



Report of the Subcommittee on  
Transportation

(Amendments to SB 29  
And SB 30 as Introduced)

Senate Finance Committee  
Virginia General Assembly

February 17, 2008



## **2008 REPORT OF THE SUBCOMMITTEE ON TRANSPORTATION**

**The Honorable Richard L Saslaw, Chairman**

**(February 17, 2008)**

Mr. Chairman and Members of the Committee:

Your Transportation Subcommittee focused throughout this session to build upon and refine the efforts of the 2007 General Assembly to address the continuing challenges facing the Commonwealth's transportation infrastructure.

Early in the session, we learned that despite our efforts of last year, highway maintenance needs continue to drain money from our construction budget. Our transportation revenue sources, which are not indexed for inflation, are causing us to continue to loose ground in meeting the needs of our citizens. In fact we learned that inflation alone is eating up \$50.0 million of our purchasing power each year. We now have many more fuel efficient vehicles, which are great for the environment and for reducing our dependence on foreign oil. However, this also means that more and more highway miles are driven each year while our flat gas tax produces less revenue per vehicle mile driven.

On top of this, citizens across the Commonwealth spoke loud and clear of their disdain for our attempt to raise transportation revenues through civil fees on abuse drivers. The fees unfairly targeted our citizens while collecting no revenues from out-of-state drivers that add to congestion and wear and tear on our highways. We also learned that the projected revenue that we were told these fees would produce was grossly overstated. Our passage of Senate Bill 1 demonstrates that repeal of these fees was one of our highest priorities. Unfortunately, you will see amendments in our Subcommittee report necessitated by repeal of these fees that further reduce expected funding for highway construction by over \$127.0 million in this biennium.

To address the loss of the abusive driver fees and the inadequacy of current revenues to keep up with our needs, the Subcommittee is recommending to you amendments that recognize increased gas tax revenue of \$147.2 million generated by Senate Bill 713, which passed the Senate last Friday. This bill, which increases the tax by a meager one cent per gallon each year for the next five years, will at least allow us to keep up with inflation and prevent even more of our highway construction funds from being used for our ever-increasing maintenance needs.

Mr. Chairman, I am sure that you will recall that as part of a major compromise last year, the Senate reluctantly agreed to allow \$500.0 million of supposedly “surplus” general funds to be used for highway construction. Unfortunately, this projected surplus never materialized and therefore, the Subcommittee is recommending that \$180.0 million be paid back to the general fund to avoid even deeper cuts to core general fund services such as education, public safety, health and human services.

On a positive note, our subcommittee faced the challenge of helping the Department of Motor Vehicles meet the demands of the unfunded mandates of the Federal Real ID Act. Key to this effort is the need to replace a 20 year-old computer system and convert to a centralized issuance process for driver’s licenses. While the introduced budget recommended a \$10 increase in the fee for a driver’s license, we were able to develop a better alternative.

In a bipartisan effort, we developed legislation, which also passed the Senate last Friday that will meet these needs without raising the annual cost of a license. We are recommending amendments to you that recognize the net effects of making driver’s licenses valid for eight years; providing discounts to owners who renew their vehicle registrations for more than one year at a time; and, adding a surcharge for people who choose to go to a DMV Customer Service Center when they could simply renew their vehicle registration by mail, telephone or internet. These actions will ultimately make DMV more efficient while reducing future costs.

Mr. Chairman, this completes the report of your subcommittee.

Respectfully Submitted,

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The Honorable Richard L. Saslaw, Chairman

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The Honorable William C. Wampler, Jr.

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The Honorable R. Edward Houck

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The Honorable Kenneth W. Stolle

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The Honorable John C. Watkins

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The Honorable Yvonne B. Miller

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The Honorable Mary Margaret Whipple

# REPORT OF THE SUBCOMMITTEE ON TRANSPORTATION (2008 SESSION)

(Recommended Amendments to SB 29 and SB 30, As Introduced. Nongeneral Funds, unless otherwise noted.)

Amendment	FY 2008	FY 2009	FY 2010	Biennium
<b>Department of Motor Vehicles</b>				
Purple Heart License Plate Fees		(2,760)	(2,760)	(5,520)
Driver's License Fee Revenue (SB 116)		1,000,000	1,300,000	2,300,000
Collection of HRTA and NVRTA Revenue		3,400,000	3,400,000	6,800,000
<b>Department of Rail and Public Transportation</b>				
TransDominion Express Authority		Language		
Reduce Appropriation Based on Revenue Estimates		(12,860,018)	(8,565,476)	(21,425,494)
Virginia Beach Commuter Rail Acquisition Funding		Language		
Hampton Roads Transit Improvements		Language		
Alexandria Transit Improvements		Language		
Alexandria Transit Accessibility Improvements		Language		
Requirements for Additional CSX Funding		Language		
Dulles Access Toll Road Sound Barriers		Language		
<b>Department of Transportation</b>				
Meadowville Interchange Improvements	Language			
Route 522 Improvements		Language		
Coalfields Expressway Environmental Permits		Language		
Lessner Bridge Improvements		Language		
Edsall Road Improvements		Language		
Repeal Abusive Driver Fees		(61,800,000)	(6,540,000)	(68,340,000)
Motor Fuels Tax		47,200,000	100,000,000	147,200,000
Revert "Surplus" General Funds (GF)			(180,000,000)	(180,000,000)
<b>Virginia Port Authority</b>				
Craney Island Infrastructure		Language		
Port Fund Technical Correction		Language		
<b>Transfers</b>				
Uninsured Motorist Fund Balances	(2,500,000)			
<b>Part 5: Enactment Numbers 2 through 5</b>				
Fourth Enactment Clause	Language			
Third Enactment Clause		Language		
Motor Fuels Tax		Language		
<b>Sub-Total - Transportation</b>	(2,500,000)	(23,062,778)	(90,408,236)	(113,471,014)

Item 448 #1s

**Transportation**

Department Of Rail And Public  
Transportation

Language

**Language:**

Page 399, line 1, insert:

"C. Out of these amounts, \$5,520 in the first year and \$5,520 in the second year from the Commonwealth Transportation funds shall be paid for expenses and compensation for the TransDominion Express Authority."

**Explanation:**

(This amendment provides funding for the expenses related to the TransDominion Express Authority as proposed in Senate Bill 121.)

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Item 449 #3s

**Transportation**

Department Of Rail And Public  
Transportation

Language

**Language:**

Page 400, Line 43, insert:

"F. It is the intent of the General Assembly that consideration be given for the prioritization of up to \$20,000,000 from the Commonwealth Mass Transit Fund for the acquisition of right of way owned by the Norfolk Southern Corporation located between Newtown Road and the Oceanfront to be used only as part of a public transportation corridor project in the City of Virginia Beach."

**Explanation:**

(This amendment directs DRPT to give consideration to prioritizing the acquisition of right-of-way costs associated with the extension of a public transportation corridor project in the City of Virginia Beach.)

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Item 449 #4s

**Transportation**

**Language:**

Page 400, Line 43, Insert

"F. It is the intent of the General Assembly that consideration be given for the prioritization of up to \$1,200,000 from the Commonwealth Mass Transit Fund for the acquisition of two hybrid trolley vehicles by the City of Alexandria."

**Explanation:**

(This amendment directs the Department of Rail and Public Transportation to give consideration for prioritizing funding of two hybrid shuttle busses to be used for service between the Potomac waterfront and King Street Metro Station in the City of Alexandria.)

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Item 449 #5s

**Transportation**

**Language:**

Page 400, Line 43, Insert

"F. It is the intent of the General Assembly that consideration be given for the prioritization of up to \$750,000 from the Commonwealth Mass Transit Fund for ADA compliant accessibility improvements to transit stations the City of Alexandria."

**Explanation:**

(This amendment directs the Department of Rail and Public Transportation to give consideration for prioritizing funding for ADA compliant accessibility improvements to transit stations in the City of Alexandria.)

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Item 449 #6s

**Transportation**

Department Of Rail And Public  
Transportation

Language

**Language:**

Page 400, Line 42, insert:

"F. It is the intent of the General Assembly that consideration be given for the prioritization of up to \$7,000,000 from the Commonwealth Mass Transit Fund for: (i) construction costs related to a Southside transit operating facility, and (ii) for the acquisition of up to four hybrid shuttle busses for the Hampton Roads Transportation District Commission."

**Explanation:**

(This amendment directs the Department of Rail and Public Transportation to give consideration to prioritizing funding for the Hampton Roads Transportation District Commission for the construction of a Southside operating facility and the acquisition of up to four hybrid shuttle busses.)

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Item 450 #2s

**Transportation**

Department Of Rail And Public  
Transportation

Language

**Language:**

Page 401, line 1, after "B." insert "1."

Page 401, after line 15, insert:

"2. In accordance with the intent of the General Assembly, the Statewide Rail Plan shall include specific provisions for the improvement of passenger and freight train performance brought about by track concerns that typically arise during extreme hot weather conditions.

3. Prior to the release of any additional funds, on or after July 1, 2008, to CSX for I-95 Rail Corridor Improvements, the Commonwealth Transportation Board shall approve the Plan set forth in subsection B.1.

4. The Department shall inform the Senate Committees on Transportation and Finance and the House Committees on Transportation and Appropriations on the collaborative effort to improve rail operations on the corridor by December 15, 2008."



**Explanation:**

(This amendment requires the Commonwealth Transportation Board to approve the Plan between CSX and the Department of Rail and Public Transportation for addressing heat restrictions and other factors impacting passenger rail service on the I-95 corridor. Pursuant to this amendment, CSX is ineligible for any additional funding for I-95 Rail Corridor improvements until such time the Statewide Rail Plan is approved by the Commonwealth Transportation Board.)

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Item 451 #1s

**Transportation**

Department Of Rail And Public  
Transportation

Language

**Language:**

Page 401, line 38, insert:

"D. In connection with the construction of the rail mass transit system in the right of way of the Dulles Access / Toll Road (DATRC), the Department shall provide a cost estimate for a sound wall to be constructed from the beginning of the DATRC and Route 123 in McLean, including the ramp connecting the DATRC with Route 123. This estimate shall be provided to the Secretary of Transportation and the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2008."

**Explanation:**

(This amendment requires DRPT to prepare an estimate for soundwalls to be constructed along the length of the Dulles Access / Toll Road.)

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Item 455 #2s

**Transportation**

Department Of Transportation

Language

**Language:**

Page 404, line 5, insert:

"E. The Department shall complete an assessment of improvements needed to the intersection of Route 522 and Route 617 in Powhatan County to support development of the Powhatan State Park. The Department shall provide a report including

estimates of costs to the Secretary of Transportation and the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2008."

**Explanation:**

(This amendment is self-explanatory.)

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Item 455 #3s

**Transportation**

Department Of Transportation

Language

**Language:**

Page 404, line 4, insert:

"E. Out of the Transportation Partnership Opportunity Fund, up to \$4,500,000 the first year shall be provided for the costs associated with obtaining the required federal Clean Water Act permit for the Coalfields Expressway necessary for a proposed re-alignment of the Expressway to traverse across coal reserves controlled by certain companies to allow for recovery of marketable coal reserves and related costs associated with lowering the cost of construction of the Expressway."

**Explanation:**

(This amendment directs funding for activities related to obtaining federal Clean Water Act permits required for continuation of the Coalfields Expressway and potential alignment of the route in cooperation with certain mining operations with a goal of reducing the overall cost of the project.)

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Item 455 #4s

**Transportation**

Department Of Transportation

Language

**Language:**

Page 404, Line 5, Insert

"E. Out of the funds provided by Item 449.10.1 of Chapter 847 (2007 Acts of Assembly), \$10,000,000 in the first year from the Commonwealth Transportation Fund shall be paid to the City of Virginia Beach for improvements to the Lessner Bridge."

**Explanation:**

(This amendment directs the Virginia Department of Transportation to provide \$10.0 million for improvements to the Lessner Bridge in the City of Virginia Beach.)

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Item 455 #5s

**Transportation**

Department Of Transportation

Language

**Language:**

Page 404, line 5, insert:

"E. Included in the funds provided for Dedicated and Statewide Construction is \$2,000,000 in the first year from the Commonwealth Transportation Fund for improvements to Edsall Road between Whiting Street and the western city limits in the City of Alexandria."

**Explanation:**

(This amendment directs the Virginia Department of Transportation to provide \$2.0 million from Commonwealth Transportation Funds for improvements to Edsall Road in the City of Alexandria.)

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Item 464 #2s

**Transportation**

Virginia Port Authority

Language

**Language:**

Page 415, line 1, after "proceeds." insert:

"Out of this authorization, the Virginia Port Authority is authorized to use up to \$14,000,000 in the first year for initial infrastructure improvements related to the Craney Island Marine Terminal project authorized by Item C-173 of this Act."

**Explanation:**

(This amendment allows the Port Authority to use debt capacity provided in the introduced budget for initial site development of the Craney Island Marine Terminal project in the first year.)

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Item 465 #3s

**Transportation**

Virginia Port Authority

Language

**Language:**

Page 415, Line 4, strike "Item 456" and insert "Item 458".

**Explanation:**

(This technical amendment corrects an incorrect reference to the allocation of Port Funds for payments to impacted localities. Item 456 is the VDOT maintenance program; Item 458 is financial assistance to localities.)

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Item 5-0 #1s

Part 5: Enactment Numbers 2 through 5

Language

**Language:**

Page 541, after line 1, insert:

"3. That no provision of this act shall be construed or interpreted to cause the expiration of any provision of Chapter 896 of the Acts of Assembly of 2007 pursuant to the 22nd enactment of such Chapter."

Page 541, line 2, strike "3" and insert "4".

**Explanation:**

(This amendment is necessary to ensure that actions of the 2008 General Assembly that make changes related to the provisions of Chapter 896 (2007), such as the repeal of the civil remedial fees on abusive drivers (Senate Bill 1), do not effect the authorization to collect other revenues sources provided by Chapter 896.)

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Item 5-0 #2s

Part 5: Enactment Numbers 2 through 5

Language

**Language:**

Page 541, after line 1, insert:

"3. Notwithstanding any other provisions of law, there is hereby levied a tax at the rate of eighteen and one-half cents per gallon on gasoline, gasohol and diesel fuel beginning July 1, 2008, which tax shall increase to and be levied at the rate of nineteen and one-half cents per gallon beginning July 1, 2009."

Page 541, line 2, strike "3" and insert "4".

**Explanation:**

(This amendment is self-explanatory.)

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