

*Report of the  
House Appropriations  
Subcommittee*

*on*

*Transportation*



*House Bill 29  
&  
House Bill 30*

*February 17, 2002*

February 17, 2002

Respectfully Submitted by the House Appropriations Subcommittee on  
Transportation:

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John A. Rollison, III, Chairman

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John S. (Jack) Reid

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Beverly J. Sherwood

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Marian Van Landingham

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Leo C. Wardrup, Jr.

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Jackie T. Stump

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Allen W. Dudley

# **REPORT OF THE SUBCOMMITTEE**

## **on**

# **TRANSPORTATION**

Mr. Chairmen and Members of the Committee:

As we have heard in detail over the past month, we are faced with a financial crisis at the Department of Transportation and with our transportation system across the Commonwealth. Northern Virginia has been ranked as having the second most congested highways in the nation. The Hampton Roads and Richmond regions face increasing congestion, and other areas across the Commonwealth cannot expand economically without much needed roadway improvements.

In spite of this critical shortfall, both Governors Gilmore and Warner proposed diverting funding dedicated to highway improvements to the general fund. The Transportation Subcommittee is pleased to recommend the full restoration of the ½ cent sales and use tax that has been dedicated to the Transportation Trust Fund since 1986.

Thus, the subcommittee report restores \$652.6 million in funding for transportation projects across the Commonwealth. This includes \$317.0 million in the first year and \$335.6 million in the second year that the proposed budget would have diverted from the highway fund and our pressing transportation needs. In addition, because of the breadth of the financial crisis facing VDOT, the Subcommittee restored the six percent across-the-board cuts the Department faced in the proposed budget, providing an additional \$13 million for transportation.

The funding we have restored will make available funds to all areas of the State and all systems of roads, and allow us to make progress on our shared commitment to excellence in transportation.

The return of the trust to the trust fund could provide almost \$250 million more in primary road funding over the next six years, and over \$200 million each for our secondary and urban systems of roads. On a district by district basis, the committee's recommendation could provide an additional:

- \$66.0 million to the Bristol District,
- \$8.5 million to the Culpeper District,
- \$32.8 million to the Fredericksburg District,
- \$161.5 million to the Hampton Roads District,
- \$45.9 million to the Lynchburg District,
- \$133.2 million to the Northern Virginia District,
- \$106.7 million to the Richmond District,
- \$71.7 million to the Salem District, and
- \$26.3 million to the Staunton District

As significant as this funding restoration is – especially in these times of economic constraints – additional funding alone will not solve our transportation problems. Measures are needed to safeguard our transportation investments and ensure that all funding dedicated to transportation can be spent on projects from approved plans that are ready to go to construction across the Commonwealth.

To address the concern expressed by many of our members that the Department is not spending all the funds they do have, the subcommittee recommends language that would give the Commonwealth Transportation Board some flexibility in how it can spend Federal Revenue Anticipation Notes, or FRANs. The Subcommittee recommends allowing the Commonwealth Transportation Board to allocate the remaining FRANs sold by the CTB in October 2000 -- \$210 million of which is still unspent – to any project in the Virginia Transportation Act or the approved Virginia Transportation Development Plan.

For future FRAN sales the subcommittee recommends allowing these funds to be used on projects in the VTA of 2000 or the

Virginia Transportation Development Plan provided that the funds are distributed among the construction districts in the same proportions as authorized in the Virginia Transportation Act of 2000.

With this flexibility will come accountability, in the form of a requirement that a realistic six-year program and updated revenue estimate be submitted to this Committee prior to June 30, 2002, and each year thereafter.

In other action, the Subcommittee recommends authorizing a \$6.6 million loan for the Department of Aviation to complete improvements at the Williamsburg/Newport International Airport in anticipation of the 2003 Aviation World's Fair. The Subcommittee also authorized the issuance of \$131.0 million in Commonwealth Port Bonds to reconstruct the Norfolk International Terminal South.

Under the Subcommittee's recommendations, the Department of Rail and Public Transportation retains a dedicated portion of federal minimum guarantee and surface transportation program funds to provide funding for capital improvements to transit systems across the State. In addition, the Department of Rail and Public Transportation projects are eligible for funding under VDOT's primary, secondary and urban programs; thus restoring funding to VDOT makes additional funding available for public transportation as well.

The details of the Subcommittee's report are contained in the attachments. Committee staff will review the report and the attached listing of our recommendations at this time, and we hope it will be your pleasure to adopt the report.

# Budget Amendment Recommendations

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2000-02 BIENNIAL TOTAL		
General	Nongeneral	
Fund	Fund	FTE

**Transportation**

**HB 29 (2000-02 Budget)**

Secretary Of Transportation

Min. Guarantee Funds for Va. Railway Express

Language

Report on Revenue Estimates/Six-Year Plan

Language

Department Of Aviation

\$6.6 Million Debt Authorization

Language

166,000

Department Of Motor Vehicles

Motor Vehicle Records Fee \$1 Increase

Language

Department Of Transportation

Route 28 Special Tax District Bonds

Language

Reduction DRPT Bus Purchase Funding

(4,500,000)

Priority Transportation Fund Flexibility

Language

FRAN Flexibility

Language

Central Appropriations

PPTRA Reimbursement at 70%

Language

DMV Transfer VIPNET Fees

(166,000)

=====	=====
(4,500,000)	0

## Budget Amendment Recommendations

<hr style="width: 80%; margin: auto;"/> <b>Amendment</b>
----------------------------------------------------------

<b>2002-04 BIENNIAL TOTAL</b>		
<b>General</b>		
<b>Fund</b>	<b>NGF</b>	<b>FTE</b>

**HB 30 (2002-04 Budget)**  
**Transportation**

Secretary Of Transportation		
Report on Revenue Estimates/Six-Year Plan	Language	
Min. Guarantee Funds for Va. Railway Express	Language	
Use of CMAQ Funds for I-95/395 HOV	Language	
Elimination of 1/2 Cent Diversion	Language	
Department Of Aviation		
\$6.6 Million Debt Authorization	Language	
Department Of Motor Vehicles		
PPTRA Audit Program	Language	
DMV Retain Portion Vehicle Rental Taxes (\$2.6 m)	Language	
Motor Vehicle Records Fee \$1 Increase	Language	
Motor Vehicle Registration Fee \$2 Increase	Language	
Department of Rail and Public Transportation		
Mag Lev	Language	
Department of Transportation		
Restoration 1/2 cent sales and use tax	Language	652,600,000
Consideration of Rte 58 PPTA Proposal	Language	
Consideration Vision for Boulevard I-95/64 Study	Language	
Route 28 Special Tax District Bonds	Language	
Consideration 24-4 Bridges PPTA Proposal	Language	
Consideration I-295 PPTA Proposal	Language	
Consideration Jamestown PPTA Proposal	Language	
Coalfields Expressway PE	Language	
Remove Authority for Appropriation Bonds	(26,915,361)	
Repayment DRPT Bus Purchase Funding	1,700,000	
Priority Transportation Fund Flexibility	Language	
FRAN Flexibility	Language	
Reduce GF Support for Rte 58	(10,000,000)	
Installation of Rumble Strips	Language	
Department Of Motor Vehicles		
Sense GA re: PPTRA	Language	
<b>Total, Transportation</b>	<b>(35,215,361)</b>	<b>652,600,000</b>
Central Appropriations		
Permit Loan from VDOT to GF	110,000,000	(110,000,000)

## Budget Amendment Recommendations

<u>Amendment</u>
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2002-04 BIENNIAL TOTAL		
General		
Fund	NGF	FTE
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Sets up Repayment of any GF loan from VDOT  
 Freeze Car Tax at 70%

(110,000,000)	110,000,000
(118,826,165)	

**Total, Central Accounts**

<b>(118,826,165)</b>	<b>0</b>
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**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, the Secretary of Finance, and the Chairmen of the House Appropriations and Senate Finance Committees on the most recent transportation revenue estimates, and provide a six-year development 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."

**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 403, line 12, after "Board.", insert:

"In the second year, funds for contract fees paid by the Virginia Railway Express for access to the right-of-way of CSX Transportation, Norfolk Southern Corporation, and the National Railroad Passenger Corporation shall be allocated from the Department of Rail and Public Transportation's portion of federal Minimum Guarantee Equity program funds."

**Explanation:**

(This amendment directs the Secretary of Transportation to fund the Virginia Railway Express track lease subsidy from the DRPT portion of the Commonwealth's

federal Minimum Guarantee apportionment .)

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Transportation Subcommittee

Item 511 #4h

**Transportation**

Department Of Aviation

Language

**Language:**

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

Page 408, line 6, after "Airport Fund" strike the remainder of the line.

Page 408, strike lines 7 and 8 and insert:

"out of the discretionary funds allocated for air carrier and reliever airports prior to any discretionary distribution by the Virginia Aviation Board pursuant to § 58.1-638(A)(3)(b), Code of Virginia."

**Explanation:**

(This amendment reduces the proposed debt authorization for the loan from the Virginia Resources Authority to the Virginia Aviation Board from \$15.0 million to \$6.6 million and requires that repayment of that loan come only from discretionary funding of the Virginia Aviation Board, not from airport entitlements.)

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Transportation Subcommittee

Item 514 #1g

**Transportation**

Department Of Motor Vehicles

Language

**Language:**

Page 408, before "The", insert "A."

Page 408, after line 48, insert:

"B. The Department of Motor Vehicles shall raise the Motor Vehicles Records fee by one dollar per transaction."

**Explanation:**

(This amendment provides for an increase of one dollar per records transaction that would generate approximately \$5 million annually and represent a 20 percent overall increase. The excess revenue would be transferred to the general fund. For fiscal year 2002, this action can generate approximately \$166,000. A companion amendment is in Item 3-1.01.)

**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, after "on the", 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 a third party approved by the Commonwealth Transportation Board, or a bond trustee selected by such third party, 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:**

(The purpose of this amendment is to ensure that locally-derived Route 28 special district tax revenues will be appropriated to a third party, such as a public benefit corporation or other debt issuer, to secure and provide payment of debt service on up to \$400 million of Route 28 bonds to be issued by a third party pursuant to a contract for the new Route 28 Public-Private Transportation Act proposal. These bonds also would be used to refinance existing Route 28 improvement bonds.)

**Transportation**

Department Of Transportation

Language

**Language:**

Page 419, line 31, after, "Plan," strike remainder of line and insert:

"and any project in the secondary roads six-year plans adopted by the counties in conjunction with VDOT."

Page 419, strike lines 32 through 33.

**Explanation:**

(This amendment provides VDOT the flexibility to utilize funds deposited into the Priority Transportation Fund on any project in the Virginia Transportation Development Program or the secondary roads' six year programs.)

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Transportation Subcommittee

Item 525 #6h

**Transportation**

Department Of Transportation

Language

**Language:**

Page 419, strike lines 11 through 26.

Page 419, after line 10, insert:

"The project list included in Enactment 3 of Chapters 1019 and 1044, Acts of Assembly of 2000, is amended to include by reference, all projects listed in the Transportation Development Program as adopted and as may be amended from time to time by the Commonwealth Transportation Board as well as all projects listed in the secondary roads' six year programs as adopted and as may be amended from time to time by the county Boards of Supervisors. These projects are eligible for funding from proceeds of the Federal Highway Reimbursement Anticipation Notes. Enactment 2 of such Chapter is amended to increase the authorized amount of outstanding Federal Highway Reimbursement Notes at any one time to \$1,200,000,000. For those Federal Highway Reimbursement Anticipation Notes issued prior to January 1, 2002, the Department may allocate these notes to approved projects as needed to address cash-flow needs. For those Federal Highway Reimbursement Anticipation Notes issued after January 1, 2002 the Commonwealth Transportation Board shall allocate such funds as are required to meet contractual commitments already in effect for transit, rail, port and airport projects contained in Chapters 1019 and 1044, Acts of Assembly of 2000, and shall allocate remaining funds in the same proportions as each highway construction district received pursuant to Chapters 1019 and 1044, Acts of Assembly of 2000."

**Explanation:**

(This amendment expands flexibility in the use of FRANS to include all projects included in the VDOT six-year program and in the secondary roads' six-year programs. It further requires that FRANS sold after January 1, 2002 be distributed among the VDOT construction districts in the same proportion as identified in the VTA after funding is set-aside to fulfill already signed contractual commitments for

other modal projects.)

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Transportation Subcommittee

Item 546 #1g

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 432, line 41 after "A.", insert "1."

Page 432, after line 46, insert:

"2. Localities shall be reimbursed at the 70 percent level for the first six months of tax year 2002."

**Explanation:**

(This amendment inserts language clarifying that the reimbursement rate for the personal property tax on vehicles shall be 70 percent in tax year 2002. The reference to the first six months indicates the portion of tax year 2002 that falls under the authority of House Bill/Senate Bill 29.)

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Transportation Subcommittee

Item 3-1.01 #7g

**Transfers**

Interfund Transfers

Language

**Language:**

Page 527, after line 30, insert:

"GG. On or before June 30, 2002, the Comptroller shall transfer \$166,000 from the Department of Motor Vehicles to the general fund. This amount represents the estimated revenues to be derived from a one-dollar increase on fees related to motor vehicles records transaction."

**Explanation:**

(This amendment provides for an increase of one dollar per records transaction that would generate approximately \$5 million annually and represent a 20 percent overall increase. The excess revenue would be transferred to the general fund. For fiscal year 2002, this action will generate approximately \$166,000. A companion amendment is in Item 514.)

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 340, line 9, after "Board.", insert:

"In the the first and second years, funds for contract fees paid by the Virginia Railway Express for access to the right-of-way of CSX Transportation, Norfolk Southern Corporation, and the National Railroad Passenger Corporation shall be allocated from the Department of Rail and Public Transportation's portion of federal Minimum Guarantee Equity program funds."

**Explanation:**

(This amendment directs the Secretary of Transportation to fund the Virginia Railway Express track lease subsidy from DRPT's portion of the Minimum Guarantee apportionment.)

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 339, line 30, after "Virginia.", insert:

"Out of available congestion mitigation and air quality funds, the Commonwealth Transportation Board shall allocate funds to conduct the preliminary engineering for a third high-occupancy vehicle (HOV) lane along existing right-of-way in the Interstate 95/395 corridor."

**Explanation:**

(This amendment directs VDOT to use CMAQ funds for preliminary engineering to add an additional HOV lane on existing right-of-way on Interstates 95 and 395.)

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 341, strike lines 1 through 11.

**Explanation:**

(This amendment deletes the language diverting the 1/2 cent sales and use tax dedicated to transportation to the General Fund in both fiscal years.)

Transportation Subcommittee

Item 472 #5h

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 341, after line 11, insert:

"D. The Secretary of Transportation shall report, on or before June 30 of each year to the Governor, the Secretary of Finance, and the Chairmen of the House Appropriations and Senate Finance Committees on the most recent transportation revenue estimates, and provide a six-year development 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."

**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 Subcommittee

Item 477 #1h

**Transportation**

Department Of Aviation

Language

**Language:**

Page 342, line 37, strike "15,000,000" and insert "6,600,000".

Page 342, line 42, after "2003.", insert:

Page 342, strike lines 47 and 48 and insert:

"out of the discretionary funds allocated for air carrier and reliever airports prior to

any discretionary distribution by the Virginia Aviation Board pursuant to § 58.1-638(A)(3)(b), Code of Virginia."

**Explanation:**

(This amendment reduces the proposed debt authorization for the loan from the Virginia Resources Authority to the Virginia Aviation Board from \$15.0 million to \$6.6 million and requires that repayment of that loan would come only from discretionary funding of the Virginia Aviation Board, not from airport entitlements.)

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Transportation Subcommittee

Item 478 #1g

**Transportation**

Department Of Motor Vehicles

Language

**Language:**

Page 343, line 9, insert "A."

Page 343, after line 11, insert:

"B. During the personal property tax assessment and billing process, all local Treasurers, Commissioners of the Revenue and Directors of Finance, or officials acting in that capacity, shall annually notify all individuals receiving Personal Property Tax Relief of: a) the requirements necessary to meet the "Used for nonbusiness purposes" as defined in § 58.1-3523 of the Code of Virginia, and b) the statutory conditions under which the personal property tax relief program will not be advanced to the next level. Such notification shall clearly explain the criteria as set forth in the Code of Virginia and how the taxpayer should inform the official of the non-qualifying status of the vehicle. Such notification shall also inform the taxpayer of the penalties for failing to appropriately report a vehicle as set forth in § 58.1-3531 of the Code of Virginia. In those localities using a unified assessment and billing process, separate notification by both the Local Treasurer and Commissioner of the Revenue is not necessary. The Department of Motor Vehicles shall assist the local Treasurers, Commissioners of the Revenue and Directors of Finance, or officials acting in that capacity, in developing the notification and shall provide all vehicle purchasers and leaseholders the same information upon registering a vehicle with the Department of Motor Vehicles."

**Explanation:**

(This amendment is self-explanatory. A companion amendment directs the Tax Department, as part of its ongoing Audit Compliance Program, to identify those individuals who have received personal property tax relief for unqualified vehicles.)



**Transportation**

Department Of Motor Vehicles

Language

**Language:**

Page 343, line 26, at the beginning of the line, INSERT "A."

Page 343, after line 35, insert:

"B. This appropriation includes \$1,320,000 the first year and \$1,320,000 the second year from nongeneral funds. The source of the nongeneral funds is the vehicle rental taxes collected by the Department. Notwithstanding § 58.1-2425 of the Code of Virginia, the Department of Motor Vehicles shall retain these amounts to offset the agency's administrative costs."

**Explanation:**

(This amendment provides the Department the authority to retain \$1,320,000 each year from vehicle rental taxes collected for administrative costs. This amount represents approximately 3.4 percent of taxes collected.)

**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 one dollar per transaction."

**Explanation:**

(This amendment provides an increase of one dollar per records transaction that would generate approximately \$5 million annually. A companion amendment is in § 3-1.01.)

## **Transportation**

Department Of Motor Vehicles

Language

### **Language:**

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

Page 343, after line 35, insert:

"B. 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."

### **Explanation:**

(This amendment provides the Department the authority to increase the vehicle registration fee by two dollars. This increase is projected to generate approximately \$15 million annually to support the Commonwealth's response to terrorism and for additional support for emergency medical services. This is a companion to an amendment in § 3-1.01, Code of Virginia.)

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Transportation Subcommittee

Item 486 #3h

## **Transportation**

Department Of Rail And Public  
Transportation

Language

### **Language:**

Page 345, line 54, before "Out" insert "A."

Page 345, after line 6, insert:

"B. The magnetic levitation transportation program authorized by Item 506 of Chapter 1073 of the Acts of Assembly of 2000 is continued. The Secretary of Transportation is authorized to negotiate a lawful memorandum of understanding agreement with proponents of magnetic levitation technology and other parties, including a local government or a local transportation authority, that could result in a financing agreement for a magnetic levitation research demonstration project which will be placed into passenger/revenue service. Any allocation or loan of state transportation funds by the Commonwealth Transportation Board for a demonstration project shall not exceed \$7,000,000, and shall require an equal amount of private matching funds. Any memorandum of understanding shall require approval by the Board, and require that funds advanced for the demonstration project shall be restored to the Commonwealth out of the proceeds of this and future magnetic levitation projects

which utilize the demonstrated technology, in accordance with terms agreeable to the parties. For the purposes of this project, any public bodies which are parties to the agreement will be exempt from the capital appropriations process and the requirements of § 2.1-504.2, Code of Virginia, and from state and local procurement requirements. The Board will notify the Chairmen of the House Appropriations and Senate Finance Committees of the terms and conditions of any agreement at least 30 days prior to the effective date of the agreement."

**Explanation:**

(This amendment is self-explanatory.)

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Transportation Subcommittee

Item 491 #3h

**Transportation**

Department Of Transportation

Language

**Language:**

Page 349, after line 12 insert:

"5. Consideration by the Department of Transportation of a proposal submitted under the Public-Private Transportation Act of 1995 for the design and construction of improvements in that portion of the Route 58 Development Program from Stuart to Hillsville to be financed by a service agreement with the Department is hereby approved. Any comprehensive agreement which is negotiated by the Department shall be conditioned upon review and approval of the terms and conditions of the financing pursuant to § 2.2-2614, Code of Virginia, by the Treasury Board and approval of the comprehensive agreement by the Commonwealth Transportation Board after consultation with the Treasury Board and notification to the Chairmen of the House Appropriations and Senate Finance Committees. Any payments within such an agreement, when and if required, may be made from funds made available from the Route 58 Corridor Development Program, and from funds specifically allocated to the Salem Highway Construction District, including Priority Transportation Funds and Federal Revenue Anticipation Notes."

Page 349, line 13 strike, "5." and insert "6."

**Explanation:**

(This amendment allows VDOT to consider a PPTA proposal to construct the Stuart to Hillsville portion of the Route 58 corridor and permits the use of Route 58 Corridor Development Program Funds and funds for the Salem Highway

Construction District, including PTF and FRAN funds.)

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Transportation Subcommittee

Item 491 #7h

**Transportation**

Department Of Transportation

Language

**Language:**

Page 353, after line 17, insert:

"M. As part of its studies of the Interstate 95 and 64 corridors in and around the City of Richmond, the Commonwealth Transportation Board shall examine improvements which may be needed or prudent involving Exit 78 of Interstate 95 at Route 161 in the City of Richmond. Such review shall consider the Society of Landscape Architects' report entitled, "Vision for the Boulevard" and the approved master plan of the City of Richmond."

**Explanation:**

(This amendment directs the CTB to examine improvements which may be needed to the Boulevard Exit of Interstate 95/64 in the City of Richmond as part of its ongoing studies of the I-95 and I-64 corridors.)

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Transportation Subcommittee

Item 491 #8h

**Transportation**

Department Of Transportation

Language

**Language:**

Page 348, line 20, strike "C." and insert "C.1."

Page 348, line 34, after "bonds", insert "(the Series 1992 Bonds)".

Page 348, line 38, after "on the", strike "bonds", insert "Series 1992 Bonds".

Page 348, after line 40, insert:

"2. On and after the full defeasance of the Series 1992 Bonds, there is hereby appropriated for payment immediately upon receipt to a third party approved by the Commonwealth Transportation Board, or a bond trustee selected by such third party, 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:**

(The purpose of this amendment is to ensure that locally-derived Route 28 special district tax revenues will be appropriated to a third party, such as a public benefit corporation or other debt issuer, to secure and provide payment of debt service on up to \$400 million of Route 28 bonds to be issued by a third party pursuant to a contract for the new Route 28 Public-Private Transportation Act proposal. These bonds also would be used to refinance existing Route 28 improvement bonds.)

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Transportation Subcommittee

Item 491 #9h

**Transportation**

Department Of Transportation

Language

**Language:**

Page 353, after line 17, insert:

"M. Consideration by the Department of Transportation of a proposal submitted under the Public-Private Transportation Act of 1995 for the "24 in 4" bridge program, a bridge rehabilitation project for 24 bridges contained in the Virginia Transportation Development Plan for 2001, is hereby approved. Any comprehensive agreement which is negotiated by the Department shall be conditioned upon review and approval of the terms and conditions of the financing pursuant to § 2.2-2614, Code of Virginia, by the Treasury Board and approval of the comprehensive agreement by the Commonwealth Transportation Board after consultation with the Treasury Board and authorization by the Governor after consultation with the Treasury Board and notification to the Chairmen of the House Appropriations and Senate Finance Committees."

**Explanation:**

(This amendment authorizes VDOT consideration of a proposal to rehabilitate 24 bridges under a PPTA agreement and requires approval of the Governor, the Commonwealth Transportation Board and the Treasury Board, and notification to the money committees, of any comprehensive agreement under the Public-Private Transportation Act of 1995.)

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Transportation Subcommittee

**Transportation**

Department Of Transportation

Language

**Language:**

Page 353, after line 17, insert:

"M. Consideration by the Department of Transportation of a proposal submitted under the Public-Private Transportation Act of 1995 for the planning and design, inspection and reconstruction from concrete to asphalt of I-295 from I-64 (Short Pump) to Mile Post 8, and I-64 from I-95 to the Laburnum Avenue interchange, to be financed by a service agreement with the Department is hereby approved. Any comprehensive agreement which is negotiated by the Department shall be conditioned upon review and approval of the terms and conditions of the financing pursuant to § 2.2-2614, Code of Virginia, by the Treasury Board and approval of the comprehensive agreement by the Commonwealth Transportation Board after consultation with the Treasury Board and authorization by the Governor after consultation with the Treasury Board and notification to the Chairmen of the House Appropriations and Senate Finance Committees."

**Explanation:**

(This amendment authorizes VDOT to consider a proposal for the reconstruction of I-295 submitted under the PPTA. It requires approval of the Governor, the Commonwealth Transportation Board and the Treasury Board, and notification to the money committees, of any comprehensive agreement under the Public-Private Transportation Act of 1995.)

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Transportation Subcommittee

Item 491 #11h

**Transportation**

Department Of Transportation

Language

**Language:**

Page 353, after line 17, insert:

"M. Consideration by the Department of Transportation of a proposal submitted under the Public-Private Transportation Act of 1995 for the design and construction of improvements in the Route 199/31 Jamestown Road Corridor between I-64 east of Williamsburg to its intersection with Route 31, including improvements to Route 31 at its intersection with Route 199 and to Route 359, to be financed by a service

agreement with the Department is hereby approved. Any comprehensive agreement which is negotiated by the Department shall be conditioned upon review and approval of the terms and conditions of the financing pursuant to § 2.2-2614, Code of Virginia, by the Treasury Board and approval of the comprehensive agreement by the Commonwealth Transportation Board after consultation with the Treasury Board and authorization by the Governor after consultation with the Treasury Board and notification to the Chairmen of the House Appropriations and Senate Finance Committees."

**Explanation:**

(This amendment authorizes VDOT consideration of a proposal to design and construct improvements to Route 199/31 Jamestown Road Corridor under a PPTA agreement and requires approval of the Governor, the Commonwealth Transportation Board and the Treasury Board, and notification to the money committees, of any comprehensive agreement under the Public-Private Transportation Act of 1995.)

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Transportation Subcommittee

Item 491 #19h

**Transportation**

Department Of Transportation

Language

**Language:**

Page 353, line 31, after, "Plan," strike remainder of line and insert:

"and any project in the secondary roads six-year plans adopted by the counties in conjunction with VDOT."

Page 353, strike lines 39 through 40.

**Explanation:**

(This amendment provides VDOT the flexibility to utilize funds deposited into the Priority Transportation Fund on any project in the Virginia Transportation Development Program or the secondary roads' six year programs.)

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Transportation Subcommittee

Item 491 #20h

**Transportation**

Department Of Transportation

Language

**Language:**

Page 352, strike lines 17 through 33.

Page 353, after line 16, insert:

"The project list included in Enactment 3 of Chapters 1019 and 1044, Acts of Assembly of 2000, is amended to include by reference, all projects listed in the Transportation Development Program as adopted and as may be amended from time to time by the Commonwealth Transportation Board as well as all projects listed in the secondary roads' six year programs as adopted and as may be amended from time to time by the county Boards of Supervisors. These projects are eligible for funding from proceeds of the Federal Highway Reimbursement Anticipation Notes. Enactment 2 of such Chapter is amended to increase the authorized amount of outstanding Federal Highway Reimbursement Notes at any one time to \$1,200,000,000. For those Federal Highway Reimbursement Anticipation Notes issued prior to January 1, 2002, the Department may allocate these notes to construction projects as needed to address cash-flow needs. For those Federal Highway Reimbursement Anticipation Notes issued after January 1, 2002 the Commonwealth Transportation Board shall allocate such funds as are required to meet contractual commitments already in effect as of January 1, 2002 for transit, rail, port and airport projects contained in Chapters 1019 and 1044, Acts of Assembly of 2000, and shall allocate remaining funds in the same proportions as each highway construction district received pursuant to Chapters 1019 and 1044, Acts of Assembly of 2000."

**Explanation:**

(This amendment expands flexibility in the use of FRANS to include all projects included in the VDOT six-year program and in the secondary roads' six-year programs. It further requires that FRANS sold after January 1, 2002 be distributed among the VDOT construction districts in the same proportion as identified in the VTA. It also increases the maximum authorization of outstanding FRANS to \$1.2 billion)

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Transportation Subcommittee

Item 491 #22h

**Transportation**

Department Of Transportation

Language

**Language:**

Page 353, strike lines 2 through 17.

Page 353, after line 1, insert:

"L. Pursuant to the provisions of the Public Private Transportation Act of 1995, §§ 56-556 et. seq., Code of Virginia, the Department of Transportation may issue a



notice to proceed with preliminary engineering for Phase I of the Coalfield's Expressway provided such funding committed to such project does not exceed funding currently available from the Appalachian Regional Commission for such project and the required State match to those federal funds is available."

**Explanation:**

(This amendment deletes language authorizing the comprehensive agreement for the construction of the first phase of the Coalfield's Expressway.)

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Transportation Subcommittee

Item 492 #1h

**Transportation**

Department Of Transportation

Language

**Language:**

Page 353, after line 23, insert:

"It is the intent of the General Assembly that the Department of Transportation shall expedite its program of installing grooved surfaces and other means of clearly identifying roadway shoulders along the Commonwealth's interstate and other limited-access highways, beginning with I-81. The Commissioner of the Department of Transportation shall report to the Chairmen of the Senate Finance and House Appropriations Committees by November 1, 2003 on the progress the Department has made in installing grooved surfaces along interstate and limited-access highway shoulders. Such report shall include an estimated date for completion of the program and the remaining cost to complete. In addition, the report also shall provide data regarding the percentage of mileage completed by year."

**Explanation:**

(This amendment is self-explanatory.)

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Transportation Subcommittee

Item 510 #1h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 364, after line 48, insert:

"D. It is the intent of the General Assembly that the elimination of the personal

property tax on vehicles be fully implemented so as to provide equitable tax relief as soon as is practicable."

**Explanation:**

(This amendment expresses the intent of the General Assembly that the car tax be fully eliminated as soon as is possible.)

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Transportation Subcommittee

Item 3-1.01 #16g

**Transfers**

Interfund Transfers

Language

**Language:**

Page 419, after line 24, insert:

"AA. On or before June 30 each year, the Comptroller shall transfer \$5,000,000 from the Department of Motor Vehicles to the general fund. This amount represents the estimated revenues derived from a one dollar increase on fees related to motor vehicle records transactions."

**Explanation:**

(This amendment provides an increase of one dollar per records transaction that should generate approximately \$5 million annually and represent a 20 percent overall increase. A companion amendment is in Item 480.)

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Transportation Subcommittee

Item 3-1.01 #18g

**Transfers**

Interfund Transfers

Language

**Language:**

Page 419, after line 24, insert:

"AA. On or before June 30 of each year, the Comptroller shall transfer \$15,000,000 from the Department of Motor Vehicles to the general fund. This amount represents the estimated revenues derived from a two-dollar increase on state motor vehicle registration fees."

**Explanation:**

(This amendment transfers \$15.0 million each year from the Department of Motor Vehicles to the general fund to support the Commonwealth's anti-terrorism

efforts and emergency medical services. The funds are generated by an increase in state motor vehicle registration fees collected by the Department.)

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Transportation Subcommittee

Item 3-1.01 #20g

**Transfers**

Interfund Transfers

Language

**Language:**

Page 419, after line 24, insert:

"AA. On or before June 30 each year, 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 the authority to transfer funds from the Uninsured Motorist Fund to the general fund to support the Commonwealth's response to terrorism.)

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Transportation Subcommittee

Item 3-1.01 #23h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 419, strike lines 5 through 10.

Page 419, after line 4, insert:

"W. Notwithstanding the provisions of § 58.1-638, Code of Virginia, or any other provision of law, on or before June 30, 2003 the Governor may direct the State Comptroller to transfer an amount not to exceed \$110,000,000 from the Transportation Trust Fund to the general fund. In the event that general fund revenue collections exceed the official estimate as prepared on February 11, 2002, for the fiscal year ending June 30, 2002, the Governor shall reduce the amount of the transfer by an amount equal to general fund revenues in excess of the estimate.

**Explanation:**

(This amendment restores the 1/2 cent sales and use tax dedicated to transportation in both years of the biennium. The Governor is given the authority

to transfer up to \$110 million from VDOT in the first year if revenue collections do not improve. Companion amendment in Central Accounts provides for the repayment of such transfer to the general fund by August 15, 2003. )