

2020 General Assembly Session - Summary of HRTPO-Related Bills and Budget Amendments
 March 13, 2020

Bill	Summary	Patron	Status
<i>Passed House and Senate</i>			
HB364	Statewide prioritization process; project selection. Requires the Commonwealth Transportation Board, when evaluating projects under the statewide prioritization process known as SMART SCALE, to evaluate (i) congestion mitigation on the basis of total traffic volumes, not just traffic volumes during weekdays, and (ii) accessibility on the basis of the area of influence of a project for a radius of 55 miles.	Cole	2/11/20: House - Left in Transportation
HB429	Free use of toll facilities; teachers, firefighters, and emergency medical services personnel. Authorizes any teacher employed by a public school district, firefighter, or emergency medical services personnel to use all toll bridges, toll ferries, toll tunnels, and toll roads in the Commonwealth without the payment of toll while traveling between his place of residence and his place of employment.	Scott	2/11/20: House - Left in Transportation
HB465	Local regulation of certain transportation companies. Extends from January 1, 2020, to October 1, 2020, the prohibition on offering motorized skateboards or scooters, bicycles, or electric power-assisted bicycles for hire in any locality that has not enacted any licensing ordinance, regulation, or other action regulating such business. The bill clarifies that localities are authorized to create or amend such ordinances, regulations, or actions even after any such business is operating in the locality and exercise authority otherwise authorized by law. The bill contains an emergency clause.	Keam	1/29/20: House - Passage Emergency (93-Y 5-N) 3/3/20: Senate - Passed (40-Y 0-N)
HB523	Dulles Greenway. Amends the powers and responsibilities of the State Corporation Commission (SCC) to regulate toll road operators under the Virginia Highway Corporation Act of 1988. The bill adds requirements that toll rates not materially discourage the public's use of the toll road, that the cost of operating the toll road be reasonably apportioned across all toll road users based on the relative distance each class of user travels on the toll road, such that the toll rates are established in a reasonable and nondiscriminatory manner in relation to the benefit obtained, and that toll rates shall provide the operator with no more than a reasonable return.	Subramanyam	2/6/20: House - Continued to 2021 in Labor and Commerce by voice vote
HB561	Statewide prioritization process; primary evacuation routes. Requires the Office of Intermodal Planning to include in the results of screening candidate projects in the Six-Year Improvement Program whether such projects are located on a primary evacuation route.	Brewer	2/7/20: House - VOTE: Passage (99-Y 1-N). 3/4/20: Senate - Passed (40-Y 0-N)
HB620	Statewide prioritization process; project selection. Requires the Commonwealth Transportation Board, when evaluating projects under the statewide prioritization process known as SMART SCALE, to evaluate (i) congestion mitigation on the basis of total traffic volumes, not just traffic volumes during weekdays, and (ii) accessibility on the basis of the area of influence of a project for a radius of 55 miles.	Cole	2/13/20: House - Left in Transportation
HB642	Transportation funding; statewide prioritization process. Requires the Commonwealth Transportation Board, when administering SMART SCALE, to ensure that projects are evaluated for district grant program funds and high-priority funds separately, and that the projects selected in one program do not impact the other program. The bill requires the Board to weight congestion mitigation at at least 55 percent in the Northern Virginia and Hampton Roads highway construction districts. The bill requires that projects eligible for district grant program funds receive a district-specific score and an overall score.	LaRock	2/13/20: House - Left in Transportation

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HB774	Commonwealth Transportation Board; revenue-sharing funds. Increases the maximum matching allocation that the Commonwealth Transportation Board may make to a locality from \$5 million to \$10 million and increases the portion of such funds that such locality may use for the maintenance of highway systems from \$2.5 million to \$5 million.	LaRock	2/10/20: House - VOTE: Engrossment (41-Y 51-N); Engrossment refused
HB886	State Trails Advisory Committee; sunset. Extends from January 1, 2021, to January 1, 2027, the sunset of the State Trails Advisory Committee. The committee assists the Commonwealth in developing and implementing a statewide system of attractive, sustainable, connected, and enduring trails for the perpetual use and enjoyment of the citizens of the Commonwealth and future generations.	Plum	1/28/20: House - VOTE: Passage (91-Y 7-N) 2/21/20: Senate - Passed (38-Y 0-N). 3/5/20: Governor - Action deadline 3/12/20
HB970	Use of transportation funds. States that it is the policy of the Commonwealth that revenues dedicated to transportation purposes shall not be used or redirected for any non-transportation purpose. Any attempt to repurpose funds dedicated to transportation as of July 1, 2019 shall be deemed invalid and shall not be effectuated.	LaRock	1/21/20: House - Continued to 2021 in Transportation by voice vote
HB1217	Department of Transportation; at-risk infrastructure; report. Directs the Department of Transportation, in collaboration with the Commonwealth Center for Recurrent Flooding Resiliency, to (i) identify roads and bridges at risk of deterioration due to flooding in Northern Virginia; (ii) develop recommendations for managing such assets; and (iii) report its findings and recommendations to the Chairs of the House and Senate Committees on Transportation by the start of the 2022 General Assembly Session.	Tran	2/4/20: House - VOTE: Passage (60-Y 38-N). 3/3/20: Senate - Passed with amendment (39-Y1-N) 3/4/20: House - Adoption (60-Y 36-N)
HB1243	Public-Private Transportation Act of 1995; Public-Private Education Facilities and Infrastructure Act of 2002; affected local jurisdictions and public entities; consideration of economic impact. Requires a private entity requesting approval to develop and operate a qualifying transportation facility under the Public-Private Transportation Act of 1995 or a qualifying project under the Public-Private Education Facilities and Infrastructure Act of 2002 to include an economic impact analysis identifying any potentially adverse economic or revenue impacts a potential comprehensive agreement may have on all affected local jurisdictions. The bill further provides that affected local jurisdictions be given reasonable opportunity to consult with the parties concerning the nature and scope of the impacts and regarding measures that may be taken to avoid or mitigate the impacts or make the agreement revenue-neutral. The bill directs each responsible public entity to certify compliance with the review of the economic impact analysis provisions.	Heretick	2/4/20: House - Continued to 2021 in Transportation by voice vote
HB1389	Use of transportation funds in the Commonwealth. Requires affirmative authorization by the General Assembly in an appropriation act for any funds in the Commonwealth, including local and regional funds and toll revenues, to be used for a transportation project physically located outside of the Commonwealth.	LaRock	2/11/20: House - Left in Transportation

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HB1414	<p>Transportation. Amends numerous law related to transportation funds, revenue sources, construction, and safety programs. The bill adopts numerous structural changes to the transportation funding system in the Commonwealth. Most transportation revenues are directed to a new Commonwealth Transportation Fund and the existing Highway Maintenance and Operating Fund. Funds are then disbursed, based on codified formulas, to subfunds established to meet the varying transportation needs of different modes of transportation. The bill contains transitional provisions phasing in the new funding structure over a period of four years. The existing gas tax based on a percentage of the wholesale price of gasoline and diesel fuel is converted to a cents-per-gallon tax. A rate of \$0.282 per gallon of gasoline will be phased in over three years, and then indexed every year thereafter. The regional gas tax will be converted to a rate of \$0.076 per gallon of gasoline. Registration fees for motor vehicles will be lowered. The Department of Motor Vehicles will implement a Highway Use Fee for alternative fuel and fuel efficient vehicles. Alternatively, a person whose vehicles would be subject to this new fee may elect to instead enroll in a mileage-based user fee program to be developed by the Department. In Northern Virginia, the regional transportation improvement fee, used to support WMATA, is lowered to \$0.10 per \$100 for the recordation of conveyance of a deed. A new regional congestion fee is imposed at a rate of \$0.15 per \$100 for the recordation of conveyance of a deed. The regional transient occupancy tax is raised from \$2 to \$3. The bill authorizes the use of transportation bonds to complete the final section of Corridor Q of the Appalachian Development Highway System, and authorizes a bond issuance for improvements in the Interstate 81 and Interstate 66 corridors. The bill establishes a new Virginia Passenger Rail Authority. The bill adopts several safety initiatives, including: (i) making it illegal to possess an open container of alcohol in a motor vehicle, (ii) requiring all passengers in a vehicle to wear safety belts and making failure to wear a safety belt a primary offense, (iii) prohibiting the use of handheld personal communication devices, (iv) establishing a speed monitoring program in highway safety corridors that uses a vehicle sensor to take a picture of a vehicle traveling more than 10 miles over the speed limit, subjecting the driver to a monetary fine, and (v) allowing localities to lower the speed limit below 25 miles per hour in business and residential districts. The Commissioner of the Department of Motor Vehicles will establish an advisory committee to oversee education and enforcement of policies such as the seatbelt and hands-free provisions. The bill changes the requirement for a vehicle inspection from once every 12 months to once every 24 months. The bill also creates numerous new transportation safety programs, including an Interstate Operations and Enhancement Program, a Virginia Highway Safety Improvement Program, the Statewide Special Structures Program, and a Transit Incentive Program.</p>	Filler-Corn	<p>2/10/20: House - VOTE: Passage (56-Y 42-N). 2/26/20: Senate - Passed with substitute (22-Y 18-N) 3/8/20: Conference report agreed to by House and Senate</p>
HB1438	<p>Hampton Roads Transportation Accountability Commission; high-occupancy toll lanes on certain portions of Interstate 64. Authorizes the Hampton Roads Transportation Accountability Commission to impose and collect tolls in high-occupancy toll lanes on certain portions of Interstate 64. The area of Interstate 64 in which such tolls may be imposed is the vicinity of the interchange of Interstate 64 and Jefferson Avenue to the interchange of Interstate 64, Interstate 264, and Interstate 664. The bill directs the Commission to enter into an agreement with the Commonwealth Transportation Board and the Department of Transportation regarding the standards for operating the facility and use of toll proceeds.</p>	Jones	<p>2/11/20: House - VOTE: Passage (63-Y 35-N). 2/26/20: Senate - Passed (29-Y 11-N)</p>
HB1518	<p>Compensation of counties for certain construction and improvement of primary and secondary highways. Allows the Department of Transportation to pay a locality up-front for eligible expenses related to certain transportation projects administered by the locality, instead of being reimbursed after completion of the project. The bill also removes language related to an obsolete funding formula.</p>	McQuinn	<p>2/7/20: House - Block Vote Passage (100-Y 0-N). 3/3/20: Senate - Passed (40-Y 0-N)</p>

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HB1571	Department of Transportation; Elizabeth River Crossings. Directs the Virginia Department of Transportation to terminate the contract with Elizabeth River Crossings related to the Downtown and Midtown Tunnels across the Elizabeth River for cause due to the defective tube in the Midtown Tunnel or, if unable to terminate for cause, for convenience.	Scott	2/11/20: House - Left in Transportation
HB1602	Virginia Tourism Authority; Governor's New Airline Service Incentive Fund. Creates the Governor's New Airline Service Incentive Fund to be administered by the Virginia Tourism Authority to support the local, regional, national, and international airports in Virginia by providing the means for attracting new passenger air service routes by advertising and promoting new air service routes that would commence in Virginia.	Austin	2/10/20: House - VOTE: Passage (90-Y 8-N). 2/21/20: Senate - Passed with substitute (38-Y 0-N). 3/7/20: Conference report agreed to by House and Senate
HB1726	Transportation funding in the Hampton Roads region. Raises additional revenues for the Hampton Roads Transportation Fund by levying a regional grantors tax and a regional transient occupancy tax. The bill provides that the new revenues generated shall be used to operate a regional system of inter-jurisdictional, high-frequency bus service in the region.	Askew	2/11/20: House - VOTE: Passage (59-Y 38-N). 2/26/20: Senate - Passed with substitute (22-Y 18-N) 3/4/20: Conference report agreed to by House and Senate
HJ55	Study; Department of Rail and Public Transportation; Commonwealth Corridor passenger rail service; report. Requests the Department of Rail and Public Transportation to study the feasibility of an east-west Commonwealth Corridor passenger rail service connecting Hampton Roads, Richmond, and the New River Valley.	Rasoul	2/11/20: House - Left in Appropriations
HJ58	Transportation agreements. Recognizes that public-private transportation partnership agreements that contain provisions prohibiting or frustrating the construction of non-tolled transportation facilities as alternatives to tolled facilities through economic disincentives are against public policy.	Heretick	1/31/20: House - Tabled in Rules (18-Y 0-N)
HJ101	Study; JLARC; reduction or elimination of tolls on Midtown and Downtown Tunnels in Hampton Roads; report. Directs the Joint Legislative Audit and Review Commission to study the feasibility of reducing or eliminating tolls on the Midtown and Downtown Tunnels in Hampton Roads.	Heretick	2/11/20: House - Left in Rules
HJ107	Study; JLARC; transportation systems and transportation funding. Directs the Joint Legislative Audit and Review Commission, in conjunction with the Virginia Academy of Science, Engineering, and Medicine and the Virginia Tech Transportation Institute, to study the state of the transportation systems and transportation funding in the Commonwealth.	Austin	2/11/20: House - Left in Rules
HJ128	Study; Department of Rail and Public Transportation; commuter rail system in the Commonwealth; report. Requests the Department of Rail and Public Transportation to study and develop best practices for constructing, operating, and maintaining commuter rail systems in the Commonwealth.	Roem	2/11/20: House - Left in Rules
SB332	Allocation of remote sales tax collections; Transportation Trust Fund. Allocates sales tax revenues collected from remote sellers, pursuant to Chapters 815 and 816 of the Acts of Assembly of 2019, to the Transportation Trust Fund to be used for the maintenance and repair of existing highways.	Stuart	1/29/20: Senate - Passed by indefinitely in Finance and Appropriations (15-Y 0-N)

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SB452	Motor vehicle fuels sales tax in certain counties and cities. Imposes a regional motor vehicle fuels sales tax at a rate of 7.6 cents per gallon and gasoline and 7.7 cents per gallon of diesel fuel in any county or city outside of the Northern Virginia or Hampton Roads regions or the Interstate 81 Corridor, where such a tax is already imposed. The new revenues will be returned to the transportation district in which the revenues are generated via the construction district grant program. The bill also converts the existing regional motor vehicle fuels sales in Northern Virginia, Hampton Roads, and the Interstate 81 Corridor from tax from a percentage of the distributor price of a gallon of gasoline to this same cents per gallon rate. The rate will be indexed each year beginning July 1, 2021.	Edwards	2/7/20: Senate - Read third time and passed (24-Y 15-N). 3/3/20: House - Left in Appropriations
SB453	Transportation revenues. Directs the Secretary of Transportation to evaluate (i) the impact of increased fuel efficiency and increased use of hybrid and electric vehicles on transportation revenues and (ii) potential options to provide a sustainable funding stream for transportation infrastructure, and report to the General Assembly no later than December 10, 2020.	Edwards	2/4/20: Senate - Stricken at request of Patron in Finance and Appropriations
SB890	Transportation. Amends numerous law related to transportation funds, revenue sources, construction, and safety programs. The bill adopts numerous structural changes to the transportation funding system in the Commonwealth. Most transportation revenues are directed to a new Commonwealth Transportation Fund and the existing Highway Maintenance and Operating Fund. Funds are then disbursed, based on codified formulas, to subfunds established to meet the varying transportation needs of different modes of transportation. The bill contains transitional provisions phasing in the new funding structure over a period of four years. The existing gas tax based on a percentage of the wholesale price of gasoline and diesel fuel is converted to a cents-per-gallon tax. A rate of \$0.242 per gallon of gasoline will be phased in over two years, and then indexed every year thereafter. The regional gas tax will be converted to a rate of \$0.076 per gallon of gasoline. The regional gas tax will be imposed in all counties and cities in the Commonwealth not currently paying a regional gas tax. The Department of Motor Vehicles will implement a Highway Use Fee for alternative fuel and fuel efficient vehicles. Alternatively, a person whose vehicles would be subject to this new fee may elect to instead enroll in a mileage-based user fee program to be developed by the Department. In Northern Virginia, the regional transportation improvement fee, used to support WMATA, is lowered to \$0.10 per \$100 for the recordation of conveyance of a deeds. A new regional congestion fee is imposed at a rate of \$0.10 per \$100 for the recordation of conveyance of a deed. The regional transient occupancy tax is raised from \$2 to \$3. The bill authorizes the use of transportation bonds to complete the final section of Corridor Q of the Appalachian Development Highway System, and authorizes a bond issuance for improvements in the Interstate 81 and Interstate 66 corridors. The bill establishes a new Virginia Passenger Rail Authority. The bill also creates numerous new transportation safety programs, including an Interstate Operations and Enhancement Program, a Virginia Highway Safety Improvement Program, the Robert O. Norris Bridge and Statewide Special Structures Program, and a Transit Incentive Program.	Saslaw	2/11/20: Senate - Read third time and passed (23-Y 17-N) 2/26/20: House - Passed with substitute (52-Y 44-N) 3/8/20: Conference report agreed to by House and Senate
SB1016	Transportation funding; statewide prioritization process. Provides that the economic development factor shall be weighted at least twice as much as the congestion mitigation factor in highway construction districts with higher-than-average unemployment or with localities with high fiscal stress when the Commonwealth Transportation Board is evaluating a project located on a corridor of statewide significance under the SMART SCALE criteria.	Stanley	2/12/20: Senate - Left in Finance and Appropriations

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SB1038	Hampton Roads Transportation District Regional Transit Program. Creates the Hampton Roads Transportation District Regional Transit Program to develop, maintain, and improve a regional network of transit routes and related infrastructure, rolling stock, and support facilities. The program would be funded by an additional (i) regional grantor's tax at a rate of \$0.15 per \$100 of the consideration for the conveyance, and (ii) regional transient occupancy tax at a rate of one percent of the charge for the occupancy, both imposed in localities in the Hampton Roads Transportation District. The moneys would be deposited into the Hampton Roads Regional Transit Fund, created by the bill.	Lucas	2/11/20: Senate - Read third time and passed (22-Y 18-N) 2/24/20: House - VOTE: Passage with substitute (55-Y 44-N). 3/3/20: House - Agreed to conference report (57-Y 40-N) 3/4/20: Senate - Agreed to conference report (24-Y 16-N) 3/12/20: Governor - Action deadline 4/11/20
SJ50	Study; Department of Rail and Public Transportation; Commonwealth Corridor passenger rail service; report. Requests the Department of Rail and Public Transportation to study the feasibility of an east-west Commonwealth Corridor passenger rail service connecting Hampton Roads, Richmond, and the New River Valley.	McClellan	1/29/20: Senate - Read third time and agreed to by voice vote 3/4/20: House - Block Vote Passage (90-Y 2-N). 3/5/20: Senate - House amendment agreed to by voice vote
Budget Amendments			
0#6s	SB332: Allocation of Remote Sales Tax Collections. This amendment reflects the necessary general fund revenue adjustment associated with SB 332. The bill would allocate sales tax revenues collected from remote sellers, pursuant to Chapters 815 and 816 of the Acts of Assembly of 2019, to the Transportation Trust Fund to be used for the maintenance and repair of existing highways. The amount of the general fund reduction is estimated at \$85.2 million each year.	Stuart	Member Request
112#1c	Governor's Airline New Service Incentive Fund. This amendment provides \$425,000 the first year and \$825,000 the second year from the general fund to establish the Governor's New Airline Service Incentive Fund administered by the Virginia Tourism Corporation. Funding would be used to assist in the provision of marketing, advertising, or promotional activities by airlines in connection with the launch of new air passenger service at Virginia airports, and to incentivize airlines that have committed to commencing new air passenger service in Virginia, pursuant to the provisions of Senate Bill 990 and House Bill 1602.	Newman	Conference Report
374#11h	State Trails Advisory Committee. This amendment provides an appropriation to allow the Department of Conservation and Recreation to provide staff support to the State Trails Advisory Committee.	Mullin	Member Request

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430#2c	Transit Ridership Incentive Program (language only). This amendment directs the Secretary of Transportation to ensure that at least \$5.0 million from the nongeneral fund of the annual allocation to the Transit Ridership Incentive Program, established in House Bill 1414 and Senate Bill 890 of the 2020 General Assembly, is used to provide operating assistance to transit programs that reduce congestion in urban areas. The Secretary is directed to report on the methodology that will be implemented by June 30, 2021.		Conference Report
443#4s	HJ55 - Study the Feasibility of an East-West Commonwealth Corridor Passenger Rail Service. This amendment provides \$300,000 from the genral fund the first year pursuant to the passage of HJ55 which requires the Department to study the feasibility of an east-west Commonwealth Corridor passenger rail service connecting Hampton Roads, Richmond, and the New River Valley.	Rasoul	Member Request
443#5h	HJ128 - Study Best Practices for Commuter Rail Systems. This amendment provides \$1.0 million from the general fund the first year pursuant to HJ128 which requires the Department to study and develop best practices for constructing, operating, and maintaining commuter rail systems in the Commonwealth	Roem	Member Request
443#3c	Commonwealth Corridor Study (language only). This amendment provides funding from the Department of Rail and Public Transportation for the Commonwealth Corridor Study, established through Senate Joint Resolution 50 of the 2020 General Assembly.	McClellan	Conference Report
443#5s	Adjust Language to Reflect SB 890 (language only). This amendment adjusts embedded language to reflect the provisions of SB 890 of the 2020 General Assembly. Includes: "The Commonwealth Transportation Board shall prioritize the expansion of rail service between the Northern Virginia, Central Virginia, and Hampton Roads regions prior to expanding rail service to North Carolina."		Floor Approved
446#1c	VDOT Review of Interstate 664 Corridor (language only). This amendment ensures that VDOT coordinate with the DRPT and the Port Authority in its evaluation of multimodal transportation needs along the Interstate 664 corridor.		Conference Report
447#1c	Local Project Administration (language only). This amendment directs the Virginia Department of Transportation to authorize a full-time employee of a regional planning district commission, who has received appropriate certification, to serve as the responsible charge on locally administered construction projects. Current VDOT policy allows only full-time employees of local governments to serve in this capacity.		Conference Report
452#3h	Buyout Contract for Elizabeth River Toll. This amendment provides \$2.5 billion from the general fund in the first year to buy out the contract for the Elizabeth River Toll pursuant to legislation enacted during the 2020 General Assembly session.	Scott	Member Request
451#2c	Use Commonwealth Port Fund to Support Local Road Maintenance. This amendment, along with a companion amendment in Item 459, supplants general fund support for road maintenance for localities with Port facilities with \$1.0 million annually from the Commonwealth Transportation Fund. These amendments are consistent with actions in the introduced budget to replace general fund support for transportation with nongeneral fund sources that are designated for transportation usage.		Conference Report
451#3c	Financial Assistance for City/Town Road Maintenance. This amendment provides \$1.0 million from the nongeneral fund each year to increase funding for street maintenance payments to localities, held constant in fiscal year 2020. Payments to localities for road maintenance would be adjusted for inflation.		Conference Report

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<u>459#1c</u>	Waterway Maintenance Fund. This amendment increases the appropriation to the Waterway Maintenance Fund to \$1.5 million in each year to support shallow-draft dredging projects. The increased allocation to the Waterways Maintenance Fund results in a corresponding reduction in available general fund revenues of \$150,000 annually.		Conference Report