



Report of the Subcommittee on Transportation

Senate Finance Committee
Virginia General Assembly

February 18, 2018



SENATE OF VIRGINIA

Senate Finance Committee

2018 Report of the Transportation Subcommittee The Honorable Frank W. Wagner, Chairman February 18, 2018

Mr. Chairmen and Members of the Committee:

Your Transportation Subcommittee worked this year to continue providing thorough oversight of Virginia's transportation agencies as well as rigorous due diligence of investment proposals intended to keep Virginia's economy growing. The Subcommittee identified two critical priorities: mass transit in Northern Virginia and Port infrastructure in Hampton Roads where targeted investments of transportation resources will provide substantial returns to Virginia's economy.

To that end, a majority of our efforts focused on providing dedicated ongoing funding to address the needs of Virginia's largest transportation service provider, the Washington Metropolitan Area Transit Authority. Legislation that successfully passed the Senate embodies a fiscally conservative and responsible approach for providing both additional funding to address critical infrastructure needs and the management reforms necessary to ensure Metro can once again function as a world-class transportation provider. Accordingly, your Transportation Subcommittee recommends taking actions to remove funding proposals that were included in the introduced budget.

Additionally, the Subcommittee endorses efforts to begin making investments in widening and deepening the Hampton Roads channel in order to effectively position the Port of Virginia to continue its strong growth and prepare for future cargo vessels that will call on Virginia.

With an eye towards containing the long-term costs of the services provided by Virginia's transportation agencies, the Subcommittee recommends maintaining current staffing levels at most transportation agencies and phasing-in our investments to provide federally required

REAL ID compliant driver's licenses. Recognizing that transparency and accountability in all expenditures is critical to maintaining public confidence in Virginia's transportation program, the proposals of your Transportation Subcommittee focus on providing diligent oversight, sound fiscal stewardship and common-sense solutions to the challenges that we face today.

Mr. Chairmen, this completes the report of your Transportation Subcommittee.

Respectfully Submitted,

The Honorable Frank W. Wagner, Chairman

The Honorable Richard L. Saslaw

The Honorable Stephen D. Newman

The Honorable Charles W. Carrico

The Honorable George L. Barker

The Honorable Siobhan S. Dunnavant

Report of the Subcommittee on Transportation
(Recommended Amendments to SB 29 and SB 30, As Introduced)

Amendment		SB 29		SB 30	
		FY 2018	FY 2019	FY 2020	Biennium
1	Virginia Commercial Spaceflight Authority				
2	Matching funding for USACE Chincoteague Assessment		Language		
3	Department of Motor Vehicles				
4	Study Road Test Privatization		Language		
5	Modify Vital Record Revenue Sharing		Language		
6	Phase REAL ID Implementation	Language	Language		
7	Reduce Proposed New Staffing		Language		
8	Provision of Fuels Tax Data to Regional Authorities	Language	Language		
9	Department of Rail and Public Transportation				
10	Eliminate Proposed Transit Capital Bonds		Language		
11	Department of Transportation				
12	Technical Correction: Local Transportation Funds	Language			
13	Port of Richmond Accessibility Study		Language		
14	American Legion Bridge Planning		Language		
15	Special Structure Funding Report		Language		
16	Actively Managed Lanes in Hampton Roads	Language	Language		
17	Remove WMATA Funding Proposal		Language		
18	Correct Error in County Maintenance Payment Calculation	Language	Language		
19	Virginia Port Authority				
20	Port Opportunity Fund		\$ (2,000,000)	\$ (2,000,000)	\$ (4,000,000)
21	Reduce Proposed New Staffing		Language		
22	Part 3				
23	Phase REAL ID Implementation	Language	Language		

Provision of Motor Fuels Data to HRTAC

Transportation

Department of Motor Vehicles

Language

Language:

Page 166, following line 34, insert:

"R. Notwithstanding any other provision of law, the Commissioner may divulge tax information collected pursuant to § 58.1-2291 et seq., Code of Virginia, to the executive director or designee of the Northern Virginia Transportation Commission, the Potomac and Rappahannock Transportation Commission, and the Hampton Roads Transportation Accountability Commission for their confidential use of such tax information as may be necessary to facilitate the collection of the taxes collected in the respective member jurisdictions. Any person to whom tax information is divulged pursuant to this section shall be subject to the prohibitions and penalties prescribed in § 58.1-3, Code of Virginia, as though that person were a tax official as defined in that section."

Explanation:

(This amendment directs DMV to provide all relevant information including price and volume of fuels sold in Hampton Roads and Northern Virginia to which the regional 2.1 percent motor fuels tax is calculated to the transportation authorities in each region.)

Phase REAL ID Implentation

Transportation

Department of Motor Vehicles

Language

Language:

Page 166, line 24, strike "\$20,700,000" and insert "\$10,500,000".

Explanation:

(This amendment is part of a series of amendments to reduce the proposed line of credit for implementation of REAL ID in order to phase-in implementation over multiple years.)

Item 456 #1s

HRTAC - VDOT Managed Lanes Agreement

Transportation

Department of Transportation

Language

Language:

Page 172, following line 8, insert:

"E. It is the intent of the General Assembly that the toll revenues, including any bond proceeds or concession payments related to such toll revenues, derived from the express lanes on Interstate 64 between the interchange of Interstate 64 with Interstate 664 and the interchange of Interstate 64 with Interstate 564 be used to reduce the necessary contribution from the Hampton Roads Transportation Accountability Commission established pursuant Chapter 26 of Title 33.2, Code of Virginia, for a project to expand the capacity of Interstate 64 between the interchange of Interstate 64 with Interstate 664 and the interchange of Interstate 64 with Interstate 564."

Explanation:

(This amendment directs the Virginia Department of Transportation to dedicate any toll revenues, bond proceeds, or concession payments derived from the Hampton Roads express lanes to reducing the contributions of the Hampton Roads Transportation Accountability Commission towards interstate capacity expansion projects in Hampton Roads.)

Item 456 #2s

Maintenance Payment Correction

Transportation

Department of Transportation

Language

Language:

Page 172, line 17, strike "\$66,775,844" and insert "\$67,139,550".

Page 172, line 20, strike "\$15,230,168" and insert "\$14,866,462".

Page 173, following line 1, insert:

"E. Consistent with § 33.2-366, Code of Virginia, the Commonwealth Transportation Board, when establishing annual rates of payments to Counties that have elected to withdraw from the secondary highway system, shall adjust such rate annually with i) procedures established for adjusting payments to cities, and ii) lane mileage adjustments. It is the express intent of the General Assembly, that under no circumstance shall the addition of lane miles to one

jurisdiction result in the direct or indirect reduction in the calculation of payment to any other jurisdiction receiving payment from funds appropriated for Financial Assistance for County Road Maintenance (60702)."

Explanation:

(This amendment clarifies the legislative intent of the Code of Virginia for the Commonwealth Transportation Board and the Virginia Department of Transportation when calculating annual rates of payment for counties that have elected to withdraw from the secondary highway system. An erroneous interpretation by the Board, at the recommendation of VDOT's Local Assistance Division, in June 2017, resulted in a one-time reduction in the calculation of maintenance payments to Henrico County due to an unanticipated increase in the lane miles in Arlington County.)

Item 456 #3s

Technical: Correct Local Transportation Funds

Transportation

Department of Transportation

Language

Language:

Page 172, strike line 21 and line 22.

Page 172, line 25, strike "\$331,400,000" and insert "\$332,900,000".

Explanation:

(This amendment is a technical correction to SB 29, as introduced, that erroneously placed additional forecast revenues for the Northern Virginia Transportation Authority in an incorrect fund.)

Item 3-2.03 #1s

Phase REAL ID Line of Credit

Working Capital Funds and Lines of Credit

Lines of Credit

Language

Language:

Page 229, line 9, strike "\$20,700,000" and insert "\$10,500,000".

Explanation:

Transportation Subcommittee Report - SB 29

(This amendment reduces the proposed line of credit for REAL ID in order to phase-in implementation over several years.)

Chincoteague Island Study

Transportation

Virginia Commercial Space Flight Authority

Language

Language:

Page 384, line 4, strike "\$15,800,000 in the first year" and insert "\$16,550,000 in the first year".

Page 384, line 4, strike "\$15,800,000 in the second year" and insert "\$16,550,000 in the second year".

Page 384, line 6, following "Authority." insert:

"Out of this appropriation, \$750,000 the first year and \$750,000 the second year is designated for Virginia's share of an Army Corps of Engineers project titled, "Chincoteague Island Study" which will study the reasons for, and provide the preferred engineering solutions to, the widening of the Chincoteague Inlet located between Wallops Island and Assateague Island consistent with federal authorization and funding contained in the Water Infrastructure Improvements for the Nation Act."

Explanation:

(This amendment designates \$750,000 NGF in each year for Virginia's share of an Army Corps of Engineers project titled "Chincoteague Island Study" which will study the reasons for, and provide the preferred solutions to, the widening of the Chincoteague Island inlet.)

Study Road Test Privatization

Transportation

Department of Motor Vehicles

Language

Language:

Page 387, after line 48, insert:

"P. The Commissioner of the Department of Motor Vehicles, in consultation with applicable stakeholder groups, shall report on the feasibility and advisability of outsourcing driver license road tests for adults. Such report shall be made to the Chairmen of the House Transportation and Senate Transportation Committees no later than December 1, 2018."

Explanation:

(This amendment directs the Department of Motor Vehicles to study the feasibility of privatizing driver license road tests.)

Item 439 #3s

Modify Vital Record Revenue Sharing

Transportation	FY18-19	FY19-20	
Department of Motor Vehicles	\$800,000	\$800,000	NGF

Language:

Page 385, line 43, strike "\$201,197,223" and insert "\$201,997,223".

Page 385, line 43, strike "\$198,657,741" and insert "\$199,457,741".

Page 387, after line 48, insert:

"P. Notwithstanding any other provision of law, the Department of Motor Vehicles may impose a processing fee of \$6 on all vital record transactions."

Explanation:

(This amendment adjusts the fee charged for processing vital record transactions at Department of Motor Vehicles locations.)

Item 439 #4s

Reduce REAL ID Line of Credit

Transportation

Department of Motor Vehicles

Language

Language:

Page 387, line 38, strike "\$20,700,000" and insert "\$10,500,000".

Explanation:

(This amendment is one of a series of language amendments to phase-in the implementation of REAL ID and associated additional personnel and staffing costs.)

Item 441 #1s

Reduce New Position Level

Transportation	FY18-19	FY19-20
Department of Motor Vehicles	-39.00	-39.00 FTE

Language:

Explanation:

(This amendment is one of a series of language amendments to phase-in the implementation of REAL ID and associated additional personnel and staffing costs.)

Item 443 #1s

Provision of Motor Fuels Tax Data

Transportation

Department of Motor Vehicles Transfer Payments Language

Language:

Page 388, line 38, before "Funds", insert "A."

Page 388, line 41, following ".", insert:

"B. Notwithstanding any other provision of law, the Commissioner may divulge tax information collected pursuant to § 58.1-2291 et seq., Code of Virginia, to the executive director or designee of the Northern Virginia Transportation Commission, the Potomac and Rappahannock Transportation Commission, and the Hampton Roads Transportation Accountability Commission for their confidential use of such tax information as may be necessary to facilitate the collection of the taxes collected in the respective member jurisdictions. Any person to whom tax information is divulged pursuant to this section shall be subject to the prohibitions and penalties prescribed in § 58.1-3, Code of Virginia, as though that person were a tax official as defined in that section."

Explanation:

(This amendment directs DMV to provide all relevant information including price and volume of fuels sold in Hampton Roads and Northern Virginia to which the regional 2.1% motor fuels tax is calculated in each region.)

Item 445 #1s

Eliminate Proposed Bonds

Transportation	FY18-19	FY19-20	
Department of Rail and Public Transportation	\$0	(\$110,000,000)	NGF

Language:

Page 389, line 16, strike "\$553,248,455" and insert "\$443,248,455".
Page 391, strike line 6 through line 17.

Explanation:

(This amendment eliminates a proposed authorization of \$110.0 million in new transportation revenue bonds.)

Item 449 #1s

Port of Richmond Accessibility Study

Transportation

Department of Transportation

Language

Language:

Page 393, following line 24, insert:
"E. The Richmond Regional Planning District Commission, with the support of the Department of Transportation, shall assist the City of Richmond in its efforts to assess the feasibility of the Walmsley Road Boulevard Extension identified in the Commerce Road Corridor Study and identify options for improved access to Bellemeade and Bells Road."

Explanation:

(This amendment directs VDOT and the Richmond Regional Planning District Commission to assist the City of Richmond with a feasibility study of improvements for access to the Port of Richmond including the Walmsley Road Boulevard Extension and I-95 at Commerce Road Study to identify options for improved access to Bellemeade and Bells Roads.)

Item 449 #2s

American Legion Bridge

Transportation

Department of Transportation

Language

Language:

Page 393, following line 24, insert:

"E. The Commonwealth Transportation Board shall coordinate any project to extend the express lanes on Interstate 495 north from the current terminus to the American Legion Bridge with the project in Maryland to add express lanes to their portion of Interstate 495 and the American Legion Bridge. In its consideration of potential projects, the Board shall consider the feasibility of adding additional lanes, expanding the use of HOV/HOT lanes, and reconstructing all or portions of the bridge. The Department shall also consult with the Department of Rail and Public Transportation and the Northern Virginia Transportation Authority in assessing potential projects related to any potential multi-state project."

Explanation:

(This amendment directs the Department of Transportation to undertake an initial assessment for remediation of the American Legion Bridge and coordinate any potential projects with Maryland project to add express lanes on Interstate 495.)

Item 450 #1s

Special Structures Report

Transportation

Department of Transportation

Language

Language:

Page 394, following line 40, insert:

"H. The Commonwealth Transportation Board shall, no later than December 1, 2018, review and report to the Chairmen of House and Senate Committees on Transportation, the Joint Transportation Accountability Commission, the House Committee on Appropriations and the Senate Committee on Finance the overall condition and potential funding needs of large and unique bridge and tunnel structures in the Commonwealth that will, or may, become eligible for funding in SMART Scale rounds beginning after July 1, 2018. As part of the review, the Board shall make recommendations for addressing the unique scoring and funding of such projects within SMART Scale, including but not limited to the establishment of a dedicated funding reserve. As part of this review, the Board shall assess all large and unique bridge and tunnel structures including, but not limited to, the Robert O. Norris Bridge on Route 3 in Fredericksburg District and the Big Walker Mountain Tunnel in the Bristol District."

Explanation:

(This amendment directs the Commonwealth Transportation Board to assess conditions,

estimate potential costs, and develop recommendations for funding infrastructure needs of the Robert O. Norris Bridge, the Big Walker Mountain Tunnel, and other unique bridge and tunnel structures within the provisions of SMART Scale.)

Item 452 #1s

HRTAC - VDOT Managed Lanes Agreement

Transportation

Department of Transportation

Language

Language:

Page 395, line 17, before "Included" insert "A."

Page 395, following line 18, insert:

"B. It is the intent of the General Assembly that the toll revenues, including any bond proceeds or concession payments related to such toll revenues, derived from the express lanes on Interstate 64 between the interchange of Interstate 64 with Interstate 664 and the interchange of Interstate 64 with Interstate 564 be used to reduce the necessary contribution from the Hampton Roads Transportation Accountability Commission established pursuant Chapter 26 of Title 33.2, Code of Virginia, for a project to expand the capacity of Interstate 64 between the interchange of Interstate 64 with Interstate 664 and the interchange of Interstate 64 with Interstate 564."

Explanation:

(This amendment directs the Virginia Department of Transportation to dedicate any toll revenues, bond proceeds, or concession payments derived from the Hampton Roads express lanes to reducing the contributions of the Hampton Roads Transportation Accountability Commission towards interstate capacity expansion projects in Hampton Roads.)

Item 453 #1s

WMATA Funding

Transportation

Department of Transportation

Language

Language:

Page 396, strike line 13 through line 32.

Explanation:

(This amendment removes the proposed increase in regional taxes for funding of the WMATA Metro capital replacement program.)

Item 453 #2s

Maintenance Payment Correction

Transportation

Department of Transportation

Language

Language:

Page 395, line 24, strike "\$68,923,856" and insert "\$69,287,562".

Page 395, line 24, strike "\$68,551,205" and insert "\$68,914,911".

Page 395, line 26, strike "\$15,551,924" and insert "\$15,188,218".

Page 395, line 26, strike "\$15,748,226" and insert "\$15,384,520".

Page 396, following line 32, insert:

"F. Consistent with § 33.2-366, Code of Virginia, the Commonwealth Transportation Board, when establishing annual rates of payments to Counties that have elected to withdraw from the secondary highway system, shall adjust such rate annually with i) procedures established for adjusting payments to cities, and ii) lane mileage adjustments. It is the express intent of the General Assembly, that under no circumstance shall the addition of lane miles to one jurisdiction result in the direct or indirect reduction in the calculation of payment to any other jurisdiction receiving payment from funds appropriated for Financial Assistance for County Road Maintenance (60702)."

Explanation:

(This amendment clarifies the legislative intent of the Code of Virginia for the Commonwealth Transportation Board and the Virginia Department of Transportation when calculating annual rates of payment for counties that have elected to withdraw from the secondary highway system. An erroneous interpretation by the Board, at the recommendation of VDOT's Local Assistance Division, in June 2017 resulted in a one-time reduction in the calculation of maintenance payments to Henrico County due to an unanticipated increase in the lane miles in Arlington County.)

Item 461 #1s

Port Grants

Transportation Subcommittee Report - SB 30

Transportation	FY18-19	FY19-20	
Virginia Port Authority	(\$2,000,000)	(\$2,000,000)	GF

Language:

Page 404, line 29, strike "\$6,530,725" and insert "\$4,530,725".

Page 404, line 29, strike "\$6,531,925" and insert "\$4,531,925".

Page 404, line 48, following "B.", strike "Out of this appropriation" and insert "From the amounts authorized in Item 103.A.1.".

Explanation:

(This amendment directs any awards for grant projects from the Port of Virginia Economic and Infrastructure Development Zone Grant Fund, be made from amounts appropriated to the Commonwealth Development Opportunity Fund.)

Item 462 #1s

Eliminate Proposed New Staffing

Transportation	FY18-19	FY19-20	
Virginia Port Authority	(\$1,709,318)	(\$2,316,749)	NGF
	-21.00	-21.00	FTE

Language:

Page 405, line 3, strike "\$112,865,952" and insert "\$111,156,634".

Page 405, line 3, strike "\$117,381,013" and insert "\$115,064,264".

Explanation:

(This amendment eliminates 21.0 additional FTEs proposed for the Port of Virginia in SB 30, as introduced.)

Item 3-2.03 #1s

Reduce REAL ID Letter of Credit

Working Capital Funds and Lines of Credit

Lines of Credit

Language

Language:

Page 464, line 41, strike "\$20,700,000" and insert "\$10,500,000".

Explanation:

(This amendment is one of a series of amendments to phase-in implementation of REAL ID and the associated proposed increase in staffing levels.)
