

Request to Amend House Bill 1400, as Introduced

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Chief Patron: Bell, Robert

Item 444 #1h

Transportation

Department Of Transportation

Language

Language:

Page 408, after line 52, insert:
"J. Notwithstanding any other provision of law, the provisions of § 33.2-214.1, Code of Virginia, shall apply to the U.S. Route 29, Rio Road grade separation (project code 106136) currently contained in the Fiscal Year 2015-2021 Six Year Improvement Program. Such project shall not proceed to the next phase of development until such time as it has been compared against at least ten other candidate projects within the same district utilizing the prioritization methods developed pursuant to the provisions of § 33.2-214.1 B., and the Commonwealth Transportation Board has presented its preliminary ranking of these projects and sought input from localities, metropolitan planning organizations, transit authorities, transportation authorities, and other stakeholders. This project may not be advanced utilizing alternate state or federal funding sources in an effort to circumvent the intent of this language."

Explanation:

(This amendment requires that the proposed project implementing a grade separation of U.S. Route 29 and Rio Road be deferred until such time as the prioritization process pursuant to House Bill 2, 2014 Session of the General Assembly can be implemented and applied to this and alternate projects.)

Chief Patron: Cline

Item 433 #1h

Transportation

Department Of Motor Vehicles

FY 14-15

\$0

FY 15-16

\$500,000 GF

Language:

Page 401, line 8, strike "\$170,759,999" and insert "\$171,259,999".
Page 401, line 47, after "D." insert "1."
Page 401, after line 53, insert:
"2. In addition to the nongeneral fund amounts appropriated for these purposes, \$500,000 from the general fund shall be provided in the second year to support the operations of the DMV Select in Amherst County. These funds shall supplement previously available funding so as to allow for the provision of additional services to customers at the DMV Select location."

Explanation:

(This amendment provides \$500,000 from the general fund in the second year to supplement services provided by the Amherst DMV Select Office.)

Chief Patron: Cole

Item 445 #3h

Transportation

Department Of Transportation

Language

Language:

Page 409, after line 46, insert:

"F. Out of the amounts provided in this item for maintenance of secondary system roadways, the Department shall provide such funds as may be needed to ensure the implementation of House Bill 1593, 2015 Session of the General Assembly."

Explanation:

(This amendment directs VDOT to utilize such maintenance funds as may be necessary to cover any potential costs associated with House Bill 1593, which relates to local parking ordinances within secondary system right of way. No fiscal impact statement has been issued for this legislation.)

Chief Patron: Cole

Item 445 #4h

Transportation

Department Of Transportation

Language

Language:

Page 409, after line 46, insert:

"F. Out of the amounts provided in this Item for maintenance of secondary system roadways, the Department shall provide such funds as may be needed to ensure the implementation of House Bill 1594, 2015 Session of the General Assembly."

Explanation:

(This amendment directs VDOT to utilize such maintenance funds as may be necessary to cover any potential costs associated with House Bill 1594, which relates to the regulation of outdoor advertising viewable from secondary highway system components. No fiscal impact statement has been issued for this legislation.)

Chief Patron: Filler-Corn

Co-Patron(s): Sickles

General Fund Deposits

Interest Earnings

Language

Language:

Page 509, strike line 16.

Explanation:

(This amendment strikes language allowing for the general fund to retain the interest earnings generated in the Commuter Rail Trust Fund at the Department of Treasury. Interest earnings in that Fund are estimated at \$25,000 each year and these amounts part of the assumed general fund revenues contained in House Bill 1400 as introduced. In total, this item contains \$11.4 million each year from more than 100 funds.)

Chief Patron: Joannou

Item 444 #2h

Transportation

Department Of Transportation

Language

Language:

Page 408, after line 52, insert:

"J. Out of the amounts provided in this item, the Commonwealth Transportation Board shall allocate in the Fiscal Year 2016-2021 Six Year Improvement Program such additional funds, up to \$10,500,000, as may be required to ensure that the replacement of the Churchland Bridge in Portsmouth Virginia is fully funded in such program and can move to construction no later than fiscal year 2017."

Explanation:

(This amendment directs the Department of Transportation to relace 50% of the remaining local share (exclusive of the match for revenue sharing funds) required to replace the Churchland Bridge in Portsmouth. The bridge, constructed by the state prior to annexation of the area by the City of Portsmouth, has a sufficiency rating of only 48 on a scale of 0-100 and is among the most deficient bridges in the state. It also carries a major primary thoroughfare, Route 17, across the Elizabeth River. The cost estimate in the current Six Year Improvement Program totals \$29.5 million, exclusive of scope additions contemplated after the adoption of the current six year

program.)

Chief Patron: Kilgore

Item 428 #1h

Co-Patron(s): Bloxom

Transportation

FY 14-15

FY 15-16

Virginia Commercial Space Flight
Authority

\$1,500,000

\$1,500,000 NGF

Language:

Page 399, line 20, strike "\$21,600,000" and insert "\$23,100,000".

Page 399, line 20, strike "\$15,800,000" and insert "\$17,300,000".

Page 399, line 26, strike each "\$15,800,000" and insert "\$17,300,000".

Explanation:

(This amendment increases by \$1.5 million from the nongeneral fund in each year the amount of Transportation Trust Fund revenue dedicated to the operations of the Virginia Commercial Space Flight Authority prior to the calculation of the modal allocations to other transportation agencies.)

Chief Patron: LeMunyon

Item 439 #1h

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 405, line 1, after "B." insert "1."

Page 405, after line 10, insert:

"2. Revenues utilized to support transit operations in pursuant to § 58.1-638 A.4. shall be provided to support the Washington Metropolitan Area Transit Authority (WMATA) in fiscal year 2016, provided, however, that the WMATA Board of Directors first has received and provided to the Chairmen of the House Appropriations and Senate Finance the audited financial statements for fiscal year 2014 with an unqualified opinion from the independent auditors. If this provision has not been fulfilled, funding for WMATA shall be withheld until such time as the Director, Department of Rail and Public Transportation, certifies that any material deficiencies in the audit have been remedied."

Explanation:

(This amendment stipulates that fiscal year 2016 funding shall not be provided to WMATA if the annual external financial audit of WMATA results in other than an unqualified opinion until the Director, DRPT certifies that any material deficiencies in financial controls identified in the audit have been remedied.)

Chief Patron: LeMunyon

Item 439 #6h

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 405, after line 17, insert:

"E. Notwithstanding any other provision of law, growth in the administrative and personnel costs of the Northern Virginia Transportation Commission shall not increase at a rate exceeding the annual growth in direct local contributions received from the Member jurisdictions of the Commission."

Explanation:

(This amendment ties growth in NVTC administrative and personnel costs to growth in local contributions from the member jurisdictions which comprise the Northern Virginia Transportation Commission.)

Chief Patron: LeMunyon

Item 439 #7h

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 405, after line 17, insert:

"E. Notwithstanding any other provision of law, as a requirement for the provision of current funding levels received from the Commonwealth for the Northern Virginia Transportation Commission, the Commission shall allocated such funds as may be necessary, up to a maximum of \$7,000,000 from nongeneral fund resources provided to the Commission, to implement a pilot project to install automobile counters at the parking garages adjacent to the Washington Metropolitan Transit Authority adjacent to the Vienna and West Falls Orange line METRO rail stations."

Explanation:

(This amendment directs the use of up to \$7,000,000 in NVTC funding provided by the state for the installation of garage counters at the Vienna and West Falls Church Orange line METRO rail stations. Such counters would incentivize additional riders to use the rail line in lieu of driving, thereby maximizing use of the facilities and reducing congestion along adjacent roadways."

Chief Patron: Lingamfelter

Item 439 #5h

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 405, after line 17, insert:

"E. From such funds appropriated for public transportation purposes, the Department of Rail and Public Transportation is hereby directed to initiate a study evaluating the efficacy of extending METRO from Springfield, Virginia south along the I-95 corridor to a vicinity near Potomac Mills in Prince William County. The study will address the efficacy of extending METRO in terms of congestion reduction, impact of such a service extension on Virginia Railway Express current and future service levels, whether the expansion of the VRE could carry the same commuter load that could be facilitated by the extension of METRO, and whether bus rapid transit is a realistic alternative to both VRE or METRO expansion. The final study shall include a cost estimate of the various alternatives. The results of the review shall be provided to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2016."

Explanation:

(This amendment directs that the Department of Rail and Public Transportation study the extension of METRO from Springfield, Virginia, south along the I-95 corridor to a vicinity near Potomac Mills in Prince William County by October 1, 2016.)

Chief Patron: Marshall, Robert

Item 444 #3h

Transportation

Department Of Transportation

Language

Language:

Page 408, after line 52, insert:

"J. Notwithstanding any other provision of law, any section of state-maintained roadway which (i) traverses four jurisdictions, (ii) is approximately six miles in length, (iii) has a crash rate that is twice and statewide and districtwide averages, (iv) has an injury rate twice the statewide and districtwide averages, (v) has a fatality rate twice the districtwide average, and (vi) has a morning northbound travel time of approximately 45 minutes to an Interstate shall be deemed to comply with the provisions of the provisions of § 33.2-214.1, Code of Virginia, for the purposes of constructing three and two reversible morning and evening travel lanes which traverse two of the jurisdictions."

Explanation:

(This amendment stipulates that a roadway meeting 6 specific requirements outlined above shall be deemed to have met the requirements of House Bill 2, 2014 Session of the General Assembly, which establishes a statewide prioritization method for selecting highway projects. It relates to needed improvements to Route 28 between Manassas Drive in Manassas Park and the Prince William/Fairfax boundary at the Bull Run bridge.)

Chief Patron: Marshall, Robert

Item 444 #4h

Transportation

Department Of Transportation

Language

Language:

Page 408, after line 52, insert:

"J. Notwithstanding any other provision of law, any section of state-maintained roadway which (i) traverses four jurisdictions, (ii) is approximately six miles in length, (iii) has a crash rate that is twice and statewide and districtwide averages, (iv) has an injury rate twice the statewide and districtwide averages, (v) has a fatality rate twice the districtwide average, and (vi) has a morning northbound travel time of approximately 45 minutes to an Interstate shall be deemed to comply with the provisions of the provisions of § 33.2-214.1, Code of Virginia, and thus is eligible to receive funding from the amounts de-allocated by the Commonwealth Transportation Board in November, 2014. For any roadway meeting the conditions enumerated above, funding shall be made available for a study of long-range improvements required for such corridor, including the development of alternatives analysis."

Explanation:

(This amendment stipulates that a roadway meeting 6 specific requirements

outlined above shall be deemed to have met the requirements of House Bill 2, 2014 Session of the General Assembly, which establishes a statewide prioritization method for selecting highway projects. It relates to needed improvements between Manassas Drive in Manassas Park and the Prince William/Fairfax boundary at the Bull Run bridge.)

Chief Patron: Marshall, Robert

Item 4-5.11 #1h

Special Conditions and Restrictions on Expenditures

Limitations on Uses of Highway Funds

Language

Language:

Page 550, after line 11, insert:

"None of the funding appropriated in this Act may be used to fund the planning, engineering, design, right of way acquisition, or construction of the proposed Bi-County Parkway by the Department of Transportation or by any private entity under contract with the Department."

Explanation:

(This amendment prohibits the use of any state funding for the Bi-County Parkway, whether by the Department of Transportation or by a private entity.)

Chief Patron: Marshall, Robert

Item 4-5.11 #2h

Special Conditions and Restrictions on Expenditures

Limitations on Uses of Highway Funds

Language

Language:

Page 550, after line 11, insert:

"None of the funding appropriated in this Act may be used to promote or support the proposed Bi-County Parkway by the Department of Transportation or by any private entity under contract with the Department. This restriction includes the use of funds for television, radio, newspaper, or other forms of advertising and includes the creation and distribution of door-hangers or other public information pieces designed to promote or support the proposed project."

Explanation:

(This amendment prohibits the use of any state funding to promote the Bi-County Parkway, whether by the Department of Transportation or by a private entity.)

Chief Patron: Marshall, Robert

Item 4-5.11 #3h

Special Conditions and Restrictions on Expenditures

Limitations on Uses of Highway Funds

Language

Language:

Page 550, after line 11, insert:

"None of the funding appropriated in this Act may be used to finance any transportation improvement project whose intent is to divert traffic from Interstate 95 by constructing a new roadway through Prince William and Loudoun counties, regardless of what name is attached to the proposed Western Bypass project."

Explanation:

(This amendment prohibits the use of any state funding for the Western Bypass, regardless of its name.)

Chief Patron: Mason

Item 439 #4h

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 405, after line 17, insert:

"E. From such funds appropriated for public transportation purposes, there is hereby allocated \$1,900,000 in the second year to conduct a transit study in the cities of Hampton and Newport News for (1) corridor planning to identify potential areas for high capacity, fixed guideway transit connectivity, (2) defining areas of high commercial and residential growth and density as well as areas limited by increasing roadway congestion, and (3) evaluation of options that will define transit needs and possible alignment and technology solutions on the Peninsula with consideration given to future transit connectivity options to other cities in the Hampton Roads region."

Explanation:

(This amendment directs that \$1.9 million in transit funding in the second year be used to conduct a transit study in Hampton and Newport News to look at the potential

for fixed guideway transit and evaluate options to align transit needs with technology solutions in the Peninsula. The study will define areas of high commercial and residential growth and density as well as areas limited by increasing roadway congestion. Major residential and commercial activity centers may include Newport News Shipbuilding, Peninsula Town Center in Hampton, and City Centre at Oyster Point. Evaluated options will help define the transit needs and possible alignment and technology solutions on the Peninsula and provide a foundation for streamlined entrance into the formal environmental review process required under the National Environmental Policy Act for major federal actions.)

Chief Patron: Minchew

Item 427 #1h

Co-Patron(s): Greason

Transportation

Secretary Of Transportation

Language

Language:

Page 399, after line 14, insert:

"N. 1. The Commonwealth Transportation Board is hereby authorized, by and with the consent of the Governor, to issue, pursuant to the provisions of the State Revenue Bond Act (§ 33.1-267 et seq. of the Code of Virginia), as amended from time to time, revenue obligations of the Commonwealth to be designated "Commonwealth of Virginia Dulles Greenway Revenue Bonds, Series" at one or more times to (i) acquire and (ii) if determined necessary by the Commonwealth Transportation Board, improve or upgrade the Dulles Greenway as defined under § 33.1-23.03:11 of the Code of Virginia (the Project).

The aggregate principal amount of Bonds that may be issued under this Act, after all costs, shall be conditioned upon the revenues from the tolls or other charges to be imposed for the use of the Dulles Greenway as proposed and established by the Commonwealth Transportation Board pursuant to § 33.1-23.03:11 of the Code of Virginia, as follows: the revenues from the tolls or other charges proposed by the Commonwealth Transportation Board for the use of the Dulles Greenway shall reasonably be expected by the Board to pay (a) in full and when payable the debt service on all Bonds, anticipation notes, or other obligations issued or entered into by the Commonwealth Transportation Board under this Act for the Project; (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; and (d) ongoing necessary administrative costs relating to the Dulles Greenway.

No Bonds, anticipation notes, or other obligations shall be issued or entered into under this Act unless the Treasury Board provides through a written certification provided to the Governor and the Commonwealth Transportation Board its opinion that the revenues from the tolls or other charges proposed by the Commonwealth Transportation Board for the use of the Dulles Greenway are reasonably expected to result in a debt service coverage ratio of at least 1.25, taking into consideration the costs under clauses (b), (c), and (d).

Nothing in this Act shall be construed or interpreted as to require the Commonwealth Transportation Board to acquire the Dulles Greenway as defined under § 33.1-23.03:11 of the Code of Virginia.

The net proceeds of the Bonds shall be used exclusively for the purpose of providing funds for paying the costs incurred or to be incurred for the Project.

The proceeds of the Bonds, including any premium received on the sale thereof, shall be made available by the Commonwealth Transportation Board to pay the costs of the Project. The proceeds of the Bonds may be used together with any federal, local, or private funds that may be made available.

2. If the Board acquires the Dulles Greenway, it shall impose tolls or other charges on all classes of vehicles in amounts established by the Board for the use of the Dulles Greenway. The Board shall propose and establish toll rates or other charges such that the revenue therefrom is reasonably expected to pay (i) in full and when payable the debt service on all bonds or obligations issued by the Commonwealth Transportation Board to acquire and, if necessary, improve or upgrade the Dulles Greenway; (ii) the ongoing costs of operating and maintaining the Dulles Greenway; (iii) the costs of purchasing and installing electronic tolling equipment or other equipment for the Dulles Greenway if such equipment is determined necessary; and (iv) ongoing necessary administrative costs relating to the Dulles Greenway."

Explanation:

(This amendment authorizes the Commonwealth Transportation Board to issue revenue bonds serviced by toll revenues on the Dulles Greenway for the purpose of allowing for the Commonwealth to purchase the Dulles Greenway, This budget amendment is in furtherance of the purpose behind House Bill 1979, 2013 Session of the General Assembly but provides the enabling authority through the Budget Bill.)

Chief Patron: O'Bannon

Item 445 #2h

Transportation

Department Of Transportation

Language

Language:

Page 409, after line 46, insert:

"F. Notwithstanding any other provision of law or policy, except as provided herein, the Commonwealth Transportation Board shall, in the allocation, payment, or expenditure of any funds of the Commonwealth in connection with any construction, alteration, maintenance, operation, or repair of any bridge, tunnel, highway, or other transportation facility, attempt to purchase, use, and acquire only geotextiles, material stabilization, and drainage fabrics that are produced in the United States, to the extent that such goods and equipment are available and such procurement is not prohibited by federal law or regulation."

Explanation:

(This amendment states that the Department of Transportation shall use U.S. made materials for soil retention purposes.)

Chief Patron: Peace

Item 429 #1h

Transportation

Department Of Aviation

Language

Language:

Page 400, after line 16, insert:

"Notwithstanding the provisions of § 5.1-44, Code of Virginia, or any other provision of law, the Richmond International Airport is authorized to continue to assess charge on ground transportation providers in an amount that generates revenue equal to the amount of revenue generated from ground transportation provider charges for the fiscal year ending June 30, 2014."

Explanation:

(This amendment ensures that the Richmond International Airport is able to hold its revenues harmless against potential losses associated with the proposal contained in House Bill 1889, 2015 Session.)

Chief Patron: Peace

Item 439 #2h

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 405, line 1, after "B." insert "1."

Page 405, after line 10, insert:

"2. Revenues utilized to support transit operations in pursuant to § 58.1-638 A.4. shall be provided to support the Washington Metropolitan Area Transit Authority (WMATA) in fiscal year 2016, provided, however, that the WMATA Board of Directors first has addressed all the recommendations cited in the Federal Transit Administration of the U. S. Department of Transportation's "Full Scope of Systems Review of the Washington Metropolitan Transit Authority" dated June 10, 2014, and the Director, Department of Rail and Public Transportation, in consultation with the appropriate compliance officer of the Federal Transit Administration and the Chairs of the House Appropriations and Senate Finance Committees, determines that such recommendations have been addressed."

Explanation:

(This amendment limits the distribution of state funds to WMATA if they have not addressed the requirements of the USDOT review of its operations.)

Chief Patron: Peace

Item 445 #1h

Transportation

Department Of Transportation

Language

Language:

Page 409, after line 46, insert:

"F. Notwithstanding any other provision of law or policy, except as provided herein, the Department shall maintain a policy of competitive procurement among qualifying pipe material types in storm drainage applications for both higher and lower functional classification roads absent affirmative contrary authorization from the General Assembly."

Explanation:

(This amendment states that the Department of Transportation may not limit competition among storm drainage pipe materials without the express authorization from the General Assembly.)

Chief Patron: Rust

Item 433 #2h

Transportation

Department Of Motor Vehicles

FY 14-15

\$650,000

FY 15-16

\$350,000 NGF

Language:

Page 401, line 8, strike "\$165,832,775" and insert "\$166,482,775".

Page 401, line 8, strike "\$170,759,999" and insert "\$171,109,999".

Page 402, after line 30, insert:

"K. Included in the amounts for this item is \$650,000 in the first year and \$350,000 in the second year to support the start-up and on-going costs associated with the regulation of Transportation Network Companies in Virginia pursuant to the provisions of House Bill 1662, 2015 Session of the General Assembly."

Explanation:

(This amendment provides \$650,000 in the first year and \$350,000 in the second year from nongeneral fund sources to support the implementation of House Bill 1662, 2015 Session of the General Assembly. This legislation establishes a legal framework for the operation of Transportation Network Companies in Virginia and authorizes DMV to conduct periodic reviews of the TNC to confirm compliance and authorizes fees to cover DMV's costs of administering the program, including an annual fee of \$50 per TNC partner vehicle, an initial TNC license fee of \$70,000, and an annual license renewal fee of \$3,000. The bill requires DMV to review the fee structure and report by December 1, 2016. These fee revenues would be the source of funds for the nongeneral fund appropriation.)

Chief Patron: Surovell

Item 439 #3h

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 405, after line 17, insert:

"E. From such funds appropriated for public transportation purposes, there is hereby allocated \$4,000,000 in the second year to advance a locally preferred alternative (LPA) recommended by the Route 1 Multimodal Alternatives Analysis currently being administered by the Division of Rail and Public Transit in collaboration with the Counties of Fairfax, and Prince William and the City of Alexandria that (i) addresses current and projected future traffic deficiencies with a viable long-term transit solution for the corridor, (ii) transforms the area into transit-oriented and transit-supportive mixed use development near stations and stops, (iii) initiates the environmental study to develop the documentation that will be required to comply with the National Environmental Policy Act (NEPA), (iv) conducts conceptual design

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and engineering for the locally preferred alternative (LPA), (v) refines the capital and operating costs for the LPA based on the conceptual design and engineering, (vi) refines the cash flow model and funding analysis based on updated capital and operating costs, and (vii) submits an application into the Federal Transit Administration's New Starts project development process."

Explanation:

(This amendment directs that \$4.0 million in transit funding in the second year be used to continue to advise the Route 1 transit study for the Counties of Fairfax and Prince William and the City of Alexandria. Two million dollars was dedicated to this purpose in fiscal year 2014.)
