

Legislative Report

On The 2009 Virginia General Assembly Session



Policy Division

During the 2009 legislative session, 2,577 bills were introduced in the General Assembly; 1,486 bills passed both houses. Throughout the session, VDOT tracked 247 bills impacting the agency. Below is a hyperlinked subject area listing of passed or pending bills.

Category	Page
<u>APA/FOIA/Regulatory</u>	3
<u>Authorities/Compacts/Commissions</u>	4
<u>Budget</u>	5
<u>Budget Amendments</u>	6
<u>CTB/Commissioner</u>	9
<u>Environment</u>	9
<u>Funding – Allocations and Apportionments</u>	10
<u>Funding – Revenues/Taxes</u>	11
<u>Highways/Bridges/Signs - Designations</u>	12
<u>Highways/Bridges/Signs - Replacement</u>	13
<u>Highways/Bridges/Signs - Uses</u>	13
<u>HOV/HOT Lanes</u>	17
<u>Land Use</u>	17
<u>Overweight Vehicles</u>	18
<u>PPTA</u>	19
<u>Procurement/Contracting</u>	20
<u>Reports/Studies</u>	20
<u>Transportation Planning</u>	21

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
APA/FOIA/Regulatory	<p><u>HB 1969/SB 1299</u>: Administrative Process Act Feasibility of Electronic Submission of Information. (Massie, J./Wagner, F.) Requires every agency promulgating a regulation requiring submission of documents or payments to examine the regulation to determine whether submission of required documents or payments may be accomplished by electronic means and to consider amending the regulation to offer the alternative of electronic submission.</p>	<p>HB 1969: Chapter 85 SB 1299: Chapter 624</p>
	<p><u>SB 1316</u>: Freedom of Information Act. (Houck, R.) Strikes the requirement to publish an index of computer databases and amends the requirement to publish a statement of rights and responsibilities to ensure that the public can find out what types of public records a public body has and what exemptions may apply to those records. This bill is a recommendation of the FOIA Advisory Council.</p>	Chapter 626
	<p><u>SB 1318</u>: Government Data Collection and Dissemination Practices Act. (Houck, R.) Extends from July 1, 2009, to July 1, 2010, implementation of the prohibition against collecting an individual's social security number unless collection of such number is (i) authorized or required by state or federal law in effect prior to January 1, 1975 and (ii) essential for the performance of agency's duties. This bill is a recommendation of the FOIA Advisory Council.</p>	Chapter 849
	<p><u>SB 1319</u>: FOIA Meeting Minutes. (Houck, R.) Clarifies that minutes of public meetings must be in writing. Terms "include" and "in writing" that appear in the bill are defined in Title 1 to mean, respectively, "include, but are not limited to," and "any representation of words, letters, symbols, numbers, or figures, whether (i) printed or inscribed on a tangible medium or (ii) stored in an electronic or other medium and retrievable in a perceivable form and whether an electronic signature authorized by § 59.1-479 et seq. is or is not affixed." This bill is a recommendation of the FOIA Advisory Council.</p>	Chapter 628

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
APA/FOIA/Regulatory (continued)	<p><u>SB 1332</u>: Private Entities on the State Highway System. (Cuccinelli, K.) Provides that a private entity that operates, manages, or supervises any portion of the state highway system and receives funding from the Commonwealth or any of its political subdivisions shall be considered a public body for purposes of FOIA as it relates to that portion of the private entity's business operations responsible for operating, managing, or supervising the portion of the state highway system.</p>	Referred by Letter to FOIA Advisory Council by Senate Transportation Committee
Authorities/Compacts/ Commissions	<p><u>HB 1580/SB 1018</u>: Hampton Roads Transportation Authority. (Oder, G./Miller, J.C.) Abolishes the Authority and the taxes, fees, and charges dedicated to financing its operation and programs. The bill also requires that the Statewide Transportation Plan incorporate long-range plan measures and goals developed by the applicable regional organizations.</p>	<p>HB 1580: Chapter 864 SB 1018: Chapter 871</p>
	<p><u>HB 1631</u>: Interstate Public-Private Partnership Compact. (Landes, R.) Repeals Chapter 17 of Title 33.1, which established the Interstate Public-Private Partnership Compact.</p>	Chapter 638
	<p><u>HB 2099</u>: George Washington Toll Road Authority. (Orrock, R.) Creates a toll road authority encompassing the City of Fredericksburg and Spotsylvania County and establishes the authority's powers in the Virginia Route 3 corridor for the purposes of alleviating highway congestion, promoting highway safety, expanding highway construction, increasing the utility and benefits and extending the services of public highways, including bridges, tunnels and other highway facilities, both free and toll, and otherwise contributing to the economy, industrial and agricultural development and welfare of the Commonwealth and the George Washington Region.</p>	Chapter 801

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
Authorities/Compacts/ Commissions (continued)	<u>HB 2158</u>: Charlottesville-Albemarle Regional Transit Authority. (Toscano, D.) Establishes a local transit authority in the Charlottesville-Albemarle area. The Authority shall prepare a regional transit plan for all or portions of those areas located within Charlottesville and all or such portions of the Counties of Albemarle, Fluvanna, Greene, Louisa, and Nelson as their governing bodies desire to have covered, to include, but not necessarily be limited to, transit improvements of regional significance.	Chapter 645
	<u>HB 2349</u>: Richmond Metropolitan Authority (RMA). (Landes, R.S.) Relocates the RMA "charter" from Title 33.1 (where it is incorporated by reference, but not set out) to Title 15.2, and sets out the text in full. Multiple changes are taking place along with numerous technical changes.	Chapter 471
	<u>HB 2596/SB 1511</u>: Washington Metropolitan Area Transit Authority Compact. (Ebbin, A./Whipple, M.) Amends the Washington Metropolitan Area Transit Authority Compact to comply with certain federal requirements; increases the number of directors on the WMATA Board by adding two federal appointees; establishes an Office of the Inspector General and provides for the duties of such office; and requires that certain payments made to WMATA to match certain federal funds be made from a dedicated funding source.	HB 2596 : Chapter 828 SB 1511 : Chapter 771
Budget	<u>HB 1600</u>: Budget Bill. (Putney, L.) Amending Chapter 879, 2008 Acts of Assembly.	Chapter 781

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
Budget (continued)	<p><u>SB 893</u>: Submission of Executive Budget. (McDougle, R.) Requires the Executive Budget to contain the amount and number of positions appropriated to the agency for the current appropriation year and the amount and number of positions recommended for each year of the ensuing biennial period beginning with the first day of July thereafter, accompanied by an explanation of the recommended amount and number of positions. Such information shall also include the total estimated amount appropriated for personnel costs for each agency.</p>	Chapter 536
	<p><u>SB 895</u>: Alternative Revenue Estimates. (McDougle, R.) Requires the Governor to prepare and submit to the members of the General Assembly, by December 15, an estimate of anticipated general fund revenue, anticipated transportation fund revenues, and anticipated revenues for each of the remaining major nongeneral funds, for the prospective period of six years. He shall also submit any alternative general fund revenue forecasts by the Advisory Council on Revenue Estimates.</p>	Chapter 537
Budget Amendments	<p><u>Item 436 H</u>: Secretary of Transportation. Requires the Secretary of Transportation to provide the Chairmen of the House Appropriations and Transportation Committees and the Senate Finance and Transportation Committees a prioritized and comprehensive listing of projects ready to be advertised if funding were to become available in the federal economic stimulus package.</p>	

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
Budget Amendments (continued)	<p><u>Item 455 I. 1-2:</u> Department of Transportation. Requires VTRC to conduct a review of reforestation best practices and approaches used with major infrastructure improvements in densely populated areas. The VTRC shall report its findings to the Secretary of Transportation and the CTB prior to December 31, 2009. Also requires VDOT to recommend to the Secretary and CTB the most effective approach to restore vegetation within the construction corridor. VDOT shall provide a report including estimates of costs to the Secretary and the Chairmen of the House Appropriations and Senate Finance Committees by June 30, 2010.</p>	
	<p><u>Item 462.05:</u> Department of Transportation. Authorizes the Commissioner to implement actions necessary to carry out appropriation reductions based on a Comprehensive Plan as outlined in "VDOT's Blueprint" as presented to the CTB. Requires the Commissioner to present the proposed Comprehensive Plan to the Governor, the Chairmen of the House Appropriations, House Transportation, Senate Transportation, and Senate Finance Committees prior to implementation. The Plan shall define the relative proportion of reductions that shall be achieved through reductions in the Six-Year Program, changes to VDOT's organizational structure, and adjustments to service levels for maintenance and operational programs. Implementation of these actions will begin in fiscal year 2009 and continue through fiscal year 2010. The Plan shall be phased so as to ensure that the necessary savings are achieved to meet the budgetary reductions set out in this item. The item also requires the Plan to meet certain specified requirements. Finally, requires the Commissioner to provide a quarterly progress report detailing each action and its impact on the VDOT budget to the Governor, the Chairmen of the House Appropriations, House Transportation, Senate Transportation, and Senate Finance Committees, and the Commonwealth Transportation Board. Such reports shall include a detailed enumeration of progress that has been made to reduce VDOT's expenditure levels to meet the reduction levels required by this item, an update on the next phase of actions planned to address the reductions, any obstacles encountered in implementing these reductions, and any adjustments to the Plan are required by the CTB.</p>	

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
<p>Budget Amendments (continued)</p>	<p><u>Item 475.10 C.1</u>: Executive Branch Agencies. Requires the Governor to develop guidelines for Executive Branch and Administrative Agencies to decrease need for printed materials, particularly those well-suited for electronic distribution on the internet. Requires all annual or special reports to be made electronically available on the internet and not printed. Requires establishment of business case exceptions for documents essential to the public and that must be, given their nature and general use, made available in printed format. Requires the Governor to report to the Chairmen of the House Appropriations Committee and the Senate Finance Committee a plan to implement this provision within 30 days of enactment and issue guidelines for the implementation within 60 days of enactment.</p>	
	<p><u>C-113.05</u>: Department Of Game And Inland Fisheries (Transfer of Atlee Maintenance Lot). Among other items, requires the Commissioner to immediately transfer two parcels of property located at and adjacent to 10267 Telegraph Road, Ashland, Virginia, known as the "Atlee Maintenance Lot" and "OFF RT 623 ADJ HWY PROP", totaling approximately 6.03 acres to the Department of Game and Inland Fisheries (VDGIF) for the location of its headquarters. Prior to this transfer, VDOT shall continue to address any environmental remediation necessary to reuse the property. VDGIF shall modify its Request for Proposals dated August 25, 2008 to accommodate this specific location. In addition, the project size shall comply with the Department of General Services' space guidelines.</p>	

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
CTB/Commissioner	<p><u>SB 1464</u>: Chief Executive Officer for Transportation. (McDougle, R.) The bill abolishes the Office of the Secretary of Transportation. It also abolishes the office of Commonwealth Transportation Commissioner and replaces with a Chief Executive Officer for Transportation who takes over the powers, duties, and responsibilities of the Commonwealth Transportation Commissioner, the Director of the Department of Aviation, and the Director of the Department of Rail and Public Transportation. The Virginia Board of Aviation and the Rail Advisory Board are also abolished, and their functions transferred to the Commonwealth Transportation Board. The composition of the Commonwealth Transportation Board is changed to remove the Secretary of Transportation, the Commonwealth Transportation Commissioner, and the Director of the Department of Rail and Public Transportation, and to provide for election of the members of the Board representing the nine construction districts by the General Assembly, with the Governor appointing the at-large members. Some agencies now reporting to the Secretary of Transportation are reassigned to other Cabinet members.</p>	<p>Passed by in Senate Transportation Committee with Letter; Referred by Letter to Commission on Transportation Accountability</p>
Environment	<p><u>HB 2172</u>: Interconnection of Renewable Generation Facilities. (Hogan, C.) Establishes procedures for the operator of an eligible non-utility renewable energy facility that produces not more than 2 megawatts of electricity from a renewable energy source, not more than 5,000 mmBtus per hour of steam from a renewable energy source, or landfill gas from a solid waste management facility, to connect the facility to the transmission grid pipeline or to customers, as applicable, by co-locating distribution facilities with those of public service corporations and by occupying public rights-of-way through a procedure that requires the payment of a public rights-of-way use fee to the affected locality or the Department of Transportation. The measure does not authorize the location of distribution facilities within public parks.</p>	<p>Chapter 807</p>

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
Environment (continued)	<p><u>HB 2577</u>: Noise Abatement Practices and Technologies. (May, J.) Requires that when the CTB or VDOT plans for or undertakes any highway construction or improvement project and such project includes or may include the requirement for the mitigation of traffic noise impacts, consideration should be given to the use of noise reducing design and low noise pavement materials and techniques in lieu of construction of noise walls or sound barriers. Landscaping in such a design would be utilized to act as a visual screen if visual screening is required.</p>	Chapter 120
	<p><u>SB 1479</u>: Virginia Marine Resources Commission. (Miller, Y.) Authorizes the Virginia Marine Resources Commission to grant easements and rights-of-way across and in the beds of the Elizabeth River to VDOT for the improvement of the Midtown Tunnel. The conveyance includes a portion of the Baylor Survey.</p>	Chapter 298
Funding – Allocations and Apportionments	<p><u>HB 1645/SB 1438</u>: Urban Highway System Construction Allocations. (Marshall, D./Miller, Y.) Provides that not more than two-thirds (instead of the present one-third) of the annual urban system highway funds apportioned to a city or town may be used to reimburse the locality for debt service for bonds or eligible project costs incurred on approved projects included in the SYIP of the CTB and the city's or town's capital improvement program.</p>	<p>HB 1645: Chapter 52</p> <p>SB 1438: Chapter 693</p>
	<p><u>HB 1995/SB 1137</u>: Supplemental Funding for Northern Virginia. (Bulova, D./Petersen, J.C.) Adds the City of Fairfax to the localities in Northern Virginia who are to use the first 50 percent of the revenues received by the Northern Virginia Transportation Authority solely for urban or secondary road construction and improvements and for public transportation purposes.</p>	<p>HB 1995: Chapter 410</p> <p>SB 1137: Chapter 556</p>

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
Funding – Revenues/Taxes	<u>HB 2186</u>: Coal and Gas Road Improvement Tax. (Phillips, C.) Extends to 2014 the sunset date for the coal and gas road improvement tax.	Chapter 367
	<u>HB 2479</u>: Commercial Property in Northern Virginia. (Hugo, T.) Reduces the rate of the additional real property tax that may be imposed on commercial property by localities embraced by the Northern Virginia Transportation Authority from \$0.25 per \$100 to \$0.125 per \$100. The provisions of this act shall expire on June 30, 2013.	Chapter 822
	<u>HB 2480</u>: Commercial Property in Northern Virginia and Hampton Roads. (Hugo, T.) Requires localities to use the revenue from the special real property tax on commercial property in localities embraced by the Northern Virginia or the Hampton Roads Transportation Authority solely for i) new road construction and associated planning, design, and right-of-way acquisition, including new additions to, expansions, or extensions of existing roads that add new capacity, service, or access, (ii) new public transit construction and associated planning, design, and right-of-way acquisition, including new additions to, expansions, or extensions of existing public transit projects that add new capacity, service, or access, (iii) other capital costs related to new transportation projects that add new capacity, service, or access and the operating costs directly related to the foregoing, or (iv) the issuance costs and debt service on bonds that may be issued to support the capital costs permitted.	Chapter 677
	<u>SB 1532</u>: Tax on Fuel Sales in Northern Virginia. (Saslaw, R.) Changes the tax on fuel sales in Northern Virginia such that the tax would be collected by distributors at the time of making fuel sales to retail dealers located in Northern Virginia. The rate of tax would also be changed from 2 percent to 2.1 percent.	Chapter 532

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
Highways/Bridges/ Signs - Designations	<u>HB 1611</u>: Veterans Memorial Bridge. (Shuler, J.) Designates the I-64 bridge near the town of Clifton Forge at approximately mile marker 24 (VDOT Structures #2046 and #2047) the "Veterans Memorial Bridge."	Chapter 179
	<u>HB 1667</u>: American Former Prisoners of War Memorial Highway. (Bowling, D.) Extends the American Former Prisoners of War Memorial Highway (Route 19) northward from Russell/Tazewell County line to Route 460 at Claypool.	Chapter 57
	<u>HB 1713/SB 802</u>: Holland-Councill Memorial Bridge. (Tyler, R./Barlow, W./Lucas, L.) Designates the U.S. Route 58 Business bridge over the Blackwater River in Isle of Wight County the "Holland-Councill Memorial Bridge." (HB 1713 Incorporates HB 2244; SB 802 Incorporates SB 1005)	HB 1713 : Chapter 334 SB 802 : Chapter 533
	<u>HB 1763</u>: Naming of Bridges. (Landes, R.S.) Repeals § 33.1-250 of the <i>Code</i> because it overlaps with provisions in another Code section (subdivision 4 of § 33.1-12), where this subject is treated in more detail.	Chapter 65
	<u>HB 2401</u>: Bridge Namings. (Bell, R.) Designates the following bridges: the U.S. Route 29 bridge over the Rapidan River between Greene and Madison Counties as the "Fallen Heroes Memorial Bridge in honor of Corporal Adam J. Fargo and Private First Class Edwin A. Andino" and the U.S. Route 340 bridge over Overall Run at the Warren County/Page County line as the "Larry E. Smedley (USMC) Memorial Bridge."	Chapter 674
	<u>HB 2477</u>: Popes Head Road. (Hugo, T.) Designates the entire length of Popes Head Road in Fairfax County a Virginia byway.	Chapter 113

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
Highways/Bridges/ Signs – Designations (continued)	<u>SB 941</u>: SSG Jason R. Arnette (U.S.A.) Memorial Bridge. (Watkins, J.) Designates the U.S. Route 360 (Patrick Henry Highway) bridge over U.S. Route 360 Business (Goodes Bridge Road) in Amelia County the "SSG Jason R. Arnette (U.S.A.) Memorial Bridge."	Chapter 832
	<u>SB 1405</u>: Bridge Namings. (Norment, T.) Designates the Virginia Route 143 (Merrimac Trail) bridge over Queens Creek in Williamsburg the "Richard Daley Mahone Memorial Bridge." Also designates the Virginia Route 64 (Old Roxbury Road) that crosses Interstate 64 in New Kent County the "John McLaughlin Memorial Bridge."	Chapter 577
Highways/Bridges/ Signs - Replacement	<u>SB 1550</u>: Jordan Bridge. Authorizes the Chesapeake City Council to provide for the emergency replacement of the Jordan Bridge (Poindexter Street, crossing the Southern Branch of the Elizabeth River). The bill includes an emergency clause making it effective retroactively to January 1, 2009.	Chapter 581
Highways/Bridges/ Signs – Uses	<u>HB 1619/SB 899</u>: Solicitation of Contributions, Distribution of Materials. (Peace, C./McDougale, R.) Adds Hanover and Spotsylvania Counties and the City of Falls Church to the list of localities that have the authority to prohibit or regulate the solicitation of contributions and distribution of materials, etc., in highway rights-of-way. Also adds Hanover County and the City of Falls Church to the list of localities that may adopt ordinances regulating the solicitation of contributions and distribution of materials on public roadways and medians. (HB 1619 Incorporates HB 1676; Also HB 2428)	HB 1619: Chapter 656 SB 899: Chapter 722

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
Highways/Bridges/ Signs – Uses (continued)	<p><u>HB 1629</u>: Loitering. (Cole, M.) Grants counties the same authority as cities and towns to prohibit loitering on bridges and highway rights-of-way. Local jurisdictions shall obtain concurrence from VDOT Commissioner on placements of signs on the right-of-way of any bridge or highway under the jurisdiction and control of VDOT. Local jurisdiction shall be responsible for costs of the production, installation, and maintenance of the signs. (Incorporates HB 1675)</p>	Chapter 432
	<p><u>HB 1694</u>: Parking. (Albo, D.) Allows governing bodies of (i) counties with populations greater than 500,000 and of towns located therein and (ii) counties with populations of at least 210,000 but less than 217,000 to prohibit on-street parking of any truck more than 20 feet in length (other than commercial vehicles used by a public service company as defined in § 56-1 of the Code of Virginia or by others working on its behalf, or commercial vehicles used in the provision of cable television service as defined in § 15.2-2108.2 of the Code of Virginia, or commercial vehicles used in the provision of propane gas service) and any vehicle carrying commercial freight in plain view.</p>	Chapter 183
	<p><u>HB 1773/SB 911</u>: Golf Carts Operation on the Highways. (Pollard, A./Stuart, R.) Allows the governing body of the Town of Irvington to authorize operation of golf carts on their highways, subject to limits of general law.</p>	<p>HB 1773: Chapter 68</p> <p>SB 911: Chapter 504</p>
	<p><u>HB 1837</u>: Maximum Speed Limit on Nonsurface Treated Highways for Certain Counties. (Toscano, D.) Adds Albemarle County to the list of counties where the maximum speed limit on nonsurface treated highways (dirt roads) is 35 miles per hour.</p>	Chapter 74

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
Highways/Bridges/ Signs – Uses (continued)	<p><u>HB 1905</u>: Golf Carts. (Armstrong, W.) Allows operation of golf carts and utility vehicles on secondary highway system components that have posted speed limits of no more than 35 mph and that are within three miles of a motor speedway with a capacity of at least 25,000 but less than 90,000 on the same day as a race or race-related event conducted on that speedway. The bill allows golf carts and utility vehicles to cross a highway at an intersection controlled by a traffic light if the highway has a posted speed limit of no more than 35 mph.</p>	Chapter 743
	<p><u>HB 2008</u>: Operation of Electrically Powered Vehicles. (Brink, R.) Prohibits operation of electric personal assistive mobility devices, electrically powered toy vehicles, bicycles, electric power-assisted bicycles, and mopeds on any Interstate Highway System component. The CTB may authorize the use of bicycles on an Interstate Highway Component provided the operation is limited to bicycle or pedestrian facilities that are barrier separated from the roadway and automobile traffic, and such facilities meet all applicable safety requirements established by federal and state law.</p>	Chapter 795
	<p><u>HB 2425</u>: Primary and Secondary System of State Highways. (May, J.) Provides for the transfer of roads, bridges, and streets from the primary system of state highways to the local system of roads operated by certain localities. Also provides that any county choosing to resume responsibility over the secondary roads within its boundaries shall be deemed to have withdrawn from the secondary system of state highways.</p>	Chapter 476
	<p><u>HB 2428</u>: Solicitation of Contributions, Distribution of Materials. (May, J.) Adds Loudoun County to the list of localities that may adopt ordinances regulating the solicitation of contributions and distribution of materials on public roadways and medians. (Also HB 1619 and SB 899)</p>	Chapter 422

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
Highways/Bridges/ Signs – Uses (continued)	<u>HB 2533</u>: Studded Tires. (Wright, T.) Allows emergency vehicles, specifically (i) law-enforcement vehicle operated by or under direction of federal, state, or local law-enforcement; (ii) vehicle used to fight fire; or (iii) ambulance, rescue, or life-saving vehicle or (iv) vehicles owned or operated by VDOT or its contractors in maintenance and emergency response operations to operate with cleats, chains, or studs on their tires year-round.	Chapter 118
	<u>SB 882</u>: Parking Regulations on Public Highways. (Stuart, R.) Adds Stafford County to the list of counties and towns that may, by ordinance, regulate or prohibit the parking of watercraft, boat trailers, motor homes, and camping trailers on any public highway in such county or town. The bill also replaces several circumlocutions with the names of the localities to which those circumlocutions apply.	Chapter 535
	<u>SB 974</u>: Golf Cart Crossing Highways. (Stuart, R.) Amends the Code to allow golf carts or utility vehicles to cross highways with posted speed limits of no more than 35 mph at intersections controlled by traffic lights and in the Town of Colonial Beach at intersections conspicuously marked as golf cart crossings by signs posted by VDOT.	Chapter 835
	<u>SB 1288</u>: Parkway. (Newman, S.) Provides that the prohibition on advertising structures within 660 feet of any "parkway" does not apply to the Jerry Falwell Parkway, designated by Chapter 44 of the Acts of Assembly of 2008.	Chapter 570
	<u>SB 1530</u>: Subdivision Streets Acceptance. (Norment, T.) Provides that no secondary street can be taken into the state secondary highway system unless and until any and all required permits have been obtained and any outstanding fees, charges, or other financial obligations of whatsoever nature have been satisfied or provision has been made, whether by the posting of a bond or otherwise, for their satisfaction.	Chapter 635

Legislative Report - 2009 Edition

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HOV/HOT Lanes	<p><u>HB 2476</u>: Clean Special Fuel Vehicles. (Hugo, T.) Extends until July 1, 2010, the "sunset" provision allowing vehicles bearing clean special fuel license plates to use HOV lanes regardless of the number of passengers. (Incorporates HB 1932 and HB 2299)</p>	Chapter 676
Land Use	<p><u>HB 2055/SB 1418</u>: Transfer of Development Rights. (Lohr, M.)/(Vogel, J.) Amend Title 15.2 concerning transfer/severance of development rights. As introduced, HB 2055 dealt generally with the subject, and SB1418 dealt with the subject specifically for Fauquier County, but in chapterized form, they are identical. Bills revise mandatory requirements and optional provisions for ordinances concerning transfer/severance of development rights adopted by a locality. These include: development rights severed from sending areas shall be equal to development rights attached in receiving areas; severance of development rights from existing zoned or subdivided properties are permitted; owner of development rights may apply for real estate tax abatement for up to 25 years to compensate for the development rights fair market value; areas receiving rights may include urban development areas; and those properties sending development rights elsewhere are permitted to generate one or more forms of renewable energy, subject to local zoning requirements, or produce agricultural/forestral products. Also includes provisions on how transferred development rights are to be taxed.</p>	<p>HB 2055: Chapter 413 SB 1418: Chapter 731</p>
	<p><u>HB 2077</u>: Plats and Site Plans. (Oder, G.) Extends the period of validity for certain preliminary and recorded plats and final site plans, as well as certain other land use approvals, to July 1, 2014.</p>	Chapter 196

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
Land Use (continued)	<u>HB 2322</u>: Urban Development Areas. (Athey, C.) Provides that counties shall have until July 1, 2011, to amend their comprehensive plans. Cities and towns shall have until July 1, 2012, to amend their comprehensive plans.	Chapter 469
Overweight Vehicles	<u>HB 1752</u>: Weight Limits for Gravel Trucks. (Carrico, C.) Extends by one year the sunset on granting trucks hauling gravel, sand, or crushed stone no more than 50 miles from origin to destination in counties imposing severance tax on coal and gases the same weight limits as for coal trucks. Also allows same overweight permits for trucks hauling coal and coal byproducts to electricity-generation facilities as trucks hauling coal to loading dock or railroad. Establishes an overweight permit fee for tank wagon vehicles to be effective until comprehensive legislation on overweight vehicles is enacted, and repeals requirement for promulgation of overweight permit fee regulations for tank wagon vehicles. (Incorporates HB 1622 and HB 2185)	Chapter 188
	<u>HB 2073</u>: Weight Limit Extension. (Scott, E.) Extends weight limit for motor vehicles using an auxiliary power unit or other form of idle reduction technology by an additional 400 pounds.	Chapter 92
	<u>HB 2075</u>: Overweight/Oversize Vehicle Permits. (Scott, E.) Provides that violation of terms and conditions of any overweight or oversize vehicle permit does not invalidate the weight allowed on such permit unless (i) the permit vehicle is operating off the route listed on the permit, (ii) the vehicle has fewer axles than required by the permit, (iii) the vehicle has less axle spacing than required by the permit when measured longitudinally from the center of the axle to center axle with any fraction of a foot rounded to the next highest foot, or (iv) the vehicle is transporting multiple items not allowed by the permit.	Chapter 456

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
Overweight Vehicles (continued)	<u>HB 2319</u>: Overload and Overweight Permits Fees. (Marshall, R.) Revises the fees for vehicle overload and overweight permits to conform to recommendations of the Virginia Transportation Research Council. (Also SB 1048 and SB 1500)	Passed by with Letter in House Transportation Committee
	<u>SB 1048</u>: Temporary Vehicle Registrations; Overload and Overweight Permits. (Miller, Y.) Revises the fees for temporary vehicle registrations and vehicle overload and overweight permits. (Also HB 2319 and SB 1500)	Passed by with Letter in Senate Transportation Committee; Referred by Letter to Commission on Transportation Accountability
	<u>SB 1500</u>: Overload and Overweight Permits. (Barker, G.) Requires the CTB, in consultation with the DMV Commissioner, to establish a new schedule of fees for issuance of overweight and overload vehicle permits. Such fees shall not apply to all vehicles hauling cargoes subject to a coal or gas severance tax. (Also HB 2319 and SB 1048)	Passed by with Letter in Senate Transportation Committee; Referred by Letter to Commission on Transportation Accountability
PPTA	<u>SB 1242</u>: Virginia Small Business Financing Authority. (Stosch, W.) Authorizes the Virginia Small Business Financing Authority to provide private activity bond financing for entities existing for the sole purpose of developing or operating a qualified transportation facility under the 1995 PPTA.	Chapter 565

Legislative Report - 2009 Edition

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Procurement/ Contracting	<p><u>HB 1628</u>: Contractor Performance Bonds. (Cole, M.) Provides that whenever any locality administers a transportation improvement project and obtains contractor performance bonds that include VDOT as a dual obligee, the amount of such bonds shall be no greater than would have been required had the Department not been included as a dual obligee. The surety's obligation to the Department shall be no greater than its obligation to the locality administering the project, and the amount of the bond is the limit of the surety's obligation to either or both obligees. (Incorporates HB 1677; Also SB 900)</p>	Chapter 395
	<p><u>SB 834</u>: Virginia Public Procurement Act. (Locke, M.) Provides that a contract for architectural or professional engineering services relating to construction projects negotiated by a local public body for multiple projects may be renewable for up to four additional one-year terms at the option of the public body. Current law states such contracts are renewable for up to two additional one-year terms.</p>	Chapter 495
	<p><u>SB 1203</u>: Prequalification for Certain Contracts. (Puckett, P.) Provides that, relating to the Virginia Public Procurement Act, offerors of professional services shall be informed of any ranking criteria that will be used by the public body in addition to the review of the professional competence of the offeror.</p>	Chapter 562
Reports/Studies	<p><u>HJR 711</u>: Study the Transportation Network of Hampton Roads. (Jones, S.C.) Extends the mandate of the Joint Subcommittee to Study the Transportation Network of Hampton Roads for another year.</p>	Agreed to by House and Senate

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
Reports/Studies (continued)	<u>SB 1090</u>: Annual and Biennial Reports of State Entities. (Miller, J.C.) Requires agencies, institutions, collegial bodies, and other governmental entities that are specifically required by the Code to report annually or biennially to the Governor and General Assembly to post reports on their websites. Also limits the number of hard copies to not more than 100.	Chapter 550
Transportation Planning	<u>HB 2019/SB 1398</u>: Transportation Corridors and Statewide Transportation Plan. (Rust, T./Norment, T.) Requires the CTB, with assistance from the Office of Intermodal Planning and Investment (OIPI), to conduct an assessment of capacity needs for all identified corridors of statewide significance in the Statewide Transportation Plan and provides that the CTB shall not be constrained by local, district, regional, or modal plans in designating corridors of statewide significance. Requires CTB to establish a plan for identification and acquisition of rights of way that may be needed in the statewide corridors. Provides that local governments through which corridors of statewide significance traverse must note such corridors in their comprehensive plans. Enhances the transportation planning responsibilities for the OIPI, including 1) overseeing studies of potential highway, transit, rail and other improvements, such as access management, to help address mobility and accessibility needs in corridors of statewide significance and regional networks; 2) working with regional organizations to develop transportation and land use performance measures; 3) providing technical assistance to local governments and regional entities in establishing Urban Development Areas; 4) establishing standards for the coordination of transportation investments; and 5) promoting commuter choice. (HB 2019 incorporates HB 2420; SB 1398 incorporates SB 1475)	HB 2019 : Chapter 670 SB 1398 : Chapter 690

Legislative Report - 2009 Edition

Category	Bill Number/Bill Points	Status
Transportation Planning (continued)	<p>HJR 756: Virginia Association of Metropolitan Planning Organizations. (Cosgrove, J.) Requests the Secretary of Transportation to establish a Virginia Association of Metropolitan Planning Organizations (VAMPO) to augment, not supplant, the duties of the individual MPOs in carrying out their respective metropolitan transportation planning and programming functions.</p>	Substitute Agreed to by House and Senate