

Request to Amend House Bill 1500, as Introduced

Chief Patron: Comstock

Item 446 #1h

Transportation

Department Of Transportation

Language

Language:

Page 408, after line 5, insert:

"G. Out of the amounts provided for dedicated and statewide construction, the Commonwealth Transportation Board shall provide up to \$2,500,000 the second year from Commonwealth Transportation Funds to construct a sound wall south of and adjacent to the Dulles Toll and Access Road between Beulah Road and Trap Road in Vienna, Virginia, a distance of approximately 4,800 linear feet. The department shall work in consultation with the Metropolitan Washington Airports Authority (MWAA) to ensure that MWAA provides a proportion of the needed funded to construct the sound mitigation based on the Dulles Corridor Metrorail Project's contribution to the excessive noise levels at this location."

Explanation:

(This amendment directs the Commonwealth Transportation Board to set aside needed funding to construct a sound wall along a portion of the Dulles Toll Road to address increasing noise levels related to the roadway and rail improvements in the vicinity of the impacted neighborhoods of Chathams Forge, Carters Grove, Coral Ridge and Symphony Meadows in Vienna, Virginia. Studies undertaken by MWAA indicate that these areas are negatively impacted by highway and train noise under the criteria utilized by the Authority yet question the cost effectiveness of the mitigation and therefore have refused to provide relief to the impacted citizens.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Cosgrove

Item 446 #2h

Co-Patron(s): James, Jones, Knight, Spruill, Villanueva

Transportation

Department Of Transportation

Language

Language:

Page 408, after line 5, insert:

"G. Out of the amounts provided for dedicated and statewide construction, the Commonwealth Transportation Board shall provide up to \$5,000,000 the second year from Commonwealth Transportation Funds to begin and environmental assessment for the replacement of the I-64 High Rise Bridge in Chesapeake, Virginia."

Explanation:

(This amendment provides \$5.0 million in the second year to fund an environment study for the replacement of the I-64 High Rise Bridge in the Bower's Hill area of Chesapeake from existing transportation funding. This bridge, along the corridor from the I-464 interchange to the I-664/264 Interchange is a corridor of major importance for the Hampton Roads region's military, commerce, and disaster evacuation. The High Rise Bridge is a four-lane, twin bascule span bridge that was built in 1972 and carries over 73,000 vehicles per day.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Gilbert

Item 4-14.00 #1h

Effective Date

Effective Date

Language

Language:

Page 544, line 24, after "New Kent," insert "Page,".

Page 544, line 25, before "Southampton" insert "Shenandoah,".

Explanation:

(This amendment increases the list of eligible localities under the Port of Virginia Economic and Infrastructure Development Zone from 36 to 38 jurisdictions by adding Page and Shenandoah counties, which are located near the Virginia Inland Port. This language is included in the budget as the legislation was not adopted as stand-alone legislation during the 2012 Session but included in Part 4 of the budget through a Governor's amendment at the Reconvened Session.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Joannou

Item 457 #2h

Transportation	FY 12-13	FY 13-14	
Virginia Port Authority	\$0	\$1,000,000	NGF

Language:

Page 417, line 12, strike "\$3,107,625" and insert "\$4,107,625".

Explanation:

(This amendment provides an additional \$1.0 million from Virginia Port Authority funding to compensate the jurisdictions hosting the Port facilities to cover the costs incurred by the jurisdictions for the provision of services to the Ports as well as to recognize the loss of tax revenues from the location of these state-owned and nontaxable facilities. A companion amendment to Item 458 reduces the administrative budget of the Virginia Port Authority to cover the cost of this increased appropriation and also serves to address the excessive administrative costs of the entity, as identified in the recently released JLARC review of the VPA.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Joannou

Item 458 #1h

Transportation	FY 12-13	FY 13-14	
Virginia Port Authority	\$0	(\$1,000,000)	NGF

Language:

Page 417, line 31, strike "\$69,452,654" and insert "\$68,452,654".

Explanation:

(This amendment reduces the administrative budget of the Virginia Port Authority to cover the cost of an increased appropriation for payment in lieu of taxes to Port host localities and also serves to address the excessive administrative costs of the entity, as identified in the recently released JLARC review of the VPA. A companion amendment to Item 457 provides an additional \$1.0 million from Virginia Port Authority funding to compensate the jurisdictions hosting the Port facilities to cover the costs incurred by the jurisdictions for the provision of services to the Ports as well as to recognize the loss of tax revenues from the location of these state-owned and nontaxable facilities.)

Chief Patron: Jones

Item 442 #2h

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 405, after line 28, insert:

"F. Notwithstanding any other provision of law, out of the amounts appropriated for this item such funds as shall be necessary shall be utilized for a study to further analyze the necessary improvements identified in the study undertaken under contract by the Virginia Port Authority in 2010 regarding the Commonwealth Rail Line Safety Relocation Initiative in the City of Suffolk. Such study shall focus on the improvements needed to implement Alternative 4 as identified by in the aforementioned study and is intended to help address the impacts of port-related rail traffic in the City of Suffolk. The Department of Rail and Public Transportation shall work with the Virginia Department of Transportation and the Virginia Port Authority to identify the respective share of project costs that should be borne by each entity, recognizing that the rail project seeks to address adverse highway delays caused by rail traffic emanating from the Virginia Port Authority operated facilities. Such review shall assess the availability of Rail Enhancement Funding, Rail Preservation Funding, Railroad Rehabilitation and Improvement Financing, Transportation Innovation and Finance funding, Highway Safety Improvement Funding, Rail Industrial Access grants and Virginia Port Authority funding available to finance the critical improvements. The Department 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."

Explanation:

(This amendment directs the Department of Rail and Public Transportation to undertake a study to further investigate the improvements identified in a 2010 study conducted by Moffat and Nichol for the Virginia Port Authority related to the Commonwealth Railway Mainline Safety Relocation in the City of Suffolk. State fund previously was 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. Average delay is projected to increase to 617 daily hours if improvements are not made.

Request to Amend House Bill 1500, as Introduced

Implementation of Alternative 4 identified by the 2010 study would mitigate 31 of the 51 at-grade crossings.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Jones

Item 4-5.12 #5h

Special Conditions And Restrictions On Expenditures

Agreements to Sell, Lease or Transfer Operation of Virginia Port Authority Facilities Prohibited Language

Language:

Page 522, after line 37, insert:

"Notwithstanding any provision of law to the contrary, the Commonwealth, or any agency or instrumentality thereof, shall not enter into any agreement for the sale, lease, or operation of any seaport, or any other capital facility under the jurisdiction of the Virginia Port Authority, in Virginia prior to the completion of a comprehensive study of port operations by the House Appropriations and Senate Finance Committees, or by an agency or third party specifically designated by those Committees. These restrictions shall continue subsequent to the completion of such study and remain in force until an agreement for such sale, lease, or operation has been subsequently and specifically authorized in the general appropriation act adopted by the General Assembly."

Explanation:

(This amendment prohibits any agreement for the sale, lease, or operation of Virginia's port facilities until a comprehensive study of the port operations has been conducted and the General Assembly explicitly approves such an agreement as evidenced by language included in the general appropriation act.)

Chief Patron: LeMunyon

Item 430 #1h

Transportation

Secretary Of Transportation

Language

Language:

Page 398, after line 19, insert:

"N.1. Notwithstanding any provision of law, no revenues of the Commonwealth, from whatsoever source, shall be allocated, paid, or expended in connection with Phase II of the Dulles Corridor Metrorail Project beyond Wiehle Avenue in Fairfax County to Washington Dulles International Airport and on to Virginia Route 772 in Loudoun County unless:

2. The Inspector General of the U.S. Department of Transportation has determined in writing that all of the recommendations noted in his November 2012 report on the Metropolitan Washington Airports Authority (MWAA) have been implemented;

3. The MWAA has certified in writing to the Commonwealth Transportation Board that to the knowledge of every MWAA officer and director, no law-enforcement agency is reviewing MWAA for possible violations of law;

4. The Governor has determined, in consultation with the Virginia Freedom of Information Advisory Council, that the freedom of information policies of the MWAA are substantially the same in all material respects in scope and process to the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et. seq., Code of Virginia)that are relevant to the operations of MWAA; and,

5. The MWAA has submitted to the Commonwealth Transportation Board a financing plan for Phase II of the Dulles Corridor Metrorail Project that, as determined by the Commonwealth Transportation Board, does not rely on additional toll increases on the Dulles Toll Road specifically dedicated to financing Phase II of the Dulles Corridor Metrorail Project."

Explanation:

(This amendment prohibits the use of any state funding on Phase II of the Dulles Metro project unless 4 provisions, as follows, are met: 1). U.S. Inspector General reports deficiencies have been addressed, 2). No law-enforcement agency is investigating MWAA, 3). MWAA's freedom of information act policy is comparable to that of the Commonwealth, and 4). the financing plan for Phase II does not rely on toll increases from the Dulles Toll Road.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Marshall, Robert

Item 471 #1h

Central Appropriations

Central Appropriations

Language

Language:

Page 438, after line 3, insert:

"H. The Director, Department of Planning and Budget, shall withhold and transfer to this item amounts equal to one-half of one percent of each agency's total general fund appropriation for fiscal year 2014, exclusive of any amounts utilized to pay salaries and benefits of state employees. These amounts shall be transferred to Item 446 of this act and be utilized for transportation purposes as set out in Title 33.1, Chapter 1, Code of Virginia."

Explanation:

(This amendment directs the Director, Planning and Budget, to reduce 0.5 percent of all state general fund appropriations, exclusive of salary payments or current transportation funding, and transfer such amounts to the Department of Transportation for highway construction.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Marshall, Robert

Item 471 #2h

Central Appropriations

Central Appropriations

Language

Language:

Page 438, after line 3, insert:

"H. The Director, Department of Planning and Budget, shall withhold and transfer to this item amounts equal to one percent of each agency's total general fund appropriation for fiscal year 2014, exclusive of any amounts utilized to pay salaries and benefits of state employees. These amounts shall be transferred to Item 446 of this act and be utilized for transportation purposes as set out in Title 33.1, Chapter 1, Code of Virginia."

Explanation:

(This amendment directs the Director, Planning and Budget, to reduce 1 percent of all state general fund appropriations, exclusive of salary payments or current transportation funding, and transfer such amounts to the Department of Transportation for highway construction.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Marshall, Robert

Item 4-5.12 #2h

Special Conditions And Restrictions On Expenditures

Land Use and Zoning Permits

Language

Language:

Page 522, after line 37, insert:

"No funds may be authorized to be appropriated to any county, city or town in Planning District 9 with a population between 65,000 and 70,000, to charge, prosecute, initiate or file a violation or alleged violation of an administrative permit or special administrative permit pertaining to land use zoning or land use zoning ordinance without a previous on-site investigation done in accordance with the fourth amendment to the United States Constitution."

Explanation:

(This amendment prohibits the provision of any funding to the Commonwealth's localities if such jurisdiction in PDC 9 with a population between 65,000 and 70,000 addresses land use or zoning permit violations without an on-site investigation.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Marshall, Robert

Item 4-5.12 #3h

Special Conditions And Restrictions On Expenditures

Land Use and Zoning Permits

Language

Language:

Page 522, after line 37, insert:

"No funds authorized to be appropriated to any county, city or town in Planning District 9 with a population between 65,000 and 70,000, may be used to investigate, initiate or enforce zoning violations of restrictive land use covenants, other than by a full-time employee of the locality, and only in accordance with the fourth amendment to the United States Constitution."

Explanation:

(This amendment prohibits the use of funds to investigate zoning violations other than by full-time local employees in a locality in Planning District 9 with a population between 65,000 and 70,000.)

Chief Patron: May

Item 446 #3h

Transportation

Department Of Transportation

Language

Language:

Page 408, following line 5, insert:

"G.1 Prior to the adoption of the Six Year Improvement Program for the fiscal year beginning July 1, 3013, the Commonwealth Transportation Board shall annually determine an amount, not less than \$1,000,000 and not to exceed \$5,000,000, from state transportation revenues deposited to the Commonwealth Transportation Fund to maintain a program for the enhancement of statewide transportation assets including Virginia Byways.

2. From the amounts allocated by the Commonwealth Transportation Board to the fund set set forth in paragraph 1, \$1,000,000 in the second year shall be provided for transportation enhancements consistent with the Route 15 "Journey Through Hallowed Grounds" corridor master plan. This funding shall be available for improvements related to comprehensive wayfinding signage, pull-offs, the "Living Legacy" tree planting program, and other enhancement projects consistent with the master plan and approved by the department."

Explanation:

(This amendment directs the Commonwealth Transportation Board to establish a state funded transportation enhancement program for Virginia Byways and dedicates \$1.0 million to the Route 15 "Journey Through Hallowed Grounds" project.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Minchew

Item 441 #2h

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 403, after line 49, insert:

"5. Notwithstanding any other provision of law or department policy, when developing its fiscal year 2014 allocations for statewide Operating Assistance, the department shall ensure that the operations of Virginia Regional Transit are not impaired by the loss of any federal funding under the Rural Transit Assistance Program or other changes in federal law put into effect under the MAP-21 legislation and shall provide at least \$4,000,000 to hold the entity harmless in fiscal year 2014."

Explanation:

(This amendment seeks to address changes in federal program eligibility impacting Virginia Regional Transit in Loudoun County resulting from the use of 2010 Census figures. Previously the transit system has received funding under the federal Rural Transit Assistance Program. Because of population growth in the region, they will be eligible for Urbanized Area Formula Program in the future. However, because the entity did not learn of its change in eligibility until December 18, 2012, they are concerned that there would be a one-year lapse in federal funding which is of a magnitude that it could not address with local sources.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: O'Bannon

Item 449 #1h

Co-Patron(s): Massie

Transportation

Department Of Transportation

Language

Language:

Page 409, after line 37, insert:

"F. Notwithstanding the provisions of § 33.1-23.5:1, pursuant to subsection A of § 33.1-23.1, Code of Virginia, the Commonwealth Transportation Board shall make the following payments to counties which have withdrawn or elect to withdraw from the secondary system of state highways under the provisions of § 11 of Chapter 415 of the Acts of Assembly of 1932, and which have not elected to return: to any county having withdrawn prior to June 30, 1985, an amount equal to \$7,201 per lane-mile for fiscal year 1986, as adjusted annually by the Department of Transportation through the Maintenance Cost Index."

Explanation:

(This amendment equalizes the per mile rates paid to the two counties that have withdrawn from the secondary system. Current language sets separate rates for counties larger or smaller than 100 square miles. As a result, Arlington historically has received almost twice as much state funding per lane miles as had Henrico County. In 2011, Henrico received \$9,101 per lane mile, or about \$12.0 million, while Arlington received \$16,121 per lane mile. Henrico, in fact, receives less per lane mile for its entire road system - including principal and minor arterial roads - than the state budgets for VDOT's maintenance of small collector roads elsewhere in the state. A 2008 study by the General Assembly found that designating Henrico as an urban locality would cost the state an additional \$8.0 million annually.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Orrock

Item 442 #1h

Co-Patron(s): Howell, William

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 405, after line 28, insert:

"F.1. Prior to July 1, 2011, the director, Department of Rail and Public transportation, with the approval of CSX Transportation, shall initiate infrastructure improvement projects which promote safety or reduce the average dwell times of hazardous material shipments subject to regulation under Title 49 CFR Part 174 et seq. within rail yards, depots, sidings, and other intermediate terminals or facilities and properties located in the City of Fredericksburg to not longer than 24 hours. These improvements may include, but are not limited to, those that (i) increase capacity at existing storage facilities terminating near Fredericksburg; (ii) increase the physical distance between commodity storage areas and residential communities; and (iii) transfer intermediate storage of commodities to locations closer to terminus of the shipment.

2. Out of the funds available for Rail Industrial Access pursuant to § 33.1-22.1:1, Code of Virginia, up to \$450,000 in the first year and up to \$450,000 in the second year is hereby authorized for associated infrastructure improvements which may be constructed in any location in Virginia so long as their use results in increased safety in Fredericksburg or reduced average dwell times of hazardous materials currently staged in Fredericksburg. Such funds may be awarded to CSX Transportation or other entities or political subdivisions identified by the Department as having responsibility for implementing the associated infrastructure improvement. In the allocation of funds for this project by the Commonwealth Transportation Board, the requirements of § 33.1-22.1:1, Code of Virginia, with the exception of § 33.1-22.1:1 F., are waived.

Explanation:

(This amendment is need to provide flexibility to allow infrastructure to be constructed in other localities that will meet the goal of increased safety in Fredericksburg with regard to rail shipments of hazardous materials.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Plum

Item 4-5.12 #1h

Co-Patron(s): Rust

Special Conditions And Restrictions On Expenditures

Governor to Provide Funding for Phase II Dulles Corridor Metrorail Project Language

Language:

Page 522, after line 37, insert:

"In developing the budget bill submitted pursuant to § 2.2-1509, Code of Virginia, for the fiscal year 2014-2016 biennium, the Governor shall develop his proposal so as to include \$150,000,000 in the first year and \$150,000,000 in the second year specifically to support Phase II of the Dulles Corridor Metrorail Project."

Explanation:

(This amendment directs the Governor to include \$150.0 million each year in the budget bill submitted for the next biennium to support Phase II of the Dulles Corridor Metrorail Project.)

Request to Amend House Bill 1500, as Introduced

Chief Patron: Surovell

Item 440 #1h

Co-Patron(s): Albo, Krupicka, Sickles

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 403, at the beginning of line 1, insert "A."

Page 403, after line 5, insert:

"B. Included in the amounts for this Item is \$2,000,000 the second year from Commonwealth Transportation Funds to conduct a transit study along U.S. Route 1 in Fairfax County. The study shall address current and projected future traffic deficiencies with a viable long-term solution for the corridor. The intent is to transform the area into transit-oriented and transit-supportive mixed use development near stations and/or stops; identify a locally-preferred alternative (LPA) that produces the greatest number of transit riders taking into account cost and impact; support the social and economic renewal of the corridor through public transportation investment; and develop recommendations for a financial plan for the LPA. Such study shall be undertaken in manner that satisfies the Federal Highway Administration requirements to finalize the Route 1 Centerline Design Study."

Explanation:

(This amendment directs the Department of Rail and Public Transportation to utilize \$2.0 million in the second year from its funding for a transit study in the U.S. Route 1 corridor in Fairfax County.)
