> Fuels Taxes Indexing of Tax Rates. Increases or decreases each year the rates of Virginia's fuels taxes using a fuel efficiency index, which means the quotient that is obtained when using as the numerator the total annual vehicle miles traveled for the relevant year and using as the denominator the total gallons of motor fuel consumed for highway use for the relevant year, as published by FHWA of the U.S. DOT. The bill establishes 2007 as the base year for the fuel efficiency index. Thus, the percentage change in the fuel efficiency index between the current year and 2007, the base year, would determine the annual percentage increase or decrease in the rates of Virginia's fuels taxes. Each December the DMV Commissioner would compute the adjusted rates of fuels taxes.</p>	Failed
	<p><u>SB 771:</u> Number and Display of Vehicle License Plates. (Wagner) Reduces the number of license plates furnished by DMV to registered motor vehicles from two to one and requires the single license plate to be attached to the rear of the vehicle.</p>	Failed
	<p><u>SB 827:</u> Regulatory Stringency Standard. (Garrett) Requires any state agency that is authorized to implement a comparable federal program to receive statutory authorization to promulgate any regulation that is more stringent than the federal statute or regulation. By July 1, 2014, these agencies are required to complete a review of their regulations to determine whether each regulation (i) is more stringent than the comparable federal law or regulation and (ii) whether there is statutory authorization for the regulation that is found to be more stringent. When an agency determines that a more stringent regulation has not been authorized by a state statute the agency is required to amend the regulation to bring it into compliance with the federal law or regulation, or the General Assembly has to enact legislation authorizing the more stringent standard. If neither condition has been met within one year of the agency's determination that its regulation is more stringent than the comparable federal law or regulation, the regulation is deemed to be null and void.</p>	Failed

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Bill Number/Bill Points	Status
<p>Failed Bills cont.</p>	<p><u>SB 855</u>: Transportation Funding and Administration. (Petersen) Increases the base fuel tax rate by 10 cents to \$0.275 per gallon of gasoline, gasohol, and diesel fuel, and then increases or decreases the rate each year using a fuel efficiency index defined as the quotient that is obtained when using as the numerator the total annual vehicle miles traveled for the relevant year and using as the denominator the total gallons of motor fuel consumed for highway use for the relevant year. The numerator and denominator would be the corresponding amounts as published by FHWA of the U.S. DOT. The bill would establish 2007 as the base year for the fuel efficiency index. The percentage change in the fuel efficiency index between the current year and 2007, the base year, would determine the annual percentage increase or decrease in the fuel taxes rates. Each December the DMV Commissioner would compute the adjusted fuel taxes rates. The bill also establishes a \$10 fee for the sale of each new electric motor vehicle battery, being deposited into the HMOF. Finally, the bill increases the membership of the CTB from 17 members to 23 members, with four members representing Northern Virginia, three members representing Hampton Roads, and two members representing Richmond.</p>

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Bill Number/Bill Points	Status
<p>Failed Bills cont.</p> <p><u>SB 860:</u> 1995 PPTA and 2002 PPEA Procurement. (Lucas) Provides that no real property asset that produces annual average revenue of \$10 million or more over the five most recent fiscal years, or \$10 million revenue in the most recent fiscal year, may be the subject of any lease, concession agreement, or similar type of agreement that transfers to a nongovernmental entity possession or control of the asset for more than 10 years at a time, including any renewal, sold, or securitized as a part of a qualified transportation facility under the 1995 PPTA or a qualified project under the Public-Private Education Facilities and Infrastructure Act of 2002 unless it has been declared to be surplus property. The bill also requires any comprehensive agreement for a qualifying transportation facility where the responsible public entity is a state entity to provide a summary containing the major business points of the agreement to the Public-Private Partnership Advisory Commission for review and comment. In addition, the bill provides that any proposed comprehensive agreement for a qualifying transportation facility, when the responsible public entity is an agency or institution of the Commonwealth, that creates state tax-supported debt, requires a level of appropriation beyond the appropriation received by the responsible public entity in the most recent appropriation act, or alters the Commonwealth's discretion to change the level of services or the funding for such services over time must be reviewed by the General Assembly prior to execution.</p>	Failed
<p><u>SB 865:</u> Tolling Interstate Highway System components. (McEachin) Requires General Assembly approval before tolls are imposed or collected by the CTB on any component of the Interstate Highway System except for High-occupancy toll lanes.</p>	Failed
<p><u>SB 872:</u> Assignment of General Fund Balance. (McWaters) Increases from 67 percent to 75 percent the portion of the general fund surplus remaining at the end of each fiscal year that is deposited into the Transportation Trust Fund. Such deposit takes place after deposits are made to the Revenue Stabilization Fund and the Water Quality Improvement Fund and other statutorily mandated commitments are met.</p>	Failed

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Bill Number/Bill Points	Status
<p>Failed Bills cont.</p> <p><u>SB 925:</u> Sales and Use tax Revenue Dedicated to the TTF. (McWaters) Increases the amount of sales and use tax revenue dedicated to the Transportation Trust Fund from an amount generated by a 0.5 percent tax rate under current law to an amount generated by a 0.75 percent tax rate, phased in over a period of three years.</p>	Failed
<p><u>SB 976:</u> CTB Member Removal Circumstances. (Lucas) Provides that the Governor may remove any citizen member of the CTB from office for malfeasance, misfeasance, incompetence, or gross neglect of duty. Currently, such members of the Board may be removed by the Governor at his pleasure.</p>	Failed
<p><u>SB 1081:</u> 1995 PPTA 2002 PPEA Comprehensive Agreements. (Miller) Provides that no comprehensive agreement providing for the lease, operation, or transfer of ownership of a qualifying transportation facility under the PPTA a qualified project under the PPEA with a total value of \$1 billion or more shall be executed by a state agency unless approved by the Governor and a bill that includes a specific description of the proposed agreement and its anticipated expenditures and revenues is passed by the General Assembly.</p>	Failed

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Bill Number/Bill Points	Status
<p>Failed Bills cont.</p> <p><u>SB 1170</u>: Virginia Public Procurement Act Required Contract Provisions. (Deeds) Requires all public bodies to include in every contract of more than \$100,000 that involves the performance of work within the Commonwealth provisions requiring the contractor to agree that 51 percent of all positions created in performance of the contract be filled by Virginia residents, that 35 percent of the total hours worked by apprentices in positions created in performance of the contract be performed by Virginia residents, and to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. Under the bill, "new position" does not include a position that is filled by a current employee of the contractor or an individual who was previously laid off by the contractor. The required provisions do not apply to any contracts for the procurement of professional services.</p>	Failed
<p><u>SB 1313</u>: Local Income Tax. (Stosch) Adds the City of Portsmouth to the list of localities authorized to impose a local income tax to generate revenue to be used for transportation purposes. The bill also removes the requirement that the local income tax be approved by a referendum and repeals the five-year sunset on the local income tax.</p>	Failed
<p><u>SB 1321</u>: Assignment of General Fund Balance Transportation Trust Fund. (Obenshain) Provides that after the full deposit is assigned to the Revenue Stabilization Fund from any general fund surplus at the end of the fiscal year, the Comptroller shall assign the remaining general fund balance to the Transportation Trust Fund.</p>	Failed

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	Bill Number/Bill Points	Status
<p>Failed Bills cont.</p>	<p><u>SB 1328:</u> Revenues and Appropriations of the Commonwealth. (Wagner) Raises the state sales and use tax from 4% to 4.5%, and designates the revenues for the TTF to be allocated in the same manner as other sales and use tax revenues designated for the TTF; provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. Additional revenues generated by this change would be dedicated to transportation. The effective date of these provisions is January 1, 2014; eliminates the statewide cents-per-gallon taxation of gasoline and blended fuel containing gasoline but leaves the current cents-per-gallon tax in place for other types of motor fuels; establishes a new 5.5% tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-service unleaded regular gasoline; increases the registration fee for electronic vehicles from \$50 to \$75, and levies the annual fee on alternative fuel vehicles.</p>	<p>Failed</p>
	<p><u>SB 1338:</u> Tolls for the Use of Interstate Highway System. (Martin) Requires prior General Assembly approval to toll any component of the Interstate Highway System in existence prior to July 1, 2013, except for HOT and HOV lanes.</p>	<p>Failed</p>

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Bill Number/Bill Points		Status
Failed Bills cont.	<p>SB 1340: Revenues and Appropriations of the Commonwealth. (Howell, J.)</p> <p>Raises the state sales and use tax rate from four to five percent. Of these new revenues, an amount equal to a one-half percent sales and use tax will be deposited in the TTF, and the percentage of the TTF sales and use tax revenues dedicated to mass transit will be raised to 25%. Of the other one-half percent of the new one percent sales and use tax, two-thirds will be distributed to localities to use for education, and one-third will be used to fund higher education. In FY 2014, 2015, 2016, and 2017, \$80 million each year that would otherwise be distributed to the TTF will be designated to the Phase 2 Dulles Corridor Metrorail Extension Project, subject to certain conditions. The bill raises the cents-per-gallon rate of the tax on motor fuels by 5 cents on July 1, 2013 and July 1, 2014, and then begins indexing the cents-per-gallon rate on July 1, 2015.</p>	Failed

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	Bill Number/Bill Points	Status
<p>Failed Bills cont.</p>	<p><u>SB 1355:</u> Revenues and Appropriations of the Commonwealth. (Newman) Raises the registration fees for vehicles and trailers and designates the revenues for the Commonwealth Mass Transit Fund and the Intercity Passenger Rail Operating and Capital Fund; raises the state sales and use tax from 4% to 4.8% and designates the revenues for the Commonwealth Transportation Fund; establishes procedures for the collection of the state sales and use tax from remote sellers, contingent upon the federal government passing legislation authorizing such collection. If collected, a portion will be allocated to the localities which will be used for transportation needs and a portion will be deposited in the TTF. Eliminates the statewide taxation of gasoline and blended fuel containing gasoline but leaves the current tax in place for other types of motor fuels; raises the annual license fee for electric vehicles from \$50 to \$100 and imposes the fee on hybrid electric vehicles and alternative fuel vehicles; repeals the application of the local sales and use tax to the sale of certain fuels used for domestic consumption, and replaces the revenue for the localities that imposed the sales and use tax with a portion of the new revenues. The provisions of the bill are effective July 1, 2013, except that the changes in the distribution of Fuels Act revenues related to the repeal of the tax on gasoline is effective July 1, 2014. (Governor’s Bill)</p>	<p>Failed</p>
	<p><u>SB 1375:</u> Edna Twiddy Claims. (Garrett) Grants relief in the amount of \$50,000 to Edna Twiddy to allow her to purchase an easement to gain access to her land that is lost from road-widening.</p>	<p>Failed</p>

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Bill Number/Bill Points	Status
<p>Failed Bills cont.</p> <p>SJR 275: Transportation Funds Constitutional Amendment (First Resolution). (Obenshain) Requires the General Assembly to maintain permanent and separate Transportation Funds (Funds) to include the Commonwealth Transportation Fund, TTF, HMOF, and other funds established by general law for transportation. All revenues dedicated to Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years.</p>	Failed
<p>SJR 299: JLARC to Study VDOT Efficiency Report. (Vogel) Directs JLARC to study the efficiency of VDOT.</p>	Failed
<p>SJR 312: Toll Mitigation Measures. (Lucas) Recognizes the need for mitigation measures for disadvantaged populations adversely affected by the imposition of tolls in the Commonwealth.</p>	Failed