



Report of the Subcommittee on  
Transportation

(Senate Bills 29 and 30,  
as Introduced)

Senate Finance Committee  
Virginia General Assembly

February 17, 2002

**2002 Report of the Transportation Subcommittee**  
**Charles R. Hawkins, Chairman**

Mr. Chairman and Members of the Committee:

Over the last month, our concerns and fears regarding highway revenues, cash, and equitable spending have not only been confirmed but have become an even greater nightmare. Four short days ago we learned that we have fallen from the “largest highway construction program in the history of the Commonwealth” to one that will result in reductions in planned spending of more than 50 percent in some areas over the next six years.

As troubling as that is, we have also realized that spending in recent years has not followed the policies established in the 1986 Special Session and the Virginia Transportation Act of 2000 to provide transportation equity around the state. While funding appears to have been allocated to projects around the state in accordance with the law – the spending of precious transportation revenues on projects has not.

Since mid-January, VDOT has delayed \$251 million in projects -- in certain areas of the state -- that were already awarded because they simply don't know if they have enough money to pay for them. Bristol District will feel the pain of 19 percent of the stopped projects, Hampton Roads 56 percent. And it will only get worse because spending deficits have built up from past practices.

Let me be clear – we have a structural imbalance in transportation spending. The Subcommittee is endorsing the equitable funding formulas for highway construction that were enacted in 1986 at the Special Session. At the same time, we are reaffirming our commitment to alternative forms of transportation.

The Subcommittee recommends granting flexibility in the spending of the existing FRAN authorization for three purposes: 1)

to mitigate the impact of the required FY 2003 spending cuts on secondary and urban construction around the Commonwealth; 2) to mitigate the harm caused to projects by the loss of general funds; and 3) to replace the transfer of TTF revenue to the general fund in FY 2003. The Subcommittee cannot recommend increasing the FRAN authorization cap or giving “carte blanche” flexibility without knowing more about the full impact of past decisions on our future statewide highway construction program.

Construction projects that are underway now can continue and signed contracts can be honored. New projects will be able to start on the secondary and urban systems; and we understand that planned advertisements over the course of the next two years could be reduced by as much as 50 percent.

The Subcommittee believes that a Special Session is needed to address the problems in transportation financing. Flexibility does not address the long-term problem. In the Special Session, we need to recognize through our policy and funding choices that our reactions to the structural imbalance should not be limited by region or mode.

With that in mind, the Subcommittee again calls for the establishment of the Joint Transportation Finance Oversight Commission to begin working together on ideas and choices that we can consider during the Special Session. The Commission will be comprised of 10 members of the General Assembly appointed by the finance and transportation committees.

Further, the Subcommittee recognizes that the transportation agencies, like higher education, public safety, and mental health, must also learn to be more efficient and productive with limited resources. A series of amendments implement 3-7-8 percent reductions in these agencies. Fees in some cases have been increased. The consolidation or transfer of overlapping functions between DMV and the Department of Taxation is also included.

We hope, Mr. Chairman, that it will be the pleasure of the Committee to adopt these and the other amendments in this report.

**SUMMARY OF ALL SUBCOMMITTEE RECOMMENDATIONS**

	<b>SB 29</b>	<b>SB 30</b>	
	<b>FY 02</b>	<b>FY 03</b>	<b>FY 04</b>
Create Joint Transportation Finance Oversight Commission	Language	Language	Language

**Secretary's Office**

Restore 1/2 cent sales & use tax in 2nd year	-	-	335,600,000
Report on Transportation Revenues, Spending, VTA, & Plan	Language	Language	Language
VRE Lease Payments off the top of federal STP	Language	Language	Language
Reaffirm commitment to Mag Lev	Language		
Eliminate language allowing DMV to borrow \$2 million	Language		
Move PPTRA Reporting Requirement to Tax Department		Language	Language
Eliminate Civil Engineering Scholarship (\$375,000)	Language		
3-7-8 Percent Budget Reductions, transfer to GF	(15,518)	(36,659)	(41,896)

**Aviation**

Remove GF support for State plane	(50,099)	(50,099)	(50,099)
Authorize \$6.6 million in bonds for Aviation World's Fair	Language	Language	Language
3-7-8 Percent Budget Reductions, transfer to GF	(21,680)	(53,786)	(61,469)

	<b>SB 29</b>	<b>SB 30</b>	
<b>DMV</b>	<b>FY 02</b>	<b>FY 03</b>	<b>FY 04</b>
Adjust Fees & Other Discounts, transfer to GF	Language	Language	Language
3-7-8 Percent Budget Reductions, transfer to GF, including consolidate forecasting, optimize customer service, move Personal Property Tax Relief Act Administration to Tax	(1,204,796)	(11,064,645)	(12,682,377)
	<b>FY 02</b>	<b>FY 03</b>	<b>FY 04</b>
<b>Motor Vehicle Dealer Board</b>			
3-7-8 Percent Budget Reductions, transfer to GF	(49,301)	(117,263)	(134,014)
	<b><u>FY 02</u></b>	<b><u>FY 03</u></b>	<b><u>FY 04</u></b>
<b>Virginia Port Authority</b>			
Authorize \$135 million in tax-supported debt	Language	Language	Language
Governor must approve debt issue	Language	Language	Language
Homeland Defense:			
Purchase fireboat with bond proceeds	Language	Language	Language
Physical Oceanographic Real-Time System (PORTS/PortMaster) with bond proceeds	Language	Language	Language
Maritime Incident Response Team Equipment Needs with Bond	Language	Language	Language

	<b>SB 29</b>	<b>SB 30</b>	
<b>Department of Rail &amp; Public Transportation</b>	<b><u>FY02</u></b>	<b><u>FY03</u></b>	<b><u>FY04</u></b>
Capital Equipment Program for Mass Transit Properties	Language	Language	Language
3-7-8 Percent Budget Reductions, transfer to GF, including eliminating at-will deputy director position & NOVA office	(14,735)	(235,241)	(269,778)
<b>Department of Transportation</b>	<b><u>FY02</u></b>	<b><u>FY03</u></b>	<b><u>FY04</u></b>
Remove general funds from mass transit and ports	(15,752,000)		
FRAN Flexibility	Language		
Route 58 Fund Balance Uses	Language	Language	Language
Route 28 Freeway PPTA project	Language	Language	Language
VTA Trans Dominion Funding Can Be used for PPTA		Language	Language
Limit administrative funding & civil engineering scholarship	Language	Language	Language
Procure materials and professional services competitively	Language	Language	Language
Need for statewide training assessment		Language	Language
Restrictions on increasing MEL		Language	Language
Air & Space Museum - Limit VDOT Commitment	Language	Language	Language
Bristol Train Station from existing enhancement	Language		
Logo Program Report	Language		
Clarify Harrisonburg-Southeast Bypass		Language	Language
Wilderness Road State Park		Language	Language
Limit capital outlay spending on NOVA District Office Complex		Language	Language
3-7-8 Percent Budget Reductions, transfer to GF		(10,804,523)	(12,535,172)



**Legislative Department**

General Assembly Of Virginia

Language

**Language:**

Page 8, after line 44, insert:

"H.1. The Chairmen of the Senate Finance, Senate Transportation, House Finance, House Appropriations, and House Transportation Committees shall each appoint two members from their respective committees to the Joint Transportation Finance Oversight Commission, in order to review and evaluate on-going transportation financing activities and develop and recommend transportation financing policies to the General Assembly and Governor. The Commission shall 1) review the biennial, six-year, and longer range transportation finance plans developed by the Commonwealth Transportation Board, Virginia Port Authority, and the Virginia Aviation Board to ensure that they are in accordance with the *Code of Virginia* and the Appropriation Act; 2) actively engage in seeking solutions to transportation funding issues in the Commonwealth by reporting to the respective standing committees; 3) recommend to the General Assembly and Governor legislative options, including a Special Session, to address issues in transportation financing; and 4) conduct such other studies and review such other transportation-related subjects as the Commission deems necessary for providing an adequate, modern, safe, and efficient transportation network in the Commonwealth.

2. The Commonwealth Transportation Board and/or the Department of Transportation shall submit, at least 45 days prior to its scheduled final adoption, the Transportation Development Plan, or any such similar statewide plan, so that the Commission can review, evaluate, and recommend proposed financial adjustments prior to its final adoption by the Board. The Board shall not act on a statewide development plan until it has received the Commission's written analysis. All transportation agencies shall submit monthly reports, beginning August 15, 2002, to the Commission on the expended cash for the year, the anticipated remaining cash outlay for the year for all programs and activities, revenue collections to date from local, state, and federal sources, and those estimated to be received by the end of the fiscal year. The Commission shall seek support from the staff of the Senate Finance, House Appropriations, Joint Legislative Audit and Review Commission, and Division of Legislative Services. All state agencies, Boards, political subdivisions and their staffs are directed to provide technical assistance, access to information databases,

and any other requested information, data, and materials to the Commission as it deems necessary."

**Explanation:**

(This amendment is self-explanatory.)

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 404, line 11, after "C.", insert "1."

Page 404, after line 24, insert:

"2. The Secretary of Transportation shall report, on or before June 30, 2002, to the Governor and the Secretary of Finance on the most recent transportation revenue estimates and collections, and provide a plan that addresses adjustments to the Department of Transportation's highway system acquisition and construction program and highway system maintenance program, as well as any possible changes that may affect any of the Department of Transportation's funding levels, or any other agency's appropriation under the Secretary of Transportation, based on revised transportation revenue estimates. The Secretary of Transportation shall inform the Chairmen of the House Appropriations and the Senate Finance Committees of the details of this report."

**Explanation:**

(This amendment requires the Secretary of Transportation to report the most recent transportation revenue estimates and provide a plan to adjust appropriations for transportation programs according to the revised revenue estimates.)

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 404, line 41, after "E." insert "(1)".

Page 405, after line 11, insert:

"2. The General Assembly supports the development and deployment of this technology. The Secretary of Transportation is encouraged to facilitate its development to the extent practicable."

**Explanation:**

(This amendment reaffirms the General Assembly's support of magnetic levitation technology.)

**Transportation**

Department Of Aviation

Language

**Language:**

Page 407, line 51, strike "\$15,000,000," and insert "\$6,600,000,".

Page 408, line 2, after "2003." insert:

"The total state monies, past and future, expended for capital improvements, temporary or permanent, at Newport News/Williamsburg International Airport in connection with this project shall not exceed \$15,000,000."

Page 408, line 3, after "addition," strike the rest of the line.

Page 408, line 4, strike "Virginia,".

Page 408, line 6, after "the" insert "annual allocations made to the Newport News/Williamsburg International Airport from the".

Page 408, line 6, strike "prior to".

Page 408, line 7, strike "any distribution".

Page 408, line 7, strike "from".

Page 408, line 8, strike line 8 and insert "pursuant to §58.1-638(A)(3)(a)(b), Code of Virginia.".

**Explanation:**

(This amendment reduces the tax-supported debt authorization for the Aviation World's Fair project to \$6.6 million. It also requires that the debt service payments be paid from the Newport News/Williamsburg International Airport's discretionary and formula allocations.)

**Transportation**

Department Of Motor Vehicles

Language

**Language:**

Page 408, line 39, insert "A." at the beginning of the line.

Page 408, after line 48, insert:

"B. The Department of Motor Vehicles shall raise the Motor Vehicles records fee by two dollars per transaction.

C. Notwithstanding the provisions of Article 7 of Chapter 6 of Title 46.2 of the Code of Virginia, the Department of Motor Vehicles shall increase the state motor vehicle registration fee by two dollars.

D. Furthermore, the provisions of §46.2-216.3 and §46.2-697.1 of the Code of Virginia shall no longer be applied. "

**Explanation:**

(This amendment raises motor vehicles records and registration fees and eliminates administrative discounts on fees administered by DMV.)

**Transportation**

Department Of Rail And Public  
Transportation

Language

**Language:**

Page 411, after line 58, insert:

"L.1. The capital assistance program includes an estimated \$18,024,600 in the second year from federal minimum guarantee and surface transportation program funds in accordance with Item 506 of this Act.

2. In cooperation with the Department of the Treasury and other state agencies, the Department of Rail and Public Transportation may develop a program to assist mass transit properties in financing agreements, not to exceed five years, to acquire new transit vehicles and equipment. By November 1, 2002, the Department of Rail and Public Transportation shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the implementation of any such proposed program. Payments for such financings shall come from the capital assistance program. The program's funding requirement in any fiscal year shall not exceed the federal funding allocated to the program and may include interest rate subsidies. The program shall be revolving and may be administered by a third-party vendor.

**Explanation:**

(This amendment identifies the federal highway funding dedicated to mass transit capital assistance in FY 02. It further provides that the Department of Rail and Public Transportation and the Department of the Treasury can develop a program to assist mass transit properties statewide with the financing of their capital needs.)

**Transportation**

Department Of Transportation

Language

**Language:**

Page 413, line 57, after "I" insert "(a)".

Page 414, after line 6, insert:

"(b). The Department shall also procure professional services, as defined in §11-37, Code of Virginia, in accordance with the Virginia Public Procurement Act (§11-35 et seq.). However, when professional services are needed, VDOT shall prepare, prior to the receipt of the Request for Proposals, an estimate of the cost of the services required. These estimates shall be utilized in the course of negotiations to arrive at a fair and reasonable price for the contract. Negotiations with the offerors deemed to be fully qualified and experienced, in the order of preference, may be conducted until a contract that offers the best value to the Commonwealth is awarded.

(c). The Department shall complete a review of its existing list of materials approved for use in construction and maintenance of Virginia roadways by August 15, 2002, to identify those types, classes or grades where more materials might be added to the list and provide the justification for its sole source providers to the Secretary of Transportation for transmittal to the Governor."

**Explanation:**

(This amendment allows VDOT to negotiate professional service contracts and to review its existing list of materials to ensure that the best value for the Commonwealth is obtained, particularly in the current period of revenue and cash shortfalls.)



**Transportation**

Department Of Transportation

Language

**Language:**

Page 419, line 13, after "include" insert ":",

Page 419, strike all of line 14 and insert:

"

Bristol District FY 2003 secondary system projects on the counties' lists prepared pursuant to §33.1-70.01 with funding allocated to such counties pursuant to §33.1-23.4	\$9,664,623
Bristol District FY 2003 urban system projects as funded pursuant to §33.1-23.3 and listed in the Virginia Transportation Development Plan	\$2,188,000
Culpeper District FY 2003 secondary system projects on the counties' lists prepared pursuant to §33.1-70.01 with funding allocated to such counties pursuant to §33.1-23.4	\$6,664,934
Culpeper District FY 2003 urban system projects as funded pursuant to §33.1-23.3 and listed in the Virginia Transportation Development Plan	\$1,588,000
Fredericksburg District FY 2003 secondary system projects on the counties' lists prepared pursuant to §33.1-70.01 with funding allocated to such counties pursuant to §33.1-23.4	\$7,059,849
Fredericksburg District FY 2003 urban system projects as funded pursuant to §33.1-23.3 and listed in the Virginia Transportation Development Plan	\$510,000
Hampton Roads District FY 2003 secondary system projects on the counties' lists prepared pursuant to §33.1-70.01 with funding allocated to such counties pursuant to §33.1-23.4	\$5,435,572
Hampton Roads District FY 2003 urban system projects as funded pursuant to §33.1-23.3 and listed in the Virginia Transportation Development Plan	\$37,723,000
Lynchburg District FY 2003 secondary system projects on the counties' lists prepared pursuant to §33.1-70.01 with funding allocated to such counties pursuant to §33.1-23.4	\$8,113,137
Lynchburg District FY 2003 urban system projects as funded pursuant to §33.1-23.3 and listed in the Virginia Transportation Development Plan	\$9,931,000
Northern Virginia District FY 2003 secondary system projects on the counties' lists prepared pursuant to §33.1-70.01 with funding allocated to such counties pursuant to §33.1-23.4	\$22,844,575
Northern Virginia District FY 2003 urban system projects as funded pursuant to §33.1-23.3 and listed in the Virginia Transportation Development Plan	\$6,754,000
Richmond District FY 2003 secondary system projects on the counties' lists prepared pursuant to §33.1-70.01 with funding allocated to such counties pursuant to §33.1-23.4	\$14,239,779
Richmond District FY 2003 urban system projects as funded pursuant to §33.1-23.3 and listed in the Virginia Transportation Development Plan	\$8,279,000

Route 288

Salem District FY 2003 secondary system projects on the counties' lists prepared pursuant to §33.1-70.01 with funding allocated to such counties pursuant to §33.1-23.4	\$9,411,769
Salem District FY 2003 urban system projects as funded pursuant to §33.1-23.3 and listed in the Virginia Transportation Development Plan	\$8,154,000
Staunton District FY 2003 secondary system projects on the counties' lists prepared pursuant to §33.1-70.01 with funding allocated to such counties pursuant to §33.1-23.4	\$7,766,967
Staunton District FY 2003 urban system projects as funded pursuant to §33.1-23.3 and listed in the Virginia Transportation Development Plan	\$4,517,000
FY 2003 Highway Construction Projects listed in the Virginia Transportation Development Fund and as funded pursuant to 33.1-23.1B	\$317,000,000

Page 419, strike lines 15 through 21.

Page 419, line 22, strike "1,000,000."

Page 419, strike lines 27 through 33.

**Explanation:**

(This amendment provides flexibility in the use of FRAN proceeds for secondary and urban projects in FY 2003, Route 288, and for FY 2003 highway construction projects funded pursuant the secondary, urban, and primary systems.)

<b>Transportation</b>	<b>FY 00-01</b>	<b>FY 01-02</b>	
Department Of Transportation	\$0	(\$15,752,000)	GF

**Language:**

Page 414, line 37, strike "\$1,399,011,951" and insert "\$1,383,259,951".

Page 414, line 51, strike "\$60,752,000" and insert "\$40,000,000".

Page 419, after line 33, insert:

"3. In accordance with the provisions of §1 of the fourth enactment of Chapters 1019 and 1044 of the Acts of Assembly of 2000, as amended within this paragraph, \$16,425,038 in the first year shall be appropriated to the mass transit assistance program for a statewide new transit vehicle and equipment program to be administered by the Department of Rail and Public Transportation.

4. In accordance with the provisions of §5 of the fourth enactment of Chapters 1019 and 1044 of the Acts of Assembly of 2000, as amended within this paragraph, \$2,000,000 in the first year shall be appropriated to the water transportation planning program administered by the Virginia Port Authority. From these appropriations, \$1,500,000 the first fiscal year shall be used for matching funds required by the Water Resources Development Act of 1986 (Public Law 99-262), as amended, for a study of the eastward expansion of the federally owned Craney Island Dredged Material Management Area. In addition, from these appropriations, \$500,000 in the first fiscal year shall be used to begin the dredging of the inbound channel of the Norfolk Harbor Channel.

5. Notwithstanding the provisions of §6 of the fourth enactment of Chapters 1019 and 1044 of the Acts of Assembly of 2000, no general funds shall be appropriated in the second year for specified highway projects around the Commonwealth."

**Explanation:**

(This amendment removes the general fund appropriations for highway construction, mass transit, and ports in FY 2002.)

**Transportation**

Department Of Transportation

Language

**Language:**

Page 416, line 22, after "debt." insert:

"The fund balance in the Route 58 Corridor Development Fund not required for debt service payments shall be used to complete, on a pay-as-you-go basis to the extent possible, the corridor from Abingdon to Damascus, Ben Hur to Pennington Gap; the Independence, Danville, Clarksville, and Stuart Bypasses; the Taylor's Valley section and the gap west of Jonesville; and the corridor from the town of Stuart to its intersection with I-77 in Carroll County."

**Explanation:**

(This amendment specifies which components of the U.S. Route 58 Corridor Development Program should be funded with available fund balances.)

**Transportation**

Department Of Transportation

Language

**Language:**

Page 415, line 29, after "C." insert "1." .

Page 415, line 43, after "bonds" insert "(the Series 1992 Bonds")

Page 415, line 47, strike "bonds" and insert ""Series 1992 Bonds"."

Page 415, after line 49, insert:

"2. On and after the full defeasance of the "Series 1992 Bonds", there is hereby appropriated for payment immediately upon receipt to the Route 28 Freeway Association (the "Association"), or a bond trustee selected by the Association, a sum sufficient equal to the special tax revenues collected by the Counties of Fairfax and Loudoun (the "Counties") within the State Route 28 Highway Transportation Improvement District and paid to the Commonwealth Transportation Board by or on behalf of the State Route 28 Highway Transportation Improvement District Commission (the "District Commission") pursuant to §15.2-4600 et. seq., Code of Virginia, and a contract (the "District Contract") between the Commonwealth Transportation Board and the District Commission."

**Explanation:**

(This amendment is to ensure that locally-derived special tax revenues will be appropriated to pay Association administrative expenses, to secure, and to provide for the payment of debt service on up to \$400,000,000 of Association bonds for the new Route 28 Public Private Transportation Act proposal pursuant to a contract between the Association and the Commonwealth Transportation Board. These new bonds will also refinance existing Route 28 improvement bonds.)

**Transportation**

Department Of Transportation

Language

**Language:**

Page 420, strike line 7, and insert "transportation infrastructure components associated with the".

Page 420, line 10, after "commitments" insert "by the Department".

Page 420, line 10, after "may" insert "not".

Page 420, line 10, after "exceed", strike "\$40,000,000" and insert "\$33,249,005 in total spending, including prior expenditures for this purpose".

Page 420, line 10, strike "but".

Page 420, strike line 11.

Page 420, line 12, strike "plan".

**Explanation:**

(This amendment limits VDOT's financial commitment to the National Airport and Space Museum extension at Dulles to \$33,249,005, including prior expenditures. The proposed budget would have required VDOT to fund all the commitment. The memorandum of understanding originally limited the funding to \$40,000,000 but this language would have moved that restriction. The project is also to receive \$9.3 million in VPBA bonds.)

**Transportation**

Virginia Port Authority

Language

**Language:**

Page 423, line 35, strike "\$131,000,000" and insert "\$135,000,000".

Page 423, line 38, after "equipment", insert:

", the purchase of fireboats for the Norfolk Harbor, the purchase of the Physical Oceanographic Real-Time System, and other equipment required to enhance the security and protection of the port properties. Prior to the issuance of these bonds, the Governor shall provide approval based on the most recent estimates of transportation revenues and project timelines."

**Explanation:**

(This amendment increases the bond issue by \$4.0 million to provide funding for terrorism-related equipment. It also provides the Governor with final approval on the issuance of port bonds based on the most recent transportation revenue estimates and project timelines.)

**Transfers**

Interfund Transfers

Language

**Language:**

Page 526, line 40, strike "\$4,919,837" and insert "\$1,306,031".

Page 526, strike lines 44 through 46.

Page 526, line 47, strike "\$606,293" and insert "\$1,204,796".

Page 526, strike lines 48 through 57.

Page 527, strike lines 1 through 5.

Page 527, line 6, strike entire line and insert "186 Secretary of Transportation 0400 \$15,518".

Page 527, line 7, strike entire line and insert "506 Motor Vehicle Dealer Board 0400 \$49,301".

Page 527, line 8, strike "\$57,139" and insert "\$14,735".

Page 527, strike line 9.

Page 527, line 10, strike "\$14,453" and insert "\$21,680".

Page 527, strike line 11.

Page 528, line 12, strike "\$4,919,837" and insert "\$1,306,031."

**Explanation:**

(This amendment removes the across-the-board reductions for nongeneral fund agencies except those identified in the transportation agencies.)



**Transfers**

Interfund Transfers

Language

**Language:**

Page 527, after line 30, insert:

"GG. On or before June 30, 2002, the Comptroller shall transfer \$332,000 from the Department of Motor Vehicles to the general fund. This amount represents the estimated revenues to be derived from a two-dollar increase on fees related to motor vehicles records transaction.

HH. On or before June 30, 2002, the Comptroller shall transfer \$2,462,503 from the Department of Motor Vehicles to the general fund. This amount represents the estimated revenues to be derived from a two-dollar increase on fees related to motor vehicle registrations.

II. On or before June 30, 2002, the Comptroller shall transfer \$5,000,000 from the Department of Motor Vehicle's Uninsured Motorists Fund to the general fund."

**Explanation:**

(This amendment provides for increased fees and the resulting estimated revenues being transferred to the general fund for public safety and other expenses. A companion amendment is in Item 514.)

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 341, line 4, after "2003," strike the remainder of the line.

Page 341, line 5, strike "1, 2003 and ending June 30, 2004,".

**Explanation:**

(This amendment deletes the provision that diverts sales and use tax transportation funds to the general fund in fiscal year 2004.)

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 340, after line 1, insert:

"6) Prior to any distributions as outlined in subparagraphs 4) through 5) of this paragraph, the required amount shall be allocated by the Commonwealth Transportation Board to the Virginia Railway Express for track leases."

**Explanation:**

(This amendment funds the Virginia Rail Express track lease subsidy off-the-top of the federal surface transportation funds that are distributed by state highway formulas and to mass transit.)

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 341, after line 11, insert:

"D.1. The Secretary of Transportation shall report, on or before August 31 of each year to the Governor, Secretary of Finance, and the Chairmen of the Senate Finance, Senate Transportation, House Transportation, and House Appropriations Committees on the fiscal year just ended transportation revenue estimates and collections. In addition, a spending analysis of the most recent fiscal year, which includes the following components, shall also be provided: 1) spending by mode of transportation; 2) spending on highway maintenance by District; 3) spending by fund by district by system on preliminary engineering, right of way acquisition, and construction projects; and 4) a comparison of the actual spending to the funding allocations by mode and by fund by district by system in accordance with Title 33.1 of the Code of Virginia. If the spending analysis indicates that spending has disproportionately occurred in the prior fiscal year in one or more construction districts by fund or by system, the Secretary shall provide a plan that addresses adjustments to the Department of Transportation's highway system acquisition and construction program to ensure that the spending inequities are addressed within the current fiscal year.

2. The Secretary shall also report to the Chairmen of the Senate Finance, Senate Transportation, House Transportation, and House Appropriations Committees on the implementation of Chapters 1019 and 1044, Acts of Assembly 2000. Such reports shall be made by November 1, April 1, and August 15 of each year and shall include information on: 1) any resulting deposits, expenditures, and transfers; 2) the schedule of any future debt issues and the projects and funding levels included in each; and 3) the total and fiscal year to date expenditures on each project and their remaining cost to complete. In addition, the Secretary of Transportation shall provide the draft/tentative Virginia Transportation Development Plan to the Committees for their written review and comment. Such review and comment shall be considered prior to the adoption of the final Plan by the Commonwealth Transportation Board."

**Explanation:**

(This amendment is self-explanatory.)

**Transportation**

Department Of Motor Vehicles

Language

**Language:**

Page 343, line 26, before "The" insert "A."

Page 343, after line 35, insert:

"B. The Department of Motor Vehicles shall raise the motor vehicles records fee by two dollars per transaction.

C. Notwithstanding the provisions of Article 7 of Chapter 6 of Title 46.2 of the Code of Virginia, the Department of Motor Vehicles shall increase the state motor vehicle registration fee by two dollars. If SB 3 of the 2002 Session of the General Assembly is enacted into law as it passed the Senate, its provisions shall apply to this fee increase.

D. In accordance with §46.2-332 of the Code of Virginia, on or after July 1, 2002, the fee for each driver's license other than a commercial driver's license shall be three dollars per year.

E. Furthermore, the provisions of §46.2-216.3 and §46.2-697.1 of the Code of Virginia shall no longer be applied. "

**Explanation:**

(This amendment adjusts a number of fees charged by the Department of Motor Vehicles to provide funding for homeland defense, public safety, emergency services, and highway maintenance and construction. A companion amendment is in Part 3.)

**Transportation**

Department Of Transportation

Language

**Language:**

Page 347, following line 21, insert:

"F. The Commonwealth Transportation Board shall not allocate additional funding to the administration and operations of the Department of Transportation in its annual update of the Six Year Financial Plan. No funding shall be spent on civil engineering scholarships during the biennium."

**Explanation:**

(This amendment restores language to limit increased funding to administrative programs and civil engineering scholarships.)

**Transportation**

Department Of Transportation

Language

**Language:**

Page 347, after line 21, insert:

"The Department shall conduct a needs assessment for a possible statewide training site and facility. Should such assessment be deemed in the best interest of the Department, site consideration shall include Fort Pickett."

**Explanation:**

(This amendment is self-explanatory.)



**Transportation**

Department Of Transportation

Language

**Language:**

Page 346, strike line 38 through line 44.

**Explanation:**

(This amendment deletes language authorizing the Governor to increase the maximum position level for the Department of Transportation.)

<b>Transportation</b>	<b>FY 02-03</b>	<b>FY 03-04</b>	
Department Of Transportation	\$0	(\$26,915,361)	GF

**Language:**

Page 347, line 33, strike "\$1,743,763,393" and insert "\$1,716,848,032".

Page 349, strike lines 13 through 39.

**Explanation:**

(This amendment removes authority for the issuance of Commonwealth of Virginia Transportation Appropriation Bonds.)

**Transportation**

Department Of Transportation

Language

**Language:**

Page 352, strike lines 17 through 27.

Page 352, line 28, strike "\$1,000,000."

**Explanation:**

(This amendment removes language authorizing FRANS to be used on any project in the Virginia Transportation Development Plan. It also deletes the increase in FRAN authorization.)

**Transportation**

Department Of Transportation

Language

**Language:**

Page 352, line 33, after "Notes." insert:

"The Harrisonburg-Southeast Bypass project included in the project list shall be defined as and include improvements to Route 659, Port Republic Road; Route 726, Stone Spring Road; Route 33 from Linda Lane to the Harrisonburg-Southeast Bypass; a limited access roadway referred to as the Harrisonburg-Southeast Bypass, extending from I-81, exit 240 to Route 33 east; and a controlled or limited access roadway referred to as the East West Connector, extending from Route 42 to the Harrisonburg-Southeast Bypass. This definition shall not be used to prejudge the outcome and recommendations of the federally required National Environmental Policy Act (42 USC 4321 et. seq.) review and plan for improvements in the Corridor."

**Explanation:**

(This amendment clarifies what a project listing means in the Virginia Transportation Act of 2000.)

**Transportation**

Department Of Transportation

Language

**Language:**

Page 353, after line 17, insert:

"M. It is the intent of the General Assembly that the \$9,339,000 in funding for the Trans Dominion Express (Bristol Rail) authorized in the Virginia Transportation Act of 2000 can be used to finance the pay-as-you-go costs for preliminary engineering, track upgrade, and rolling stock requirements as part of a comprehensive agreement established for such passenger rail under the Public-Private Transportation Act of 1995."

**Explanation:**

(This amendment is self-explanatory.)

**Transportation**

Department Of Transportation

Language

**Language:**

Page 403, line 321, after "Complex.", strike rest of line.

Page 403, strike lines 22-23.

**Explanation:**

(This amendment removes the Governor's authority to unilaterally provide the funding for a VDOT Northern Virginia District Maintenance complex. The funding for the capital outlay project would be off-the-top of the highway construction program.)

**Transfers**

Interfund Transfers

Language

**Language:**

Page 418, line 16, strike "\$14,788,244" and insert: "\$22,312,417".

Page 418, line 17, strike "\$14,788,244" and insert "\$25,724,707".

Page 418, strike lines 20-22.

Page 418, line 23, strike "\$1,870,945" in both places and insert "\$11,064,645" and "\$12,682,377".

Page 418, strike lines 24-37.

Page 418, line 38, strike entire line and insert: "186 Secretary of Transportation \$36,659 \$41,896".

Page 418, line 39, strike "\$6,499,698" in both places and insert "\$10,804,523" and "\$12,535,172".

Page 418, line 41, strike "\$171,958" in both places and insert "\$235,241" and "\$269,778"

Page 418, line 42, strike entire line and insert: "506 Motor Vehicle Dealer Board \$117,263 \$134,014".

Page 418, line 43, strike "46,102" in both places and insert "\$53,786" and "\$61,469".

Page 418, strike line 44.

Page 418, line 45, strike "\$14,788,244" in both places and insert "\$22,312,417" and "\$25,724,707".

**Explanation:**

(This amendment transfers the 7 and 8 percent reductions in the transportation agencies to the general fund.)

**Transfers**

Interfund Transfers

Language

**Language:**

Page 419, after line 24, insert:

"AA. On or before June 30, the Comptroller shall transfer \$6,511,636 in the first year and \$7,182,041 from the Department of Motor Vehicle's Uninsured Motorists Fund to the general fund. Of that amount in each year, \$5,000,000 shall be from the share transferred to the State Corporation Commission.

BB. On or before June 30 of each year, the Comptroller shall transfer \$15,000,000 from the Department of Motor Vehicles from increased motor vehicle registration fees. If SB 3 during the 2002 General Assembly Session is enacted, as passed by the Senate, its requirements shall apply.

CC. On or before June 30 of each year, the Comptroller shall transfer \$10,000,000 from the Department of Motor Vehicles from the increased motor vehicle records fees.

**Explanation:**

(This amendment provides the authority to transfer funds from a variety of DMV fees to the general fund.)



**Transfers**

Interfund Transfers

Language

**Language:**

Page 419, line 5, after "June 30", strike "each".

Page 419, line 6, before "the State", strike "year".

Page 419, line 6, after "first", strike "year and \$335,600,000 the second".

Page 419, line 10, after "Paragraph" strike "D" and insert "H.2.".

**Explanation:**

(This amendment removes authority to transfer \$335,600,000 from the Transportation Trust Fund to the general fund for the second year.)