

# Legislative Report

2010 Virginia General Assembly Session



**Policy Division**

The 2010 General Assembly adjourned March 14, one day later than scheduled, after grappling with the greatest decline in state revenues since World War II. The new state budget for fiscal years 2010-2012 calls for no furloughs for state employees beyond the one currently in place for May 28. In addition, the budget will not require existing state employees to contribute to the Virginia Retirement System (VRS) or optional retirement programs, but new employees will have to contribute five percent of their salaries to VRS beginning July 1, 2010.

Also, if state revenues increase by \$82 million above the current projection, a three percent bonus for classified, full-time state employees in December 2010 will be provided; if the revenue increase is less, the amount of the bonus will be prorated accordingly. Finally, the deferred compensation cash match program is restored for 2009-2010, and will be continued in 2010-2011 at one-half the current rate (\$10 per pay period versus \$20), and fully restored for 2011-2012.

During the 2010 legislative session, 2,964 bills were introduced in the General Assembly. VDOT tracked 265 bills that directly or indirectly impacted the Department. The following pages highlight some legislation of interest that was enacted into law by the 2010 General Assembly. Unless otherwise noted, all bills enacted into law have an effective date of July 1, 2010.

Please contact the Policy Division if you have any questions concerning the 2010 General Assembly session. Additional information can be found at the Policy Division’s General Assembly Website — <http://gaweb/>.

Category	Page
<a href="#"><u>Authorities/Compacts/Commissions</u></a>	3
<a href="#"><u>Budget</u></a>	3
<a href="#"><u>Condemnations/Eminent Domain</u></a>	3
<a href="#"><u>CTB/Commissioner</u></a>	4
<a href="#"><u>Diesel Fuel</u></a>	4
<a href="#"><u>Environment</u></a>	5
<a href="#"><u>Funding/Revenues/Taxes</u></a>	5
<a href="#"><u>Handbills</u></a>	6
<a href="#"><u>Highways/Bridges/Signs</u></a>	7
<a href="#"><u>HOV/HOT Lanes</u></a>	12
<a href="#"><u>Impact Fees/Proffers</u></a>	13
<a href="#"><u>Land Use</u></a>	14
<a href="#"><u>Overweight Vehicles</u></a>	15
<a href="#"><u>Photo Monitoring</u></a>	15
<a href="#"><u>PPTA</u></a>	16
<a href="#"><u>Procurement/Contracting</u></a>	16
<a href="#"><u>Reports/Studies</u></a>	17
<a href="#"><u>Safety Belts</u></a>	19
<a href="#"><u>Speed Limits</u></a>	19
<a href="#"><u>Uniform Statewide Building Code</u></a>	20

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
<b>Authorities/Commissions/Compacts</b>	<b><u>HB 1241</u>: Metropolitan Planning Organizations Membership. (Oder)</b> Provides that any metropolitan planning organization may vote, with the concurrence of the Governor, to have its membership expanded to include members of the House of Delegates, as selected by the Speaker, and members of the Senate, as selected by the Senate Committee on Rules.	Chapter 45
<b>Budget Bills</b>	<b><u>HB 29</u>: Budget Bill. (Putney)</b> Amends Chapter 781, 2009 Acts of Assembly.	Chapter 872
	<b><u>HB 30</u>: Budget Bill. (Putney)</b> Provides a portion of revenues for the two years ending respectively on the thirtieth day of June, 2011, and the thirtieth day of June, 2012.	Chapter 874
<b>Condemnations/Eminent Domain</b>	<b><u>HB 81</u>: Compensation of Condemnation Jurors. (Knight)</b> Equalizes the pay of jurors in condemnation cases with that of regular jurors. Currently, regular jurors are paid \$30 per day once summoned and appearing for jury duty, and condemnation jurors are paid \$60 per day only if they are empanelled on the jury. This bill would pay each juror \$30 per day for being summoned and appearing.	Chapter 177
	<b><u>HB 516/SB 405</u>: Condemnations Highway Construction. (Rust/Petersen)</b> Identifies VDOT as the party responsible for compiling interest accrued when the amount of an award in a highway construction-related condemnation proceeding is greater than that deposited with the court or through a certificate of deposit.	HB 516: Chapter 20 SB 405: Chapter 53

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
Condemnations/Eminent Domain (continued)	<p><b><u>HB 651</u>: Use of Commissioners in Eminent Domain Cases. (Armstrong)</b>  Reinstates the option of the landowner to choose between commissioners and juries to hear an eminent domain case. Also provides that commissioners or jurors are to be paid \$30 per day once summoned and appearing for duty. The provisions of this act shall apply only to actions filed on or after July 1, 2010.</p>	Chapter 835
CTB/Commissioner	<p><b><u>HB 418/SB 255</u>: CTB Rules and Regulations. (Oder/Miller)</b>  Removes provision that any rules and regulations, or additions or amendments thereto, or repeals promulgated by the CTB shall not become effective until at least 60 days after adoption by the CTB.</p>	<p>HB 418: Chapter 17  SB 255: Chapter 51</p>
Diesel Fuel	<p><b><u>SB 272</u>: Biodiesel and Green Diesel. (Whipple)</b>  Requires state public bodies to procure only diesel fuel containing, at a minimum, two percent, by volume, biodiesel fuel or green diesel fuel. The requirement will only apply to procurements of diesel fuel for use in on-road internal combustion engines and shall not apply if (i) such fuel is not practically available or (ii) the cost of such procurement exceeds the cost of unblended diesel fuel by five percent or more. Based on a finding of sufficient availability of biodiesel or green diesel, the Governor may increase the requirement of biodiesel fuel or green diesel fuel up to 20 percent by volume. The bill also permits any state public body to establish a pilot program to procure and use such biodiesel fuel or green diesel fuel.</p>	Chapter 458

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
<b>Environment</b>	<p><b><u>HB 515</u>: Wetlands and Stream Mitigation. (Rust)</b> Prohibits localities from regulating the location of wetlands and stream mitigation projects that are subject to a Virginia Water Protection Permit or the Corps of Engineers permit. However, a locality's determination of allowed uses within zoning classifications or its approval of the siting or construction of wetlands or stream mitigation banks or other mitigation projects shall not be affected by the provisions of this subsection.</p>	Chapter 233
	<p><b><u>HB 1220/SB 395</u>: Stormwater Management Regulations. (Hugo/Wagner, et al.)</b> Provides that the effective date of the regulation establishing local program criteria and delegation procedures and the water quality and water quantity criteria shall become effective within 280 days after the establishment by the U.S. E.P.A. of a Chesapeake Bay-wide Total Maximum Daily Load (TMDL) but in any event no later than December 1, 2011. Also provides that the Virginia Soil and Water Conservation Board shall convene an advisory panel of stakeholders to review the regulation and to make recommendations to the Board on revisions to the regulations necessary to, among other things, comply with such TMDL.</p>	<p>HB 1220: Chapter 137</p> <p>SB 395: Chapter 370</p>
<b>Funding/Revenues/Taxes</b>	<p><b><u>HB 756</u>: Royalties from Offshore Drilling. (Stolle, Oder)</b> Requires that at least 70 percent of any revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be deposited to the TTF; 20 percent to the Virginia Coastal Energy Research Consortium and 10 percent to the localities for improvements to infrastructure and transportation.</p>	Chapter 98
	<p><b><u>HB 806</u>: Virginia Alternative Fuels Revolving Fund. (Poindexter)</b> Adds improvement of infrastructure such as refueling stations as a goal of the Fund. Requires that the Commissioner aggressively pursue grants and other sources of funding for the Fund.</p>	Chapter 134

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
<b>Funding/Revenues/Taxes (continued)</b>	<p><b><u>HB 1329</u>: State Motor Fuels Sales Tax in Northern Virginia. (Lingamfelter)</b>            Defines "gross sales" and "sales price" for purposes of the state motor fuels sales tax in Northern Virginia.</p>	Chapter 441
	<p><b><u>SB 607</u>: Assignment of Certain General Funds by the Comptroller. (Stosch)</b>            Changes the description in the Comptroller's annual report of the allocation of certain surplus general fund balances for nonrecurring expenditures, and for the TTF, from "designates" to "assigns." The bill also changes the description of such surplus funds from fund balance not otherwise "reserved or designated," to fund balance not otherwise "restricted, committed, or assigned."</p>	Chapter 684
<b>Handbills</b>	<p><b><u>HB 350/SB 35</u>: Distribution of Handbills, etc., and Sale of Merchandise or Services on Highways. (Rust/Lucas)</b>            Allows any county, city, or town the authority to adopt an ordinance prohibiting or regulating the distribution of handbills, leaflets, bulletins, literature, advertisements, or similar material; the solicitation of contributions; and the sale of merchandise or services or attempted sales to the occupants of motor vehicles on highways located within its boundaries or on public roadways and medians.</p>	HB 350: Chapter 378  SB 35: Chapter 589

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
Highways/Bridges/Signs	<p><b><u>HB 197</u>: Acceptance of Subdivision Streets into State Secondary Highway System. (Ware, R.)</b>            Provides that any street or segment of a street within a network addition that meets one or more of the public service requirements addressed in the regulations can be accepted into the secondary system, provided that the network addition satisfies all other requirements adopted pursuant to this section. In cases where a majority of the lots along the street or street segment remain undeveloped and construction traffic is expected to utilize that street or street segment after acceptance, the bonding requirement for such street or street segment may be required by the Department to be extended for up to one year beyond that required in the secondary street acceptance requirements.</p>	Chapter 401
	<p><b><u>HB 209</u>: Outdoor Signs and Advertising. (Bulova)</b>            Provides that all penalties and costs collected for violations of advertising provisions when Fairfax County has entered into an agreement with the Commonwealth Transportation Commissioner shall be paid to Fairfax County. Also amends the list of signs excluded from the agreement with the Commissioner to exclude other signs and advertising erected from Saturday through the following Monday (rather than other signs and agreements erected for no more than three days).</p>	Chapter 497
	<p><b><u>HB 222</u>: Secondary Highway System Design Standards. (Watts, et al)</b>            Requires VDOT to work with DRPT and any jurisdiction having the urban county executive form of government to review new design standards for state secondary highway system components in urban and urban development areas proposed by the jurisdiction. The standards shall be subject to several criteria and shall not be in conflict with the Secondary Street Acceptance Requirements. Standards developed by parties as required by this section shall be submitted to VDOT for final review and approval at least three months prior to the jurisdiction's anticipated implementation date.</p>	Chapter 498

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
<b>Highways/Bridges/Signs (continued)</b>	<p><b><u>HB 378</u>: Golf Carts. (Lewis)</b> Provides that in towns with a population of 2,000 or less, a golf cart or utility vehicle may cross a highway at an intersection conspicuously marked as a golf cart crossing with signs posted by VDOT if the highway has a posted speed limit of no more than 35 miles per hour and the crossing is required as the only means to provide golf cart access from one part of the town to another part of the town.</p>	Chapter 112
	<p><b><u>HB 530</u>: "Historic Route 1." (Nixon, Cox)</b> Designates U.S. Route 1 in Virginia as "Historic Route 1."</p>	Chapter 109
	<p><b><u>HB 543</u>: Maintenance of Highways at Grass Cutting. (Marshall, D., Merricks)</b> Authorizes the use of prisoner labor to maintain the medians or other nontraveled portions of state highways.</p>	Chapter 128
	<p><b><u>HB 553/SB 64</u>: Regulation of Signage in Highway Rights of Way. (Marshall, D./Lucas)</b> Provides that if a county enters into an agreement with the Commissioner authorizing local law-enforcement agencies to act as agents of the Commissioner to enforce the provisions in § 33.1-373 of the Code, the county must require each of its employees and any volunteers who are authorized to act on behalf of the county to comply with the provisions of this section and any other applicable law. If a lawfully placed sign is confiscated by an employee or volunteer authorized to act for the county in violation of the authority granted under this section, the sign owner shall have the right to reclaim the sign within five business days of the date of such confiscation. Also limits the definition of excavation to not include installation of a sign that is installed by pushing metal, plastic or wooden poles in the ground.</p>	<p>HB 553: Chapter 832</p> <p>SB 64: Chapter 777</p>

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
<b>Highways/Bridges/Signs (continued)</b>	<b><u>HB 810</u>: Vehicle Lengths. (Scott, E.)</b> Increases the allowable length of triple saddle mount combination vehicles operated on the National Network of interstate and primary highways from 75 feet to 97 feet to be consistent with federal law.	Chapter 24
	<b><u>HB 848/SB 371</u>: Improvements to Route 711. (Morefield/Puckett)</b> Provides that Buchanan County may enter into an agreement with Pike County, Kentucky, to improve Route 711.	HB 848: Chapter 201 SB 371: Chapter 462
	<b><u>HB 849/SB 373</u>: Off-Road Recreational Vehicles. (Morefield)</b> Allows localities, embraced by the Southwest Regional Recreation Authority, to authorize by ordinance the operation of any off-road recreational vehicles on highways within its boundaries that have a maximum speed limit of no more than 25 miles per hour, and for a distance of no more than five miles on any highway within its boundaries that has a maximum speed limit of more than 25 miles per hour. Any ordinance shall define "off-road recreational vehicle." Any operation shall be subject to various conditions, and such additional restrictions and limitations as the locality, by ordinance, may impose.	HB 849: Chapter 332 SB 373: Chapter 463
	<b><u>HB 1109</u>: Virginia Route 27. (Brink, et al)</b> Designates Virginia Route 27 adjacent to the Pentagon in Arlington County as the "9/11 Heroes Memorial Highway." VDOT shall place and maintain signs indicating this designation. This designation shall not affect any other designation heretofore or hereafter applied to this route.	Chapter 44

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
<b>Highways/Bridges/Signs (continued)</b>	<p><b><u>HB 1159</u>: "Move Over" Law. (Oder)</b>            Requires drivers to move left on a four lane highway when approaching vehicles displaying flashing blue, red or amber lights. Violation of any provision of this section shall be punishable as a traffic infraction, except that a second or subsequent violation of any provision of this section, when such violation involved a vehicle with flashing, blinking, or alternating blue or red lights, shall be punishable as a Class 1 misdemeanor. The provisions of this section shall not apply in highway work zones.</p>	Chapter 289
	<p><b><u>HJR 25</u>: Virginia Rail Heritage Region. (Putney)</b>            Designates the Virginia Rail Heritage Region, consisting of the Counties of Allegheny, Amherst, Bedford, Botetourt, Campbell, and Roanoke, and the Cities of Bedford, Covington, Lynchburg, Roanoke, and Salem, as well as the Towns of Buchanan, Clifton Forge, Troutville, Amherst, Iron Gate, and Vinton.</p>	Agreed to by House and Senate
	<p><b><u>SB 244</u>: Dam Safety Act Low Traffic Roadways. (Watkins)</b>            Requires the Virginia Soil and Water Conservation Board to adopt regulations that consider the impact of downstream limited-use or private roadways with low traffic volume and low public safety risk on the determination of the hazard potential classification of an impounding structure.</p>	Chapter 41

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
<b>Highways/Bridges/Signs (continued)</b>	<p><b><u>SB 372</u>: Maintenance of Roadways by Buchanan County. (Puckett)</b>            Authorizes the Buchanan County Board of Supervisors to maintain roadways located within the right-of-way of railroads pursuant to an agreement between Buchanan County and the railroad. However, nothing in this section shall obligate Buchanan County or the railroad to enter into any such agreement, nor shall Buchanan County or the railroad be precluded from including in any agreement any term, condition, or other lawful contractual provision. Any agreement made between Buchanan County and a railroad shall result in the complete immunity of the railroad from suit for any acts of the County in maintaining the roadways within the right-of-way of the railroad. The Board of Supervisors of Buchanan County shall cause all such roadways to be appropriately posted to warn users of such roadways that they are present on such roadways at their own risk.</p>	Chapter 256
	<p><b><u>Item 436 (G)</u>: Secretary of Transportation.</b>            Provides that pursuant to the provisions of the Memorandum of Agreement between VDOT and the Metropolitan Washington Airports Authority, in conjunction with the construction of rail mass transit in the right of way of the Dulles Access/Toll Road Connector (DATRC), sound walls shall be constructed along residential properties from the beginning of the DATRC to I-66 with funding from the Commonwealth Transportation Fund.</p>	
	<p><b><u>Item 453 (F)</u>: Department of Transportation.</b>            Requires the Commissioner, in coordination with the Director of the Department of Historic Resources to ensure that any proposed improvements or enhancements to roads intersecting with State Route 193 ("Georgetown Pike"), including the intersection with State Route 7, respect the historic nature of Georgetown Pike.</p>	

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
HOV/HOT Lanes	<p><b><u>HB 214</u>: Clean Special Fuel License Plates. (Greason, et al)</b>            Extends until July 1, 2011, the sunset on use of HOV lanes by clean special fuel vehicles, regardless of the number of occupants.</p>	Chapter 111
	<p><b><u>HB 746</u>: Toll Payments Penalty. (Rust)</b>            Provides that the operator of any toll facility or the locality within which such toll facility is located may install and operate a video-monitoring system in conjunction with an automatic vehicle identification system on facilities that do not offer manual toll collection. The video-monitoring system shall include electronic systems that monitor and capture images of vehicles using the toll facility to enable toll collection for vehicles that do not pay using a toll collection device. Requires the operator of the toll facility to send an invoice or bill for unpaid tolls to the registered owner of a vehicle as part of a video-monitoring toll collection process, prior to seeking remedies under this section. Also includes an enactment clause requiring the Commissioner, in consultation with the DMV Commissioner, to convene a working group of toll facility operators and other stakeholders and submit a report by December 15, 2010 (1) examining the impact of increased development of toll roads on the ability of the courts to carry out the provisions of this act, (2) evaluating ways to improve processes for enforcing toll violation laws, and (3) examining opportunities for alternative toll violation resolution.</p>	Chapter 839
	<p><b><u>HB 759/SB 696</u>: HOV Lanes Use by Military Personnel. (Stolle/McWaters et al.)</b>            Allows any active duty military member in uniform who is utilizing I-264 and I-64 for the purposes of traveling to or from a military facility in the Hampton Roads Planning District to use HOV lanes. Includes an enactment clause specifying that the provisions of the act shall only become effective upon approval by FHWA.</p>	HB 759: Chapter 133  SB 696: Chapter 485

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
<b>HOV/HOT Lanes (continued)</b>	<p><b><u>SB 404</u>: Clean Special Fuel Vehicles. (Petersen)</b> Removes the requirement that the DMV Commissioner provide written regulations before DMV may issue government-use license plates for clean special fuel vehicles. Provides that only vehicles registered with and displaying clean special fuel license plates issued prior to July 1, 2006 may use the HOV lanes serving the I-95/395 corridor.</p>	Chapter 351
	<p><b><u>SB 552</u>: HOV Lanes. (Barker, Colgan)</b> Extends the "sunset" on use of HOV lanes by clean special fuel vehicles, regardless of the number of their occupants, until July 1, 2011. For HOV lanes serving the I-66 corridor, only vehicles registered with and displaying special license plates issued prior to July 1, 2011, shall be treated as vehicles displaying special license plates. Also requires qualifying vehicles to be issued a third design of distinctively different clean special fuel license plates on and after July 1, 2011.</p>	Chapter 390
<b>Impact Fees/Proffers</b>	<p><b><u>HB 374/SB 632</u>: Cash Proffers Acceptance by Localities. (Cosgrove/Obenshain)</b> Delays collection or acceptance of a cash proffer by a locality only after completion of the final inspection of the subject property and prior to the time of the issuance of any certificate of occupancy.</p>	<p>HB 374: Chapter 549 SB 632: Chapter 613</p>

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
Land Use	<p><b><u>HB 882</u>: Transfer of Development Rights. (Athey)</b>            Allows the development rights permitted to be attached in the receiving areas to be equal to or greater than the development rights permitted to be severed from the sending areas.</p>	Chapter 239
	<p><b><u>HB 1071/SB 420</u>: Urban Development Areas. (Athey/Vogel)</b>            Sets certain densities in urban development areas according to the population of the locality that designated the urban development area. Provides that the planning horizon for urban development areas in the urban county executive form of government that includes planned or existing rail transit may be for an ensuing period of at least 10 but not more than 40 years. (The planning horizon for other forms of government is for at least 10 but not more than 20 years.) The bill also requires that certain federal funding and state water and sewer facility and public infrastructure funding be directed to urban development areas or other designated growth areas. Provides that any locality having adopted a resolution certifying compliance with requirements for designating urban development areas prior to February 1, 2010 is not required to comply until the next review of the locality's comprehensive plan. Localities that become subject to urban development area designation requirements will have until July 1, 2012 to amend their comprehensive plans accordingly. The bill mandates that the Commission on Local Government report on localities' compliance with the statute requiring the designation of urban development areas.</p>	HB 1071: Chapter 528  SB 420: Chapter 465
	<p><b><u>SB 222</u>: VDOT Land Use Review. (Puller, Surovell)</b>            Exempts localities or other public agencies from payment of certain Department fees for the review of applications, plans and plats. Furthermore, no fee shall be charged by the Department to a citizens' organization or neighborhood association that proposes comprehensive plan amendments through its local planning commission or local governing body.</p>	Chapter 121

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
<b>Overweight Vehicles</b>	<b><u>HB 473</u>: Weight Limits for Trucks Hauling Gravel, etc. (Carrico)</b> Extends to July 1, 2011, the "sunset" on increased weight limits applicable to trucks hauling gravel and certain other cargoes in coal-producing counties.	Chapter 361
<b>Photo Monitoring</b>	<b><u>HB 1292</u>: Photo-Monitoring Systems. (Tata)</b> Provides a private entity, on behalf of a locality, that operates a traffic light signal violation monitoring system may enter into an agreement with DMV to obtain vehicle owner information regarding the registered owners of vehicles that fail to comply with a traffic light signal. Information provided to the operator shall be protected in a database with security comparable to that of DMV's system, and used only for enforcement against individuals who violate the provisions of this section. Any person who discloses personal information in violation of the provisions of this subsection shall be subject to a civil penalty of \$1,000 per disclosure. Any unauthorized use or disclosure of such personal information shall be grounds for termination of the agreement between DMV and the private entity. Notwithstanding any other provision of this section, if a vehicle depicted in images recorded by a traffic light signal photo-monitoring system is owned, leased, or rented by a locality, then the locality may access and use the recorded images and associated information for employee disciplinary purposes.	Chapter 175
	<b><u>HB 1295/SB 667</u>: Dulles Access Highway. (Rust/Herring)</b> Provides for the enforcement of the use of a photo-monitoring system or automatic identification system on the Dulles Access Highway in order to identify vehicles that are using the Dulles Access Highway in violation of the Metropolitan Washington Airports Authority regulation regarding usage. States that information collected in the system shall be protected in a database with security comparable to that of DMV's system. Provides for civil penalties/fees for violations of the MWAA regulation regarding usage of the highway.	HB 1295: Chapter 865  SB 667: Chapter 813

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
<b>PPTA</b>	<p><b><u>HB 402: Hampton Roads Bridge-Tunnel. (Oder)</u></b>            Directs VDOT to accept for review unsolicited proposals under the 1995 PPTA to add physical capacity to the I-64 Hampton Roads Bridge-Tunnel between Hampton and Norfolk. Unsolicited proposals shall be filed with the Department no later than September 30, 2010. No later than September 1, 2011, the Department shall make a recommendation to the Commissioner whether to execute an interim agreement to continue design, environmental reviews, and preliminary right-of-way acquisitions and to take any other steps necessary to advance the development of the project. VDOT shall inform the Joint Commission on Transportation Accountability, by written update, of its completion of each requirement of this act.</p>	Chapter 126
<b>Procurement/Contracting</b>	<p><b><u>HB 631/SB 254: Advertising for Bids Construction. (Scott, E./Miller)</u></b>            Provides that the VDOT Commissioner may let projects costing below \$300,000 to contract. The bill further provides that the Commissioner may, at his discretion, build or maintain any of the roads by state or local employees as he may designate, in cases of emergency or on projects costing not more than \$600,000.</p>	HB 631: Chapter 22  SB 254: Chapter 50
	<p><b><u>HB 1309: Virginia Public Procurement Act. (Scott, E.)</u></b>            Increases from \$2 million to \$5 million the amount of all projects in one contract term for environmental location, design, and inspection work regarding highways and bridges awarded by the VDOT Commissioner. Such contract may be renewable for two additional one-year terms at the option of the Commissioner.</p>	Chapter 440

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
<b>Reports/Studies</b>	<p><b><u>HB 42/SB 201</u>: Transportation Programs Performance Audit. (Oder/Blevins)</b>            Requires JLARC to administer an operational and programmatic performance audit focusing on the transportation planning and programming divisions within VDOT and DRPT. The audit shall provide an objective and independent cost savings assessment of the Commonwealth's organizational structure and the efficiency, level of adherence to federal regulations, and effectiveness of the Commonwealth's transportation planning and programming procedures. The audit may consist of a series of concurrent audits concentrating on specified categories or groupings. A final report shall be submitted to the Joint Commission on Transportation Accountability and the Governor no later than December 31, 2010.</p>	<p>HB 42: Chapter 819             SB 201: Chapter 786</p>
	<p><b><u>HJR 126/SJR 99</u>: Privatizing Commonwealth's Rest Areas Report. (Nutter/Herring)</b>            Requests the Virginia Transportation Research Council to study alternatives to the public funding and operation of all or portions of the interstate safety rest areas.</p>	<p>HJR 126: Substitute Agreed to by House and Senate             SJR 99: Substitute Agreed to by Senate and House</p>
	<p><b><u>SB 553</u>: Increase Transit Use Strategies. (Barker, et al)</b>            Requires the Secretary of Transportation to make an annual report to the General Assembly on actions taken to promote transit use and reduce highway congestion.</p>	<p>Chapter 733</p>

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
<p><b>Reports/Studies (continued)</b></p>	<p><b><u>Item 436 (H): Secretary of Transportation.</u></b>            Requires the Secretary of Transportation to review VDOT’s vegetation management policies to evaluate cost savings associated with limiting mowing and the removal of vegetation only within distances from actively used pavements or shoulders consistent with traffic safety and convenience. A proposal for a new vegetation management policy shall be submitted to the Chairmen of the House Transportation and Appropriations Committees and the Senate Finance and Transportation Committees for review and concurrence no later than 60 days before implementation. Such proposal shall be submitted to the Committees no later than October 15, 2010.</p>	
	<p><b><u>Item 451 (4): Department of Transportation.</u></b>            Requires the Secretary of Transportation, in conjunction with VDOT, to undertake an analysis of the potential to substantially reduce the size and scope of the VTRC to more effectively utilize transportation funding. The study shall detail the sources of the VTRC funding by functional area and by staffing levels; evaluate the cost-effectiveness of conducting research activities in-house; investigate cost savings potentially available from outsourcing materials and related engineering research; consider the potential of directing federal grants through Virginia’s research universities; and consolidate soft-science evaluations into VDOT’s existing offices of policy analysis and management services. The Secretary shall present to the Chairmen of the House Appropriations and Transportation Committees and the Senate Finance and Transportation Committees no later than October 15, 2010, a report outlining his recommendations on a reorganization of the research activities currently undertaken at the VTRC, and identify how to implement budget reductions to the Council of 25 percent, 50 percent and 75 percent so that the findings of the study may be incorporated into amendments to the FY 2010-2012 biennial budget in the 2011 Session of the General Assembly.</p>	

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
Reports/Studies (continued)	<p><b><u>Item 457 (K)(1) and (2): Department of Transportation.</u></b>            (1) Requires the Secretaries of Transportation and Administration, the Commissioner, and DGS Director to conduct an assessment of properties owned by VDOT that are not in active use to identify facilities that could be returned to private use. Such report shall include an estimate of the revenues that would be generated by the sale of unused properties that are proposed to be sold and/or leased as well as recommendations of facilities to sell or lease. The findings shall be reported to the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1, 2010. (2) Directs VDOT to proceed with the sale of the closed Culpeper Residency Office. If no contract has been entered into for such sale by December 1, 2010, the Commissioner shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the status of the property, the assumed sale price, and what actions he is taking to expedite the sale of such property.</p>	
Safety Belts	<p><b><u>SB 219: Safety Belt Use for Persons Under 18 Years of Age. (Howell, Rust)</u></b>            Requires any driver, and any other person at least eighteen years of age and occupying the front seat, to wear the appropriate safety belt system at all times while the motor vehicle is in motion. Any person transporting another person less than eighteen years old shall ensure that the person is provided with and properly secured by an appropriate safety belt system.</p>	Chapter 661
Speed Limits	<p><b><u>HB 504/SB 172: Maximum Speed Limit on Nonsurface Treated Highways for Certain Counties. (Gilbert/Deeds)</u></b>            HB 504 adds Rappahannock County and SB 172 adds Nelson County to the list of counties where the unposted maximum speed limit on nonsurface treated highways (dirt roads) is 35 miles per hour.</p>	HB 504: Chapter 19 SB 172: Chapter 48

## Legislative Report - 2010 Edition

Category	Bill Number/Bill Points	Status
<b>Speed Limits (continued)</b>	<b><u>HB 856/SB 537</u>: Highway Speed Limits. (Carrico/Newman)</b> Increases the maximum highway speed limit to 70 mph on certain highways so authorized after a traffic engineering study.	HB 856: Chapter 26  SB 537: Chapter 56
	<b><u>Item 452 (F)</u>: Department of Transportation.</b> Upon issuance of a resolution by a local governing body that a property has been designated for school construction, and upon presentation of such resolution to the CTB with an accompanying notification that such project is ready to move forward, the CTB shall immediately reduce the speed limit on abutting primary and secondary roadways to 35 miles per hour or less.	
<b>Uniform Statewide Building Code</b>	<b><u>HB 1260</u>: Buildings or Structures Built on State-Owned Property. (Brink)</b> Provides that the Uniform Statewide Building Code shall also apply to buildings or structures built on state-owned property. The bill requires DGS to act as the building official for all buildings or structures built on state-owned property. This does not apply to the nonhabitable structures, equipment, and wiring owned by a public service company, a certificated provider of telecommunications services, or a franchised cable operator that are built on rights-of-way owned or controlled by the CTB.	Chapter 105