



Report of the Subcommittee on Transportation

Senate Finance Committee
Virginia General Assembly

February 6, 2011

Respectfully Submitted,

The Honorable Richard L. Saslaw, Chairman

The Honorable William C. Wampler, Jr.

The Honorable R. Edward Houck

The Honorable John C. Watkins

The Honorable Yvonne B. Miller

The Honorable Mary Margaret Whipple



SENATE OF VIRGINIA

Senate Finance Committee

2011 Report of the Transportation Subcommittee

The Honorable Richard L Saslaw, Chairman

February 6, 2011

Mr. Chairman and Members of the Committee:

Your Transportation Subcommittee endeavored to address the significant funding challenges facing Virginia's transportation programs, while standing firm in our belief that core government services without statutorily dedicated revenues rightly have the first call on available general fund balances. As such, legislation patroned by Senators Wampler and Colgan authorized the creation of an innovative new transportation infrastructure bank and your subcommittee recommends allowing the Commonwealth Transportation Board to allocate up to \$250.0 million in transportation program balances to this grant and lending program.

Last year, the General Assembly struggled to make the cuts required to close a nearly \$4.5 billion budget gap. We believe the actions taken last year resulted in deeper programmatic cuts than necessary, contributing to the creation of unexpended year-end general fund balances. Consequently, your subcommittee declines to commit any of these general fund balances to transportation, believing these dollars are better spent repairing the damage to our recession-wracked education, public safety, and health care programs rather than repairing potholes.

Your subcommittee acknowledges the impending pressure to provide operating support to Virginia's growing intercity passenger rail programs, but also appreciates the pressures placed on local transit operators to keep busses on the road with current economic constraints. In an effort to help maintain the Commonwealth's transit programs current operating levels without allocating any new funding, your subcommittee recommends language prohibiting the transfer of Commonwealth Mass Transit Funds to support other critical transportation needs.

Finally, your subcommittee believes that one area for strategic economic investment is Virginia's commercial aerospace sector. Accordingly, your subcommittee recognizes the nexus between Virginia's commercial aerospace and aviation activities and recommends increasing funding for the Virginia Commercial Spaceflight Authority and repositioning the Authority within the Department of Aviation. This strategic realignment will increase investment in Virginia's commercial spaceflight program and further strengthen Virginia's role as a national leader in commercial aerospace transportation programs.

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

Report of the Subcommittee on Transportation

(Recommended Amendments to SB 800, As Introduced)

| Amendment | | General Funds | | |
|-----------|---|-----------------|---------|-----------------|
| | | FY 2011 | FY 2012 | Biennium |
| 1 | Secretary of Transportation | | | |
| 2 | Route 1 Corridor Transit Plan | Language | | |
| 3 | | | | |
| 4 | Department of Aviation | | | |
| 5 | Commercial Aviation and Aeronautics Program | Language | | |
| 6 | | | | |
| 7 | Department of Motor Vehicles | | | |
| 8 | Parameters for Locating DMV Select Services | Language | | |
| 9 | | | | |
| 10 | Department of Rail and Public Transportation | | | |
| 11 | Mass Transit Fund Uses | Language | | |
| 12 | Rail Transportation of Hazardous Materials | Language | | |
| 13 | Roanoke Bus Bridge | Language | | |
| 14 | | | | |
| 15 | Department of Transportation | | | |
| 16 | Tomahawk Creek Bridge | Language | | |
| 17 | Lake Anna Signs | Language | | |
| 18 | Eliminate GF Deposit to Infrastructure Bank | (\$150,000,000) | | (\$150,000,000) |
| 19 | | | | |
| 20 | Virginia Port Authority | | | |
| 21 | Use of Existing Debt for NNMT Warehouse Facilities | Language | | |
| 22 | Undo Elimination of Mandatory Carry Forward | Language | | |
| 23 | | | | |
| 24 | | | | |
| 25 | Total for Transportation | (\$150,000,000) | | (\$150,000,000) |

Transportation

Secretary Of Transportation

Language

Language:

Page 377, following line 48, insert:

"11. From the amounts allocated to the Commonwealth by the Federal Highway Administration for Congestion Mitigation and Air Quality, the Commonwealth Transportation Board shall allocate up to \$1,500,000 in the second year to fulfill the intent of Senate Joint Resolution 292 as adopted by the 2011 General Assembly. These amounts shall be dedicated to such purpose regardless of any additional funding provided to assist impacted localities in addressing the recommendations of the 2005 Base Realignment and Closure Commission."

Explanation:

(This amendment directs the Commonwealth Transportation Board to utilize up to \$1.5 million of the federal Congestion Mitigation and Air Quality (CMAQ) funds available in the second year to assess transit improvements in the Route 1 corridor that could be implemented to help offset increased congestion in that region, pursuant to Senate Joint Resolution 292 adopted by the 2011 General Assembly.)

Transportation

Department Of Aviation

Language

Language:

Page 379, following line 11, insert:

"E.1. The Department of Aviation, in its role supporting the Virginia Aerospace Advisory Council, shall take the necessary steps to develop and publish a Virginia Strategic Plan for Aerospace. The plan shall include, but not be limited to, a review of the adequacy of the current composition of the Board of Directors for the Virginia Commercial Spaceflight Authority. The plan shall be prepared for the Virginia Aerospace Advisory Council and presented to the Governor and the Chairman of the Senate Committees on Finance and Transportation and the House Committees on Appropriations and Transportation by December 1, 2011.

2. In support of the Virginia Strategic Plan for Aerospace, the department will also

include the aerospace industry in its competitive analysis of the aviation industry. The Virginia Aviation and Aerospace Industry Competitive Analysis will compare the Commonwealth's competitive standing for these two industry sectors within the region and nationally. Included within this analysis, the department shall identify other states which provide competition for commercial spaceflight investments and the corresponding government organizational structures and funding levels that support commercial aerospace activities.

F. Out of the amounts included in this item, \$2,000,000 the second year shall be provided to the Virginia Commercial Spaceflight Authority."

Explanation:

(This amendment synthesizes the complimentary roles of Virginia's Commercial Spaceflight Authority and the Transportation Secretariat. The Department of Aviation currently supports operations of the Aerospace Advisory Council. There is a companion amendment in Item 114 that transfers funding responsibility of the Virginia Commercial Spaceflight Authority to the Department of Aviation.)

Transportation Subcommittee

Item 441 #1s

Transportation

Department Of Motor Vehicles

Language

Language:

Page 381, following line 3, insert:

"F. In operating the DMV Select program, and prior to making any changes to that program, the Commissioner shall consider: (i) the proximity of a DMV Select office to DMV Customer Service Centers, (ii) the length of time any existing DMV Select agent has served in that capacity, and (iii) the ability of a DMV Select office to meet both the current and future business needs of the program as determined by the Commissioner."

Explanation:

(This amendment requires DMV to analyze the location of DMV Select program offices and length of time DMV Select program agents have been providing services prior to making any change to the DMV Select program offices.)

Transportation Subcommittee

Item 447 #1s

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 383, following line 39, insert:

"E. All Commonwealth Mass Transit Funds appropriated for Financial Assistance for Public Transportation shall be used only for public transportation purposes outlined in § 58.1-638.4.b. through g.5., Code of Virginia, or as otherwise set out in this item."

Explanation:

(This amendment prohibits the transfer or expenditure of Commonwealth Mass Transit Funds for purposes other than public transportation purposes identified in the Code of Virginia.)

Transportation Subcommittee

Item 448 #1s

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 384, following line 19, insert:

"F.1. Prior to July 1, 2011 the Director, Department of Rail and Public Transportation, and CSX Transportation shall develop a plan for reducing the length of time hazardous material shipments subject to regulation under Title 49 CFR Part 174 et seq are stored within rail yards, depots, sidings, and other intermediate terminals or facilities and properties located in Spotsylvania County or the City of Fredericksburg. In developing this plan, the department shall solicit the input and involvement of the affected jurisdictions.

2. Not later than July 1, 2012, CSX shall limit the dwell time for hazardous material shipments subject to regulation under Title 49 CFR Part 174 et seq located in Spotsylvania County or the City of Fredericksburg to not more than 24 hours in any location or forfeit eligibility for receiving any state funding appropriated for Financial Assistance for Rail Programs, except those funds appropriated under Item 436 and Item 448 D. of this act."

Explanation:

(This amendment requires CSX to limit the amount of time that hazardous or

explosive materials can be stored on rail properties to no longer than 24 hours or forfeit eligibility for Commonwealth Rail Enhancement Program Funds after July 1, 2012. The amendment exempts appropriations that support passenger rail capital and operating expenses of the Virginia Railway Express and the Richmond-Norfolk passenger rail demonstration project.)

Transportation Subcommittee

Item 448 #2s

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 384, line 14, strike "E." and insert "E.1."

Page 384, following line 19, insert:

"2. Of the amount included in this item, \$150,000 in the second year is provided to the City of Roanoke for a one-year ridership demonstration project of this service."

Explanation:

(This amendment provides operating funding for a demonstration project to provide a "bus-bridge" connection service between Roanoke and the daily Northeast Corridor passenger rail service originating in Lynchburg.)

Transportation Subcommittee

Item 452 #1s

Transportation

Department Of Transportation

Language

Language:

Page 387, line 17, strike "H.", insert "H.1."

Page 387, following line 19, insert:

"2. Included in this amount is \$4,000,000 in the second year for the replacement of a bridge with a posted weight limit of 12 tons on Genito Road over Tomahawk Creek in Chesterfield County."

Explanation:

(This amendment provides \$4.0 million NGF in funding from the proposed allocation to the Transportation Partnership Opportunity Fund for the replacement of a bridge on Genito Road at the Swift Creek Reservoir in Chesterfield County.)

Transportation

Department Of Transportation

Language

Language:

Page 387, line 17, strike "H.", insert "H.1."

Page 387, following line 19, insert:

"2. Included in this amount is \$12,500 in the second year to fund up to four markers on State Route 522 and up to six markers on State Route 622 identifying the names of certain tributaries of Lake Anna."

Explanation:

(This is a companion amendment to Senate Bill 952 and serves to improve public safety by providing funding to place identification markers on eight bridges over certain tributaries of Lake Anna.)

Transportation

Department Of Transportation

FY 10-11

(\$150,000,000)

FY 11-12

\$0 GF

Language:

Page 386, line 7, strike "\$1,215,144,626" and insert "\$1,065,144,626".

Page 386, line 20, strike "General.....\$150,000,000".

Page 387, strike line 2 through line 16, and insert:

"G.1. The Commonwealth Transportation Board may elect to deposit an amount not to exceed \$250,000,000 in Commonwealth Transportation Fund balances to the Virginia Transportation Infrastructure Bank established within the Virginia Resources Authority pursuant to Senate Bill 1446 of the 2011 General Assembly. Notwithstanding any other provision of law, this item shall be the sole authority for capitalizing the bank.

2. As a condition of this appropriation, and prior to the transfer of any Commonwealth Transportation Funds to the bank, the Secretary of Transportation shall certify in writing to the Governor and the Chairman of the Senate Committees on Finance and Transportation and the House Committees on Appropriations and Transportation a plan that shall include, but not be limited to, identification by UPC

number of all individual project balances to be transferred and the corresponding fund source, the status of such project within the Six-Year Construction Plan, and the effect of transferring any such project balances prior to the completion of the project.

H. Notwithstanding the provisions of § 2.2-1514, Code of Virginia, any general fund balances remaining as of the close of the fiscal year ending June 30, 2010 shall not be appropriated or designated for any transportation related purpose."

Page 387, line 17, strike "H" and insert "I".

Page 387, line 20, strike "I" and insert "J".

Explanation:

(This amendment eliminates any general fund deposits to the Virginia Transportation Infrastructure Bank and requires the Secretary of Transportation to certify to the Governor and the General Assembly all project balances that are proposed for transfer to the Transportation Infrastructure Bank.)

Transportation Subcommittee

Item 462 #1s

Transportation

Virginia Port Authority

Language

Language:

Page 395, line 50, after "407-17513." insert:

"Such bonds may also be used for the purpose of constructing warehouses at the Newport News Marine Terminal."

Explanation:

(This amendment authorizes the Virginia Port Authority to use proceeds from the planned July 2011 issuance of Commonwealth Port Fund bonds for the construction of warehouses at the Newport News Marine Terminal.)

Transportation Subcommittee

Item 462 #2s

Transportation

Virginia Port Authority

Language

Language:

Page 397, unstrike line 21 through line 24.

Explanation:

(This amendment retains language requiring the mandatory reappropriation of unexpended general fund balances appropriated for port construction.)
