2025 Session

Budget Bill - HB1600 (Reenrolled)

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Department of Transportation

Item 441	First Year - FY2025	Second Year - FY2026
Commonwealth Toll Facilities (60600)	~~$174,365,200~~ ***$193,695,800***	~~$122,331,321~~ ***$141,738,907***
Toll Facility Maintenance And Operation (60603)	~~$132,615,200~~ *$59,595,800*	~~$80,581,321~~ *$60,638,907*
Toll Facilities Revolving Fund (60604)	~~$41,750,000~~ *$134,100,000*	~~$41,750,000~~ *$81,100,000*
Fund Sources:		
General	$77,000,000	$24,000,000
Commonwealth Transportation	~~$97,365,200~~ *$116,695,800*	~~$98,331,321~~ *$117,738,907*

Authority: §§ 33.2-1524 and 33.2-1700 through 33.2-1729, Code of Virginia.

A. Included in this Item are funds for the installation and implementation of a statewide Electronic Toll Customer Service/Violation Enforcement System.

B. The Department shall not charge a fee to customers who have a EZ Pass flex or standard transponder based on the transponder not being used or being infrequently used.

C.1. Out of the amounts in this item, $77,000,000 the first year and $24,000,000 the second year from the general fund is provided to the Department for the purpose of providing additional toll relief to eligible drivers *defined as registered drivers* (a) who earn less than $50,000 per year, (b) whose primary residence is *(i)* in a planning district with at least three tolled bridges or tunnels and *(ii)* within a locality with a score of 104 or higher on the fiscal stress index *and with a median household income between $53,000 and $57,000*, as published by the Department of Housing and Community Development in July 2023, and (c) who drive a two-axle passenger vehicle to utilize the tunnels in a locality described in (b). The Commissioner shall use funds appropriated in this Item i) to establish a program to provide such eligible drivers with an E-ZPass transponder and the required prefunded account balance, for those who have not previously enrolled in the existing Toll Relief program and have not opened a Virginia E-ZPass Account; ii) to provide *such eligible drivers* an additional 50 percent toll relief rebate, that when combined with the existing Toll Relief program, provides *up to* a 100 percent toll rebate on up to 14 trips per week on the Elizabeth River Tunnels; and iii) to redeem outstanding customer balances and fees as of December 31, 2023, due to Elizabeth River Crossings (ERC) *for drivers described in (b) at the time the toll was incurred* ~~for eligible drivers~~ subject to negotiation between the Commissioner and ERC.

2. The toll relief programs authorized in this item will end in fiscal year 2036 in conjunction with the planned end of the existing Toll Relief program in fiscal year 2036. This toll relief is in addition to the current Toll Relief program administered by the Department and funded by ERC. The Department shall implement this additional toll relief program no later than January 1, 2025, and administer such program in the same manner as the existing Toll Relief program.

3. All funding appropriated in this item for toll relief shall be deposited into an Eligible Drivers Toll Relief Fund. Any funds remaining in the Fund at the end of a biennium shall not revert to the general fund but shall remain in the Fund. All interest and dividends that are earned on the account shall be credited to the Fund. Any funds remaining in the Fund at the end of the toll relief program in 2036 shall revert to the general fund.

4. The Department of Transportation and the Department of Treasury shall enter into a memorandum of agreement related to the management and investment of the monies in the Fund.

5. Consistent with the provisions of subdivision C of § 58.1-3, the Tax Commissioner is authorized to provide to the Department of Transportation, upon entering into a written agreement, the adjusted gross income and any additional information supporting validation of the income of drivers eligible to participate in a toll relief program.

6. The Commissioner shall report to the Governor, the Secretary of Transportation, Chairs of the House Committees on Appropriations, Finance, and Transportation and the Senate Committees on Finance and Appropriations and on Transportation annually by the first day of the regular session of the General Assembly on the additional toll relief provided from the Fund.

7. The Commissioner shall evaluate the cost and feasibility of permitting HOV access at all times and free-of-charge on the Downtown-Midtown Tunnel facility and provide the estimated cost and recommendations for implementation to the Governor, the Secretary of Transportation, Chairs of the House Committees on Appropriations, Finance, and Transportation and the Senate Committees on Finance and Appropriations and on Transportation no later than October 1, 2024.

8. Notwithstanding § 46.2-819.3:1 L, Code of Virginia, the Commissioner of the Department of Motor Vehicles shall not be required to assess a $40 fee for withholding the registration or renewal of vehicles associated with the redemption of outstanding customer balances and fees under this item.

9. The funds provided in paragraph C.1. of this item, to the extent available, may be used to supplement the Toll Relief program administered by the Department and funded by ERC. Based on estimated participation activity, by July 1 of each year the Department will determine if any changes to the program's annual eligibility and toll relief program parameters are needed to maintain the program with the funding provided by ERC. Any shortfall during the year in the funding for the ERC funded toll relief program due to greater than estimated participation shall be provided from the Eligible Drivers Toll Relief Fund. The Department shall notify the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations of any projected shortfall and amounts to be supplemented from the Eligible Drivers Toll Relief Fund 15 days prior to making any allocation or expenditure for such purpose.

D.1. No later than January 1, 2026, all rates, fees, tolls and other charges shall cease to be collected for the use of the George P. Coleman Bridge.

2. Notwithstanding § 33.2-1529 D 1, Code of Virginia, any funds allocated from the Toll Facility Revolving Account to the George P. Coleman Bridge which cannot be reimbursed to the Toll Facility Revolving Account from available George P. Coleman Bridge funds shall not require reimbursement to the Toll Facility Revolving Account.

E. The Commissioner shall work with the Department of Rail and Public Transportation and toll operators throughout the Commonwealth to reduce, or when practical, eliminate the practice of charging tolls for public transit buses, when not in conflict with contractual obligations or other provisions of law.