

Request to Amend House Bill 29, as Introduced

Chief Patron: LeMunyon

Item 436 #1h

Transportation

Secretary Of Transportation

Language

Language:

Page 147, after line 2, insert:

"Notwithstanding any contrary 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 extending the line beyond Wiehle Avenue in Fairfax County to Washington Dulles International Airport and on to Virginia Route 772 in Loudoun County unless (i) all persons working or seeking work, directly or indirectly, on the Phase II Project or any portion thereof may do so without regard for whether a person is a member of a labor union, (ii) the Phase II Project will comply in all respects with Chapter 4 (§ 40.1-52 et seq.) of Title 40.1, (iii) all meetings and records pertaining to the project are in compliance with the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), (iv) the Secretary of Transportation determines that Phase I of the Dulles Corridor Metrorail Project, at such time as it becomes operational, shall not cause a reduction in service to existing Virginia Metrorail passengers, and (v) no tolls imposed and collected for use of the Dulles Toll Road are used to pay for the Phase II Project, including principal or interest on debt issued to pay for the Phase II Project."

Explanation:

(This amendment prohibits the use of any source of state funding on Phase II of the Dulles Corridor Metrorail Project unless a series of requirements are met.)

Chief Patron: Marshall, Robert

Item 436 #2h

Transportation

Secretary Of Transportation

Language

Language:

Page 147, after line 2, insert:

"No revenues of the Commonwealth, from whatsoever source, including tolls, shall be allocated, paid, or expended in connection with Phase 2 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 if Phase 2 of the Project and its finances will not be subject to audit by either the Virginia Department of Transportation or the Auditor of Public Accounts."

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Explanation:

(This amendment prohibits the use of any source of state funding, including tolls, on Phase 2 of the Dulles Corridor Metrorail Project unless the project finances are subject to state audit.)

Chief Patron: Marshall, Robert

Item 436 #3h

Transportation

Secretary Of Transportation

Language

Language:

Page 147, after line 2, insert:

"No revenues of the Commonwealth, from whatsoever source, shall be allocated, paid, or expended in connection with Phase 2 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 if the project or phase of the project is subject to the policy or bylaws of the Metropolitan Washington Airports Authority governing public access to the Authority's meetings and records and is incompatible with Virginia's Freedom of Information Act (§ 2.2-3700 et seq.)."

Explanation:

(This amendment prohibits the use of any source of state funding on Phase 2 of the Dulles Corridor Metrorail Project unless the MWAA meets Virginia's open meeting requirements as set out in the Freedom of Information Act.)

Chief Patron: Marshall, Robert

Item 436 #4h

Transportation

Secretary Of Transportation

Language

Language:

Page 147, after line 2, insert:

"No revenues of the Commonwealth, from whatsoever source, including tolls, shall be allocated, paid, or expended in connection with Phase 2 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 if the project or phase of the project is subject to the policy or bylaws of the Metropolitan Washington Airports Authority governing public access to the Authority's meetings and records and is incompatible with Virginia's Freedom of Information Act (§

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2.2-3700 et seq.)."

Explanation:

(This amendment prohibits the use of any source of state funding, including tolls, on Phase 2 of the Dulles Corridor Metrorail Project unless the MWAA meets Virginia's open meeting requirements as set out in the Freedom of Information Act.)

Chief Patron: Marshall, Robert

Item 436 #5h

Transportation

Secretary Of Transportation

Language

Language:

Page 147, after line 2, insert:

"No revenues of the Commonwealth, from whatsoever source, shall be allocated, paid, or expended in connection with Phase 2 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 if the project or phase of the project (i) is subject to a project labor agreement, (ii) the policy or bylaws of the Metropolitan Washington Airports Authority governing public access to the Authority's meetings and records and is incompatible with Virginia's Freedom of Information Act (§ 2.2-3700 et seq.), or (iii) Phase II of the project and its finances will not be subject to audit by either the Virginia Department of Transportation or the Auditor of Public Accounts."

Explanation:

(This amendment prohibits the use of any source of state funding on Phase 2 of the Dulles Corridor Metrorail Project unless a series of conditions are met.)

Chief Patron: Marshall, Robert

Item 436 #6h

Transportation

Secretary Of Transportation

Language

Language:

Page 147, after line 2, insert:

"No revenues of the Commonwealth, from whatsoever source shall be allocated, paid, or expended in connection with Phase 2 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 if Phase 2 of the Project and its

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finances will not be subject to audit by either the Virginia Department of Transportation or the Auditor of Public Accounts."

Explanation:

(This amendment prohibits the use of any source of state funding on Phase 2 of the Dulles Corridor Metrorail Project unless the project finances are subject to state audit.)

Chief Patron: Marshall, Robert

Item 436 #7h

Transportation

Secretary Of Transportation

Language

Language:

Page 147, after line 2, insert:

"No revenues of the Commonwealth, from whatsoever source shall be allocated, paid, or expended in connection with Phase 2 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 if Phase 2 of the Project and its finances will not be subject to audit by either the Virginia Department of Transportation or the Auditor of Public Accounts."

Explanation:

(This amendment prohibits the use of any source of state funding on Phase 2 of the Dulles Corridor Metrorail Project unless the project finances are subject to state audit.)

Chief Patron: Orrock

Item 448 #1h

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 147, after line 14, insert:

"G.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

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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 in the City of Fredericksburg ~~and~~ or Spotsylvania County. 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.

3. Not later than September 1, 2011, and December 31, 2011, the director, Department of Rail and Public Transportation, shall report to the Chairmen of the Senate Finance and House Appropriations Committees on the progress in implementing these improvements. The report shall include specific dates by which infrastructure improvements or other means of reducing average dwell times of hazardous material shipments are anticipated to be implemented or placed in service. In addition, this report shall also assess the adequacy of training provided by CSX Transportation to local first responders and regional hazmat response teams and establish a plan for enhanced training on addressing railroad and hazmat incidents including the development of a comprehensive emergency response plan.

4. In implementing this report, the Director, Department of Rail and Public Transportation, shall solicit the input and involvement of the affected jurisdictions. All agencies of the Commonwealth, upon request, shall provide necessary technical expertise."

Explanation:

(This amendment modifies language related to average dwell times of hazardous material shipments related to certain infrastructure projects and adds language that clarifies the goal of the projects include promoting safety. The current language is too narrowly worded to facilitate a grant agreement that would fund the projects agreed to by the various parties. Because this item is not set out in House Bill 29, it

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is the intent of the General Assembly that the proposed amendments to the language would occur during enrollment of House Bill 30 as adopted.)

Chief Patron: Scott, James

Item 452 #1h

Transportation

Department Of Transportation

Language

Language:

Page 149, line 53, after "Bank." insert:

"\$9,900,000 of the general fund amounts deposited into the Virginia Transportation Infrastructure Bank in the second year shall be transferred to Item 447 for statewide transit formula assistance."

Explanation:

(This amendment directs that \$9.9 million of the fiscal year 2011 general fund surplus amounts dedicated to transportation be used to support the Mass Transit Fund. The amount represents 14.7% of the general fund amounts, the share of funds which mass transit receives from the transportation trust fund.)
