



# Report of the Subcommittee on Transportation

Senate Finance Committee  
Virginia General Assembly

February 8, 2015



SENATE OF VIRGINIA

## Senate Finance Committee

### **2015 Report of the Transportation Subcommittee The Honorable Frank W. Wagner, Chairman February 8, 2015**

Mr. Chairmen and Members of the Committee:

Your Transportation subcommittee strived this year to prioritize oversight of existing transportation investments and identify targeted investments in transportation alternatives, recognizing that transparency and accountability in expenditures are critical to maintaining public confidence in Virginia's transportation program.

Throughout the session, the subcommittee heard testimony on the need to enhance oversight of projects initiated under the Public Private Transportation Act as well as the challenges facing our state and local transportation agencies, with respect to funding formulas. These topics are included in legislation that will be before the Committee in the coming weeks.

In the years since the passage of legislation that fundamentally transformed transportation funding, the revenue forecast and assumptions that were used in preparing that legislation have changed substantially. With the revenues for transportation programs approximately \$1.0 billion less than what was initially forecast, you will see that the subcommittee has largely resisted efforts to carve-out revenues for specific projects.

The proposals of the transportation subcommittee focus on providing direct funding to the Joint Commission on Transportation Accountability, establishing a regulatory framework for transportation network companies such as Uber and Lyft, ensuring fair competition among bids for highway projects, and advancing the critical planning of forward-looking investments to provide mobility options before regional gridlock strangles the communities of Hampton Roads.

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

Respectfully Submitted,

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The Honorable Frank W. Wagner, Chairman

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The Honorable Charles J. Colgan

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The Honorable Richard L. Saslaw

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The Honorable John C. Watkins

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The Honorable Stephen D. Newman

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The Honorable Ryan McDougle

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The Honorable Charles W. Carrico

**Report of the Subcommittee on Transportation**  
**(Recommended Amendments to SB 800, As Introduced)**

	Amendment	General Funds		
		FY 2015	FY 2016	Biennium
1	<b>Division of Legislative Service</b>			
2	Joint Commission on Transportation Accountability		\$28,200	\$28,200
3				
4	<b>Secretary of Transportation</b>			
5	Report on Downtown-Midtown Tunnel Expenditures	Language		
6				
7	<b>Department of Motor Vehicles</b>			
8	Regulation of Transportation Network Companies	Language		
9				
10	<b>Department of Rail and Public Transportation</b>			
11	Peninsula Fixed-Guideway Corridor Planning	Language		
12	Assessment of Paratransit Services	Language		
13				
14	<b>Department of Transportation</b>			
15	Competitive Bidding of Drainage Materials	Language		
16	Maintenance Allocation Formula	Language		
17				
18	<b>Virginia Port Authority</b>			
19	Technical Adjustment to Staffing	Language		
20				
21	<b>Parts II, III &amp; IV</b>			
22	Disposition of Surplus Property	Language		
23	Commuter Rail Trust Fund Interest		\$68,343	\$68,343
24	Bridge Projects	Language		
25				

<b>Legislative Department</b>	<b>FY 14-15</b>	<b>FY 15-16</b>	
Division Of Legislative Services	\$0	\$28,200	GF

**Language:**

Page 18, following line 3, insert:

"25.20. Joint Commission on Transportation Accountability Fund Sources: General	\$0	\$28,200
	\$0	\$28,200."

"The Joint Commission on Transportation Accountability shall regularly review and provide oversight of the usage of funding generated pursuant to the provisions of House Bill 2313 of the 2013 Session of the General Assembly. To this end, by November 15 of each year, the Secretary of Transportation, the Northern Virginia Transportation Authority, and the Hampton Roads Transportation Accountability Commission shall each prepare a report on the uses of the Intercity Passenger Rail Operating and Capital Funds, the Northern Virginia Transportation Authority Fund, and the Hampton Roads Transportation Fund, respectively, to be presented to the Joint Commission on Transportation Accountability.

Authority: Senate Bill 1213 of the 2015 General Assembly."

**Explanation:**

(This amendment provides \$28,200 the second year from the general fund for legislative compensation and travel expenses for the members of the Joint Commission on Transportation Accountability, which was created pursuant to HB 3202 of the 2007 Session. Staffing was originally provided by JLARC, but staffing is currently provided by the Division of Legislative Services.)

**Transportation**

Secretary Of Transportation	Language
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**Language:**

Page 399, following line 14, insert:

"N. Prior to November 15, 2015 the Secretary of Transportation shall report to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance on the Commonwealth's total contribution to the construction of the

Downtown Tunnel / Midtown Tunnel / MLK Extension Project in the Hampton Roads District in addition to funding provided in the initial comprehensive agreement. Included in this report, the Secretary shall assess the potential costs and feasibility of, as well as identify potential funding sources for, elimination of all tolls levied on users of the facility in support of the existing comprehensive agreement."

**Explanation:**

(This amendment directs the Secretary of Transportation to evaluate potential options and funding sources for the elimination of tolls levied on users of the Downtown - Midtown Tunnel project.)

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Transportation Subcommittee

Item 433 #1s

**Transportation**

**FY 14-15**

**FY 15-16**

Department Of Motor Vehicles

\$650,000

\$350,000 NGF

**Language:**

Page 401, line 8, strike "\$165,832,775" and insert "\$166,482,775".

Page 401, line 8, strike "\$170,759,999" and insert "\$171,109,999".

Page 402, following line 30, insert:

"K. Of the amounts included in this Item, \$650,000 in the first year and \$350,000 in the second year from the Commonwealth Transportation Fund is provided in support of the development of a legal and regulatory framework for the operation of Transportation Network Companies in Virginia as provided for in SB 1025 of the 2015 General Assembly."

**Explanation:**

(This amendment is a companion to SB 1025 of the 2015 General Assembly relating to the establishment of a regulatory framework for transportation network companies.)

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Transportation Subcommittee

Item 439 #1s

**Transportation**

Department Of Rail And Public  
Transportation

Language

**Language:**

Page 405, after line 17, insert:

"E. From such funds appropriated for public transportation purposes, there is hereby

allocated \$1,900,000 in the second year to conduct a transit study in the cities of Hampton and Newport News for (i) corridor planning to identify potential areas for high capacity, fixed guideway transit connectivity, (ii) defining areas of high commercial and residential growth and density as well as areas limited by increasing roadway congestion, and (iii) evaluation of options that will define transit needs and possible alignment and technology solutions on the Peninsula with consideration given to future transit connectivity options to other cities in the Hampton Roads region."

**Explanation:**

(This amendment directs the Commonwealth Transportation Board to reserve funding from the Mass Transit Fund in support of the assessment and planning of future fixed guideway transit service between areas of high density commercial and residential populations in Hampton Roads and Newport News.)

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Transportation Subcommittee

Item 439 #5s

**Transportation**

Department Of Rail And Public  
Transportation

Language

**Language:**

Page 405, following line 17, insert:

"E. Prior to November 15, 2015 the Director of the Department of Rail and Public Transportation shall report to the Chairmen of the House Committees on Appropriations and Transportation and the Senate Committees on Finance and Transportation on the feasibility of increasing utilization of private operators and independent contractors, including but not limited to transportation network companies, in the provision of paratransit services throughout the Commonwealth. Included in this assessment, the Department shall determine the potential costs and feasibility of, as well as identify potential liability and risks associated with, increasing the provision of paratransit services through private providers."

**Explanation:**

(This amendment directs the Department of Rail and Public Transportation to analyze the potential opportunities for providing paratransit services through private operators and contractors.)

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Transportation Subcommittee

Item 444 #1s

**Transportation**

Department Of Transportation

Language

**Language:**

Page 408, following line 52, insert:

"J. Notwithstanding any other provision of law or policy, the Department shall maintain a policy of competitive procurement in storm drain applications. Technical determination of pipe design and materials shall be based upon sound engineering principles as specified by the Department or the engineer of record. When multiple pipe materials satisfy such technical criteria for a relevant project application, any otherwise sufficient bid specifying one or more of such pipe materials shall be allowed. No later than November 1 each year the Department shall submit a report to the Chairmen of the House Committees on Appropriations and Transportation and the Senate Committees on Finance and Transportation detailing any project bids during the previous year for which multiple pipe materials satisfying the technical criteria are bid and the Department or engineer of record has determined that a higher priced material should be procured."

**Explanation:**

(This amendment requires the Department of Transportation to maintain its current policy of competition in qualifying pipe material, and to annually report on any deviation.)

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Transportation Subcommittee

Item 445 #1s

**Transportation**

Department Of Transportation

Language

**Language:**

Page 409, following line 46, insert:

"F. Not later than August 15, 2015 and each year thereafter, the Department is hereby directed to publish for each construction district the amount of funding allocated for secondary road maintenance by individual jurisdiction as well as calculate and publish for each district the amount that would be allocated for secondary road maintenance in each individual jurisdiction on the basis of registered vehicles in each locality. The Department of Motor Vehicles shall provide any technical assistance and vehicle registration data required to complete the report."

**Explanation:**

(This amendment requires the Department of Transportation to annually publish



the actual amount of secondary road maintenance funding provided in each jurisdiction of the Commonwealth compared to the amount that would be provided if the allocation were based on the number of registered vehicles.)

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Transportation Subcommittee

Item 456 #1s

**Transportation**

**FY 14-15**

**FY 15-16**

Virginia Port Authority

\$0

\$2,802,000 NGF

0.00

23.00 FTE

**Language:**

Page 420, line 7, strike "\$92,469,634" and insert "\$95,271,634".

Page 420, line 9, strike "\$81,998,522" and insert "\$84,800,522".

**Explanation:**

(This amendment makes technical adjustments to the number of nongeneral fund positions and associated funding for the Virginia Port Authority to accurately reflect the consolidation and shifting of positions from the Virginia International Terminals to the Virginia Port Authority as part of their reorganization efforts.)

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Transportation Subcommittee

Item C-25.10 #1s

**Natural Resources**

Department Of Game And Inland  
Fisheries

Language

**Language:**

Page 481, line 36, following "The" strike "Executive".

Page 481, line 37, strike "transfer" and insert "declare as surplus in accordance with state surplus property regulations".

Page 481, line 39, strike "PID #7787-34-5926" and insert "PID #7787-34-5925".

Page 481, line 40, strike "6.03" and insert "5.67".

Page 481, line 40, strike "to the Virginia Department of Transportation." and insert ", provided that Hanover County shall be offered the right of first refusal to purchase at fair market value the two parcels for economic development purposes."

**Explanation:**

(This amendment authorizes the Department of General Services to offer two existing parcels for sale at fair market value to the jurisdiction in which the property is located, or declare the parcels as surplus.)

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Transportation Subcommittee

Item 3-3.03 #2s

**General Fund Deposits**

Interest Earnings

Language

**Language:**

Page 508, line 27, following "and", strike "\$11,389,754" and insert "\$11,321,411".

Page 509, strike line 16.

**Explanation:**

(This amendment eliminates the transfer of interest earnings to the general fund from amounts held in the Commuter Rail Trust Fund.)

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Transportation Subcommittee

Item 4-4.01 #1s

**Capital Projects**

General

Language

**Language:**

Page 539, unstrike lines 41-43.

**Explanation:**

(This amendment would unstrike language that had been struck in the introduced budget related to a bridge.)

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