

Northern Virginia Transportation Authority

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AGENDA

Thursday, January 31, 2013

3p.m.

General Assembly Building
1000 Bank Street
Richmond, VA. 23219
Senate Leadership Conf. Rm., 6th Floor
General Assembly Building

1. **Call to Order**.....Chairman Nohe
2. **Roll Call**
3. **Approval of the Minutes of the November 8, 2012, Meeting**
4. **Action Items**
 - A. Approval of the Nominating Committee's Recommendations for Officers
 - B. Approval of the Termination of Virtual Services Agreement with the Innovation Center
 - C. Approval of Response Letter to VDOT's Study to Evaluate Significant Transportation Projects
5. **Other Business**
 - A. Transportation Legislative Update
6. **Adjournment**

NEXT MEETING:

May 23, 2013 – 6:00 p.m.
Northern Virginia Regional Commission
3060 Williams Drive, Suite 510
Fairfax, Virginia 22031

**SUMMARY MINUTES
NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**

**November 8, 2012
Fairfax City Hall
Fairfax, Virginia**

NVTA Members Present:

Voting Members:

Martin Nohe, Chairman	Prince William County
Board Member Christopher Zimmerman	Arlington County
Chairman Sharon Bulova	Fairfax County
City Council Member Greenfield	City of Fairfax County
Mayor David Snyder	City of Falls Church
Mayor Hal Parrish	City of Manassas
Ms. Sandy Bushue	Governor's Appointee

Delegate Joe May arrived at 7:52 p.m.

Non-voting Members:

Garrett Moore	VDOT
Joseph Swartz	DRPT

Staff:

Pam Martin	Clerk
Various jurisdictional staffs	

Item I: Call to Order

Chairman Nohe called the meeting to order at 7:34 p.m.

Item II: Roll Call

The roll was called and members present were as noted above.

Item III: Approval of the February 9, 2012 Minutes

Board Member Zimmerman moved and Mayor Parrish seconded the approval of the minutes with Chairman Bulova abstaining.

Introduction:

Chairman Nohe introduced Ms. Sandy Bushue as the Governor's Appointee to NVTa and Mr. Greenfield representing the City of Fairfax.

Item IV: Action Items:

(A) Endorsement of ECTF Report

Ms. Backmon (Prince William County) briefed the committee on the Efficiency and Consolidation Task Force Report. The Chairman recognized staff on a very difficult task with time constraints to produce the report. The entire Authority thanks staff for a job well done. In the report, it was advised that NVTa and NVRC would co locate for better efficiency of time, space and cost savings. It was also noted that participation electronically would need General Assembly approval. It was recommended that legislation should be requested.

(B) Adoption of TransAction 2040

Ms. Backmon briefed the committee on the results of the second model run of the TransAction 2040 report and asked for approval. She reminded the committee that ten new projects were added on the second model run. She introduced Mark Kellogg (Metro) who gave a slide presentation on the outputs of the performance of the second model run as compared to the first. The total cost of the plan if implemented would be approximately \$27.0 billion. There was discussion regarding the total cost needed to implement the entire plan. Delegate May advised the Authority that they had to be realistic about the revenue from the General Assembly during such a financial crisis. Chairman Bulova stated that the committee was approving a plan for the region but not prioritizing within the plan. Mr. Snyder remarked that the General Assembly was not allocating enough money to Northern Virginia. Chairman Bulova requested that the plan (summary brochure) be sent to the General Assembly without the total cost of the plan. Mayor Parrish advised the committee at the City of Manassas's Council meeting they voted 7 to 9 for no action on TransAction 2040. Delegate May requested that he and Delegate Rust see a draft of the transmittal letter before submitting it to the General Assembly. Staff was directed to submit the draft letter to the Delegates.

The adoption of the TransAction 2040 was approved.

(C) Approval of FY 19 CMAQ/RSTP Allocations

Chairman Bulova moved and Mayor Parrish seconded and the motion carried.

(D) Approval of 2013 Legislative Program

Ms. Backmon introduced Noelle Dominguez (Fairfax County) to give a report on the Legislative package. Ms. Dominguez outlined the key areas and noted that the electronic participation would be noted in the package. Chairman Bulova moved and Council Member Zimmerman seconded and the motion carried.

(E) Approval of CY 2013 Work Program and Meeting Schedule

Ms. Backmon requested for approval of the work and meeting schedule. The Authority will meet in Richmond on January 31, 2013 – a joint meeting with the Northern Virginia Transportation Commission. Mayor Parrish moved and City Council Member Greenfield seconded and the motion carried.

(F) Approval of NVRTA Domain Name

Ms. Backmon requested authorization for renewal of the Authority's domain name services through www.register.com for a three year term.

Mayor Parrish moved and Chairman Bulova seconded and the motion carried.

(G) Establish Nominating Committee for 2013 NVRTA Officers

Ms. Backmon advised the committee that a nominating committee needed to be formed for the 2013 slate of officers. Chairman Nohe informed the Authority that the Nominating Committee would be: Board Member Zimmerman, Chairman Bulova and Mayor Snyder. He also reminded the committee that the town appointee was on calendar to calendar year unlike the committee on a July to July. The Town Nominating Committee is: Chairman Nohe, Chairman Bulova and Supervisor Volpe. The recommendation would be on the next agenda for the committee.

Item V: Discussion Items:

(A) FY 2014-1019 SYIP Testimony

Ms. Backmon reminded the committee on SJR 297 and the concern that had been expressed. There was general discussion regarding the testimony.

VI. Information Items.

(A) Update on VTrans 2035

No comments.

(B) Update on I-95 Express Lanes Project

No comment.

(C) Update on I-66 Projects and Studies

No. Comment

(D) Update on SUPVERNOVA Study

No comment.

Item VII. Other Business

Item XII. Adjournment

The meeting adjourned at 8:43 p.m.

Next Meeting:
January 24, 2013
Fairfax City Hall
Fairfax, VA

4.B.

**Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority**

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Monica Backmon, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Termination of Contract with the Innovation Center (Agenda Item 4.B.)

DATE: January 31, 2013

Recommendation:

Per the Recommendation of the Efficiency and Consolidation Task Force Report, the Northern Virginia Transportation Authority (NVTA) will now co-locate its meetings with the Northern Virginia Regional Commission. As a result, the recommendation is to terminate the Virtual Services Agreement with the Fairfax Innovation Center.

Background:

Effective April 1, 2009, the NVTA has maintained a Virtual Service Agreement with the Fairfax Innovation Center, at a cost of \$150.00 per month. As part of this agreement, the Fairfax Innovation Center provides to the NVTA, mail and reception service, to include individual mailbox, mailing address, 1 phone line and voice mailbox, and access to conference rooms.

The term of the agreement is defined as month to month with a cancellation of services only with 30 days written notice by either party. The Authority is billed quarterly for these services and is currently paid from January through March 2013.

The Jurisdiction and Agency Coordinating Committee (JACC) currently hold its meetings at the Innovation Center on the last Thursday of each month. If the agreement with the Innovation Center is terminated, the JACC has elected to meet at one of the following locations:

- Fairfax County Department of Transportation Legato Building
- Virginia Department of Transportation Northern Virginia Office

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Jurisdiction and Agency Coordinating Committee members and I will be available at the NVTA meeting on January 31, 2013, to answer questions.

Cc: Members, NVTA Jurisdiction and Agency Coordinating Committee



Fairfax Innovation Center

Support. Growth. Success.

Virtual Office Services Agreement

This is an agreement to provide virtual office services between the Fairfax Innovation Center and the **NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**, A POLITICAL SUBDIVISION OF THE COMMONWEALTH OF VIRGINIA, effective April 1st, 2009.

SERVICES PROVIDED:

The Fairfax Innovation Center shall provide to the **NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**, mail and reception service, to include individual mailbox, mailing address, 1 phone line and voice mailbox, and access to conference rooms as provided in the attached worksheet.

TERM:

Term is defined as a month to month agreement, with cancellation of services only with 30 days written notice by either party.

COST:

Cost is defined as \$150 per month, and is payable in advance, on the first day of each month.

IN WITNESS WHEREOF, these duly authorized representatives have signed this service agreement dated March 3, 2009, intending to be bound thereby.

PROVIDER:

Fairfax Innovation Center

By: *[Signature]*
James H. Finkbeiner

Name: Kingsley Haynes
Title: Director, Mason Enterprise Center
and Dean, School of Public Policy, GMU

CLIENT:

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

By: *[Signature]*

Name: MARTIN NONE
Title: CHAIRMAN

**Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority**

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Monica Backmon, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Response to VDOT's Letter Regarding the Evaluation of Significant Projects Study
(Agenda Item 4.C.)

DATE: January 31, 2013

Recommendation:

The Jurisdiction and Agency Coordinating Committee (JACC) recommends that the Northern Virginia Transportation Authority endorse the attached letter in response to the VDOT Study on the Evaluation of Significant Projects in Northern Virginia.

Background:

On January 9, 2013, Renee Hamilton, VDOT's Assistant District Administrator for Planning and Investments, sent a letter to Chairman Nohe regarding VDOT's plan to evaluate all significant projects, in Northern Virginia. The study is to be conducted in coordination with the Commonwealth Transportation Board, the Department of Rail and Public Transportation, and the Northern Virginia Transportation Authority.

The projects selected for evaluation will include highway, rail, bus and technology projects that could make a significant impact on mobility in the region. Selected projects could include those currently in the Constrained Long Range Plan and those included in the Authority's TransAction 2040 Plan.

The JACC has provided a response letter for VDOT consideration regarding the scope, stakeholders meetings, and other relevant details concerning the project. The letter is attached.

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Jurisdiction and Agency Coordinating Committee members and I will be available at the NVTA meeting on January 31, 2013, to answer questions.

Cc: Members, NVTA Jurisdiction and Agency Coordinating Committee



The Northern Virginia Transportation Authority

January 28, 2013 DRAFT

Renee N. Hamilton
Assistant District Administrator
VDOT, Northern Virginia District
4975 Alliance Drive
Fairfax, VA 22030

Dear Ms. Hamilton:

At its meeting on January 31, 2013, the Northern Virginia Transportation Authority (NVTA) authorized this response to your letter to me dated January 9, 2013, regarding a study being conducted by the Virginia Department of Transportation (VDOT) as required by the Code of Virginia § 33.1-13.03:1, to evaluate and rate all significant transportation projects in and near the Northern Virginia Transportation District.

NVTA appreciates the Commonwealth's interest in the future of transportation in Northern Virginia. As you know, this planning study comes at a critical time for transportation in the Commonwealth. In Northern Virginia alone, NVTA's TransAction 2040 Long-Range Plan estimates \$28.8 billion of capital and operating needs over the next 28 years to address its transportation challenges.

As the agency charged by the General Assembly with developing the region's transportation plan and priorities, we have a vested interest in identifying projects that are both cost effective and help advance adopted regional goals. Additionally, and more importantly, as the Code specifically directs the Department of Transportation to conduct its evaluation in ongoing coordination with the NVTA, we would like to begin that coordination process now and be an active participant in the development and completion of this study. Given the nature of the Authority's limited meeting schedule, we ask that the NVTA's Jurisdiction and Agency Coordinating Committee (JACC) serve as our representative on all technical matters related to the study.

In anticipation of future discussions with you, we would like to offer the following recommendations and questions for your consideration.

Public/Stakeholder Participation

To what extent will affected stakeholders have to participate in the process? Will stakeholders have an opportunity to meet with or participate in the study technical team? Will stakeholders have an opportunity to review and comment on the scope prior to consultant selection?

We strongly recommend implementing a comprehensive public engagement strategy that will result in meaningful input from a range of stakeholders, including residents, businesses, policy makers, transportation agencies including those not explicitly listed in the Code, and others. We also request that the NVTVA JACC be included in all aspects of the study's development.

Project Scope

Given the project's broad mandate and aggressive 12-month schedule, it is important to quickly identify a reasonable and effective scope. Please provide to the JACC any additional details about the proposed study scope as soon as they are developed, including project milestones, selection criteria, performance measures, alternate land use scenarios, and the out-years of the study. As a part of the study coordination required under the Code, please also provide the JACC the opportunity to comment on the Project Scope of Work prior to the issuance of a Request for Proposals for consultant assistance.

Project Evaluation and Performance Measures

Northern Virginia's transportation network is fully multimodal, and all of its modes experience congestion. It is crucial that this study consider the effects that congestion on one mode may have on the other modes, focusing on both the net short- and long-term benefits to the transportation system.

Policy (land use, transportation, etc) and user behavior impact the transportation system as much as capacity. Therefore, this study must consider policy and user behavior.

Measuring the effects of a homeland security emergency is complicated. The special circumstances inherent to one-time emergency situations would dramatically change normal travel practices. This study must correctly identify what those special challenges are likely to be.

Projects

While at least 25 projects must be included in the study, the legislation leaves open the possibility to include any number of multimodal projects.

We request the following additional projects be considered in the analysis:

1. VRE Strategic Plan
2. WMATA Regional Priorities Plan and draft Strategic Plan
3. Transportation Demand Management strategies
4. Policy changes likely to have a strong effect on the transportation system, including HOV regulations, direct roadway user fees, and free transit fares.
5. Special actions likely to be considered in the event of a homeland security emergency, including restricted use of roadways and bridges and other operational changes, the addition of alternative emergency models, including schools buses, trains, and ships.

Implementation

It is unclear how the Commonwealth will implement the study recommendations. Any implementation strategy should include the NVTVA as well as other affected stakeholders as part of the decision making process, and should not sacrifice the region's ability to plan and construct smaller projects. Funding to implement study suggestions should come from new sources of revenue.

Again, thank you for your consideration. We look forward to working with VDOT, as well as the Commonwealth Transportation Board and the Department of Rail and Public Transportation, as an active participant in this study process.

Sincerely,

Martin E. Nohe
Chairman

5.A.

**Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority**

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Monica Backmon, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Review of Legislation Introduced during the 2013 General Assembly Session
(Agenda Item 5.A.)

DATE: January 31, 2013

Recommendation:

The Jurisdiction and Agency Coordinating Committee recommends that the Northern Virginia Transportation Authority discuss introduced legislation and consider adopting positions on the bills included in the attached materials.

Background:

The General Assembly's 2013 session began on January 20, 2013. Progress has been made on several of NVTA's legislative initiatives. An annotated version of NVTA's 2013 Legislative Program showing the activities on each legislative initiative is included as Attachment A. Also attached is a matrix of transportation funding, allocation and constitutional amendment related bills and their status (Attachment B).

Governor's Transportation Plan

A synopsis of Governor McDonnell's transportation funding and reform package is listed below.

HB 2313 and SB 1355/ Governor McDonnell's 2013 Transportation Plan

The governor's 2013 Transportation Plan proposes to make these fundamental changes:

- Eliminate the current 17.5 cents per gallon motor fuels tax on gasoline: The viability of the gas tax as the state's primary revenue source for transportation has been eroded by greater vehicle fuel mileage, the introduction of alternative fuel vehicles and the impact of inflation. Once this provision is enacted, Virginia will become the only state in nation without a tax on gasoline and motorists will likely see a significant break in the price of gasoline at the pumps. The motor fuels tax on diesel will remain unchanged because heavy trucks have a disproportionately large impact on the deterioration of Virginia's highways.

- Replace the current gas tax with a 0.8 cent increase to the Sales and Use Tax (SUT) dedicated to transportation: The SUT is a reliable, predictable and sustainable revenue source. For decades we have already had the policy that .5 cents of the sales tax goes to transportation. As the economy grows, the revenue from the SUT grows with it. As a percentage of the price of a product or service procured, the SUT inherently accounts for inflation. Virginia's SUT will remain below its neighboring states. Under the governor's plan, 85 percent of the increased SUT will go to the Highway Maintenance and Operations Fund and 15 percent will go to the Transportation Trust Fund.

- Dedicate an additional .25 cent of the state's portion of the existing SUT to transportation: Transportation currently receives 0.5 cent of the SUT, and the governor proposes to phase in this share to 0.75 cent over five years. When combined with the 0.8 cent SUT increase, transportation will receive approximately one-quarter of SUT proceeds, thus ensuring a sustainable transportation revenue stream for the future. All of the revenues from the additional .25 cent will be dedicated to support maintenance and operations. During the first three years, however, up to \$300 million will be committed to the Dulles Metrorail Extension Project, providing the reforms identified by the U.S. Department of Transportation Inspector General are implemented.

- Increase vehicle registration fees by \$15 and dedicate the revenue to intercity passenger rail and transit: There is a strong and growing demand for public transportation in Virginia, both within and between the state's regions. The successful passenger rail services to/from Washington, DC and Lynchburg, Richmond, and Norfolk, and the dramatic growth in transit in Virginia (especially in Northern Virginia and Hampton Roads) requires greater financial support from the Commonwealth. This need is anticipated to grow as passenger rail services are extended to Roanoke, light rail is extended to Virginia Beach, and Metrorail is opened to Dulles Airport and beyond. Revenues generated by the fee will be split between passenger rail and transit.

- Impose a \$100 annual Alternative Fuel Vehicle Fee and dedicate the revenues to transit: The governor is a strong supporter of alternative fuel vehicles. He has directed that Virginia's state fleet be converted to natural gas vehicles. And he knows that alternative fuel vehicles will only continue to grow in popularity and use in the years ahead. In fact, over the past four years, as gas prices have grown from less than \$2 per gallon to as high as \$4, more Virginians have turned to alternative fuel vehicles. There are over 91,000 of these vehicles currently registered in Virginia. This is a great development for energy security and conservation, but it does present a challenge to how transportation funding has been derived in America for the past century. Drivers of alternative fuel vehicles that use natural gas or electricity pay no motor fuels tax at the state or federal level and thus do not contribute to the primary means of funding roads. However,

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these vehicles still have the same impact on Virginia's roadways as conventional fuel vehicles.

While the governor's plan will eliminate the Virginia gasoline tax, the federal gas tax of 18.4 cents will remain and with more alternative fuel vehicles on the road, the less of a share Virginia will get of those federal gas tax revenues. Therefore, the governor's plan proposes an additional \$100 fee for alternative fuel vehicles to ensure that these drivers continue to contribute something to Virginia's transportation networks, which they use every day. The revenues generated by this fee will be dedicated to the Commonwealth Mass Transit Fund to help fund the growing demand for transit and reduce congestion. Legislation passed during the 2012 session already required a fee for electric vehicles, and this measure applies the increased fee to all alternative fuel vehicles.

•Adopt the Marketplace Equity Act now and dedicate projected revenues to transportation and education: The 113th Congress will consider the Marketplace Equity Act, which would grant states the legal authority to collect out-of-state sales taxes. This is a tax that is already imposed and required by law to be paid as a use tax on the taxpayer's income tax return. Unfortunately, compliance is very low and these are dollars we should be collecting. This proposal would conform the Code of Virginia to any changes in federal law, contingent upon the Marketplace Equity Act being adopted by Congress. Potential revenues will be dedicated to transportation, public education and localities. Governor McDonnell's 2013 Transportation Funding Plan will allocate a portion of these revenues not only to transportation, but also to other critical areas of need. First, 1.125 cents of the 5.8 percent sales tax will be dedicated to public education (\$310 million over 5 years). Second, 0.5 cents of the 5.8 percent sales tax will be given back to the localities to use at their discretion (\$138 million over 5 years). Third, 0.5 cents of the 5.8 percent sales tax will be given back to the localities for local transportation priorities (\$138 million over 5 years). Finally, 3.675 cents of the 5.8 percent sales tax will be provided to the Transportation Trust Fund (\$1.02 billion over 5 years).

Attachment: a/s

Cc: Members, NVTa Jurisdiction and Agency Coordinating Committee

**Northern Virginia Transportation Authority
2013 Legislative Program
ADOPTED: November 8, 2012**

STATE

TRANSPORTATION FUNDING

Transportation needs are now catastrophic throughout the Commonwealth. The Virginia Department of Transportation has estimated that almost \$1.9 billion is needed annually just for the maintenance and operations of the roads and bridges it maintains and for the third year in a row, secondary road construction has been unfunded. Over \$230 million of additional funding is required for transit projects and eligible operating costs included in the Six Year Program.

Without action, the Commonwealth risks serious disinvestment, which is evidenced by the Commonwealth's fall from #1 to #3 in CNBC's rankings of "America's Top States for Business". This was largely attributed to Virginia's decline in ranking for Infrastructure and Transportation from #10 to #33. A modern, efficient, multimodal transportation system is essential to the Commonwealth, and is intrinsically tied to continued economic development and the ability to compete in a global economy.

In Northern Virginia alone, the TransAction 2040 Long-Range Transportation Plan estimates that the region needs \$900 million per year in additional transportation funding to address its transportation problems, and these needs continue to grow. Northern Virginia jurisdictions have increased funding locally, but continue to need additional state and regional transportation funding for highway, transit, bicycle and pedestrian improvements. NVTA seeks reinstatement of exclusive Northern Virginia revenues of at least \$300 million annually, as well as 100 percent of its contribution of additional statewide revenues, to address transportation needs.

NVTA is concerned about DRPT's recommendations related to the SJR 297 Statewide Transit Study. While DRPT acknowledges that state transit assistance has not kept pace with the growth in transit services, the Report does not make an explicit recommendation about how much additional state assistance is warranted. It also contains a recommendation calling for a drastic change to the current transit formula that reallocates the already limited state resources and reduces the stability of these statewide transit funds. The recommended formula change could end up decreasing funding for transit systems throughout the region which, collectively, provide nearly half of a million daily passenger trips throughout Northern Virginia.

While NVTA agrees that performance measures are important, the Authority has specific concerns with the current proposal. The peer groups are problematic, as they do not take into account the inherent differences of each transit agency. Additionally, NVTA believes that the measures should include congestion relief and the impact on economic development. Further, while we are especially concerned about these proposed changes, the Authority feels that any changes to the formula should be

applied solely to new revenues added to the Mass Transit Fund, rather than reallocating the already limited resources. A study of the recommendations by the Joint Legislative Audit and Review Committee with a particular focus on their impact on economic competitiveness in the Commonwealth, Northern Virginia, Central Virginia and Hampton Roads as well as the localities' ability to comply with the Americans with Disabilities Act, would be beneficial.

Transportation is fundamentally a state responsibility and the Commonwealth must lead the efforts to provide more revenue for our transportation infrastructure. Current state transportation revenues are vastly insufficient to maintain and build the multimodal infrastructure Virginia needs to remain an active and dynamic participant in a 21st Century economy. Virginia needs real transportation solutions that provide significant increases in transportation funding for all modes from new stable, reliable, permanent, and balanced sources. Localities throughout Northern Virginia and the entire Commonwealth continue to provide millions in local funds for transportation each year, but the state must do its part, otherwise future generations will pay the price for the current inaction. (Revises and updates previous transportation funding position.)

VRE TRACK ACCESS FEES

Since its inception, VRE has received money from the Commonwealth through the Equity Bonus Program for the track access fees. MAP-21 eliminated the Equity Bonus Program while keeping the level of program funding the same through the first two years of the law. If VRE is unable to resolve this potential funding shortfall then there will be significant budgetary ramifications which could include reductions in service, 58% jurisdiction increase in subsidies, and/or a 28% fare increase. NVTA supports the inclusion of VRE track access funding within the Secretary's proposed transportation budget. If this does not occur then NVTA supports a separate appropriation through eligible federal pass through money for track access fees within its capital program. (New position)

WMATA FUNDING

The Commonwealth must work with the Federal Government to ensure that it, too, provides sufficient resources to address transportation needs. A case in point is the need for continuing the \$50-million Virginia contribution to the \$300-million annual program over 10 years for Metro. This represents a significant commitment to maintaining Metro's assets and ensuring that Metro can continue to safely and efficiently meet the region's transportation needs. So long as both Maryland and DC provide their \$50 million each, Virginia needs to provide \$50 million. (Reaffirms previous position).

SECONDARY ROAD DEVOLUTION/LOCAL MAINTENANCE PROGRAMS

NVTA opposes any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties, especially if these efforts are not accompanied with corresponding revenue enhancements. While there are insufficient resources to adequately meet the maintenance and improvement needs of secondary roads within the Commonwealth, the solution to this problem is not to simply transfer these responsibilities to local government that have neither the resources nor the expertise to fulfill them. Further, NVTA also opposes any legislative or regulatory

moratorium on the transfer of newly constructed secondary roads to VDOT for the purposes of ongoing maintenance.

Additionally, NVTA is opposed to changes to maintenance allocation formulas detrimental to localities maintaining their own roads. Urban Construction Funds are already far below what is needed and localities must already find other ways to fund new construction initiatives and changing current formulas or requiring additional counties to maintain their roads could lead to a reduction in Urban Construction and Maintenance Funds, placing a huge extra burden on these localities. (Reaffirms previous position).

ELECTRONIC MEETINGS

NVTA supports working with our General Assembly delegation regarding electronic participation of public meetings. Currently the Code of Virginia allows electronic participation in certain instances, including when a member identifies a specific emergency on the day of a meeting or if the member's principal residence is more than 60 miles from the meeting location. Expanding the circumstances for permitted electronic participation could allow for increased participation of these public meetings.

CHAPTER 729 PLANNING

Land use provisions included in legislation during the 2012 Session changed transportation planning requirements for jurisdictions. Specifically, the Virginia Department of Transportation (VDOT) and the Commonwealth Transportation Board (CTB) can decide whether local transportation plans are consistent with their current priorities. If they decided this is not the case, they are able to withhold funding for transportation projects in counties. While the NVTA is appreciative of efforts to better coordinate local and state transportation planning, the Authority is concerned that these provisions essentially transfer the responsibility for land use planning from local governments to the Commonwealth. Land use and zoning are fundamental local responsibilities and these provisions can override the work done by our local governments and our residents, property owners, and the local business communities on land use and transportation plans. (New Position)

EQUAL TAXING AUTHORITY FOR COUNTIES, CITIES AND TOWNS

NVTA supports granting counties the authority cities and towns currently have to enact local excise taxes, including the cigarette tax, admissions tax, transient occupancy tax and meals tax. Doing so would allow counties to raise additional revenues for transportation projects. (Reaffirms previous position)

BASE REALIGNMENT AND CLOSURE (BRAC) RECOMMENDATIONS

NVTA supports the inclusion of sufficient funding to ensure significant fiscal resources to address the enormous planning and transportation issues associated with the Base Realignment and Closure Commission recommendations. This is particularly critical, because the BRAC relocations have occurred, and Northern Virginia localities are facing significant shortfalls in the capacity of current infrastructure to support the additional military and civilian jobs. (Revises and reaffirms previous position).

PEDESTRIAN SAFETY

NVTA support revisions to Virginia's existing pedestrian legislation to clarify the

responsibilities of drivers and pedestrians in order to reduce the number of pedestrian injuries and fatalities that occur each year. In particular, support legislation that would require motorists to stop for pedestrians in crosswalks at unsignalized intersections on roads where the speed is 35 mph or less and at unsignalized crosswalks in front of schools. This issue is of special importance for pedestrians with physical or sensory disabilities, who are at particular risk of injury when crossing streets. (Reaffirms previous position.)

TRANSPORTATION CORRIDOR STUDIES

NVTA recommends that the Code of Virginia be amended to specify that major transportation corridor studies related to facilities wholly within one VDOT construction district, should be managed by that construction district rather than the VDOT Central Office. Regional VDOT staff is better equipped to address the concern of the affected citizens and local governments. (Reaffirms previous position).

FEDERAL

SURFACE TRANSPORTATION PROGRAM REAUTHORIZATION

In July 2012, Congress passed a two-year transportation reauthorization bill, Moving Ahead for Progress in the 21st Century (MAP-21). This bill provides \$120 billion for federal transportation programs from July 2012 – September 2014. The bill does not direct funding towards specific projects. The U.S. Department of Transportation (USDOT) is currently developing rules for many of the programs, in consultation with state departments of transportation, Metropolitan Planning Organizations (MPOs) and other stakeholders.

As discussions on the rulemaking and possible future legislation continue, NVTA believes that a number of significant issues should be considered, including:

- The level of Federal investment in the nation's transportation infrastructure, including both maintenance of the existing system and expansion, must increase significantly;
- The distribution of funding within the Federal Surface Transportation Program must be simplified and the number of funding programs streamlined.
 - The time required to complete the federal review process of significant new transportation projects must be reduced, and the approval process must be consistent across all modal administrations. In addition, federal implementation regulations should be streamlined;
- To recognize the uniqueness of metropolitan areas, greater decision-making authority for determining how transportation funding is spent should be given to local governments and regional agencies, such as the Northern Virginia Transportation Authority;
- Energy efficiency and environmental protection must be addressed in the development of transportation projects; however environmental reviews should be conducted within specified timeframes, so that a project's environmental impacts can be identified and adequately addressed; and
- Safety and security must continue to be an important focus of transportation projects. (Revises and reaffirms previous position)

DEDICATED FUNDING FOR WMATA

WMATA is the only major transit provider in the country without a permanent dedicated revenue source for a significant part of their revenue base. Congress passed legislation that authorizes \$1.5 billion for WMATA over ten years, if the region adopts a dedicated funding source(s) and provides an additional \$1.5 billion to match the federal funds. All three signatory jurisdictions have passed the compact amendments required to receive the federal funding, and the non-Federal matches are in place. This authorization must continue to be accompanied by annual appropriations. (Revises and reaffirms previous position).

FUNDING FOR THE VIRGINIA RAILWAY EXPRESS

NVTA supports the Virginia Railway Express efforts to secure federal funding for the following capital projects: high capacity railcars, positive train control; train storage of rail equipment, station parking expansion, platform extensions and additions, and expansion of commuter rail service. (Updates previous position.)

LIMITS ON COMMUTER RAIL RELATED LIABILITY

NVTA calls upon Congress to approve legislation to broaden the applicability of existing statutory language in 49 USC, 28301 related to commuter rail related liability. The language should be amended to reflect the existing liability standard of a \$250M annual aggregate limit while broadening the cap beyond passenger rail related claims for property damage, bodily injury or death so that they apply to all claims brought by third parties. (Reaffirms previous position)

FUNDING FOR TRANSPORTATION EMERGENCY PREPAREDNESS

NVTA calls upon Congress to provide increased security funding to local and regional transportation agencies in the metropolitan Washington area. (Reaffirms previous position.)

FUNDING FOR THE METROPOLITAN AREA TRANSPORTATION OPERATIONS COORDINATION (MATOC) PROGRAM

NVTA calls upon Congress to provide increased funding to transportation agencies in the metropolitan Washington area to continue funding for MATOC's operations. (Reaffirms previous position)

COMMUTER BENEFITS

NVTA supports legislation that would create parity between the level of tax-free transit benefits employers can provide to employees for transit (currently \$125/month) and for parking benefits (currently \$230/month), as a way to make transit service more attractive to commuters who currently drive alone. In addition, NVTA supports legislation to permanently extend the current transit benefit to all branches of the federal government. (Revises and reaffirms previous position.)

2013 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Notes
Transportation Funding Bills					
HOUSE					
HB 1450	Stolle	Additional state sales and use tax in the Hampton Roads Planning District; referendum.	H Finance		Provides for an additional 1% sales tax Hampton Roads localities to be used for regional transportation projects, if approved by a referendum at the November 2013 election.
HB 1650	Krupicka	Retail Sales and Use Tax; revenue distributed to certain localities.	H Finance, Sub #2		Provides that if a heavy rail commuter mass transportation infill station is constructed in a service district, the locality is entitled to retain the sales tax revenue generated in the service district, up to \$1.25 million per year, to pay bonds for that construction.
HB 1718	Anderson	Transportation projects; reimbursement of VDOT by localities & metropolitan planning organizations.	H Transportation, Sub #4	Sub Recommends Reporting 6-0	Legislation passed in 2012 required localities and MPOs to reimburse VDOT for expenses when terminating a project or requesting alterations that exceed 10% of the total project cost. The bill clarifies that localities and MPOs are required to pay for terminating projects only when VDOT does not mutually agree; and clarifies that this would apply after design approval by the Chief Engineer.
HB 1993	Massie	Motor vehicle rental tax; exclusions from the tax.	H Finance, Sub #1	Sub Recommends Reporting 11-0	Excludes from the gross rental proceeds upon which the motor vehicle rental tax is imposed - cash discounts taken on a rental contract; finance, carrying, and other service charges; charges for motor fuels; charges for optional accidental death insurance; and other specified exclusions.
HB 2285	May	Alternative fuels; establishes tax rate for biodiesel fuel, etc., used in operating highway vehicle.	H Finance, Sub #3	Sub Recommends Tabling 5-0	Establishes beginning January 1, 2014, alternative fuels tax rates for biodiesel fuel, liquefied natural gas, liquefied petroleum gas, methanol, compressed natural gas, hydrogen, and electricity used in operating a highway vehicle.
HB 2313	Howell, W.	GOVERNOR'S TRANSPORTATION PLAN: Revenues and appropriations of State; changes to revenues collected and distribution.	H Finance		Raises the registration fees for vehicles and trailers and designates the increase for Mass Transit and Intercity Passenger Rail. Eliminates the motor fuels tax and raises the state sales and use tax from 4% to 4.8%. Establishes procedures for the collection of the state sales and use tax from remote sellers for sales made in the Commonwealth, contingent upon the federal government passing legislation authorizing such collection. If enacted, a portion of the revenues would be for construction and another portion allocated to the localities - with half of that dedicated for local transportation needs. Raises the annual license fee for electric vehicles from \$50 to \$100 and imposes the fee on hybrid electric vehicles and alternative fuel vehicles.
HB 2335	Yancey	Transportation Revenue Fund; established, report.	H Transportation		Establishes the Transportation Revenue Fund and dedicates revenues attributable to economic growth from Virginia's cargo marine terminals to the Fund. The bill also provides that if the operations at one or more ports of Virginia are turned over to a private entity, the money paid by the private entity to the Commonwealth shall be deposited to the Fund. Moneys in the Fund shall be used solely for the construction of new roads in any locality in which a port is located and for the extension of such roads into other localities if the extension is an integral part of the new road.
SENATE					
SB 687	Lucas	Virginia Casino Gaming Commission; created, penalties, report.	S General Laws, Sub #1		Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the licensing scheme for casino gaming, provides penalties for violations of the casino gaming law, and limits casino gambling to localities that in which at least fifty percent of the land area is exempt from local real property taxation. Provides a portion of the taxes generated for transportation purposes.
SB 689	Lucas	Virginia Casino Gaming Commission; created, penalties, report.	S General Laws, Sub #1		Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming in the state. Under the bill, the conduct of casino gaming is limited to localities in which at least 40 percent of the assessed value of all real estate situated in the locality is exempt from local property taxation. Provides a portion of the taxes generated for transportation purposes.
SB 695	Lucas	Va. Toll Relief Act and Va. Casino Gaming Commission; regulation of casino gaming, penalties.	S General Laws, Sub #1		Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Provides a portion of the taxes generated for transportation purposes.
SB 696	Lucas	Va. Toll Abatement Act and Va. Casino Gaming Commission; regulation of casino gaming, penalties.	S General Laws, Sub #1		Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Under the bill conduct of casino gaming shall be limited to localities that are located in Planning District 8, 9, 10, 15, 16, 17, 18, 19 20, 21, 22, or 23. Provides a portion of the taxes generated for transportation purposes.

2013 General Assembly Session Transportation Funding/Allocation Bills

SB 697	Lucas	Va. Transportation Enhancement and Toll Abatement Act and Va. Casino Gaming Commission; regulation.	S General Laws, Sub #1	Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Under the bill conduct of casino gaming shall be limited to localities that are located in Planning District 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, or 23. Provides a portion of the taxes generated for transportation purposes.
SB 700	Alexander	Taxes on fuels; issuance of bonds.	S Finance	Makes the retail sale of gasoline, diesel fuel, and other fuels subject to the general 5% retail sales tax and reduces the fuels tax on such fuels by \$0.05 per gallon from \$0.175 per gallon to \$0.125 per gallon. Of the net additional revenues generated each year, \$250 million would go to maintenance and the remainder would be deposited into the Highway Construction Projects Trust Fund created under the bill, which would be used to finance or fund the construction, acquisition, reconstruction, or replacement of or improvements or additions to highway projects specifically set forth in the general appropriation act to be financed or funded using moneys from the Fund. The bill authorizes the issuance of up to \$5 billion in bonds for such highway projects with the bonds. The CTB is charged with ensuring that of the revenues deposited into the Trust Fund, over the long term, approximately 38% of such revenues would be used for projects in Northern Virginia, 31% for projects in Hampton Roads, and 31% for projects in all the remaining construction districts.
SB 714	Lucas	Va. Toll Mitigation Act & Virginia Casino Gaming Commission; regulation of casino gaming, penalties.	S General Laws, Sub #1	Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Proceeds of the gross receipts tax and admission tax imposed on casino gaming operators will be paid into the Toll Mitigation Fund, for (i) Dominion Boulevard Bridge and Roadway Improvement Project and (ii) Downtown Tunnel/Midtown Tunnel/Martin Luther King Freeway Extension Project. A referendum of the location of a casino gaming operation shall be limited to localities within Hampton Roads, and no initial license to operate a casino gaming operation may be issued unless a regional referendum has been approved. Provides a portion of the taxes generated for transportation purposes.
SB 717	Watkins	Establishing and adjusting sources of revenue for appropriations of the Commonwealth and its localities.	S Finance	Establishes a 5% on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to maintenance, construction, intercity passenger rail, and localities to be used for transportation purposes. Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of the registered hybrid vehicles would be eligible for a refund of the new five percent tax on motor fuels sales. Prohibits the placement of tolls on existing roads in the Commonwealth without the approval of the General Assembly. Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014 - income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate. Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013. Eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.
SB 733	Petersen	Virginia's fuels taxes; annually changing rate by using changes in fuel efficiencies of vehicles.	S Finance	Increases or decreases each year the rates of Virginia's fuels taxes using a fuel efficiency index, with 2007 as the base year. Thus, the percentage change in the fuel efficiency index between the current year and 2007, the base year, would determine the annual percentage increase or decrease in the rates of Virginia's fuels taxes.
SB 824	McWaters	Hampton Roads Planning District; additional 1% sales & use tax in counties in District.	S Finance	Provides for an additional 1% sales tax in the counties and cities located in Hampton Roads, with the additional revenues generated by the tax to be used for regional transportation projects, if approved by referendum at the November 2013 election.
SB 855	Petersen	Transportation; funding and administration.	S Finance	Increases the base fuel tax rate in Virginia by 10 cents per gallon of gasoline, gasohol, and diesel fuel, and then increases or decreases the rate each year using a fuel efficiency index, with 2007 as the base year. The bill also establishes a \$10 fee for the sale of each new electric motor vehicle battery, with the proceeds used for maintenance. Finally, the bill increases the membership of the CTB from 17 members to 23 members, with four members representing Northern Virginia, three members representing Hampton Roads, and two members representing Richmond.
SB 872	McWaters	Transportation Trust Fund; increases percentage portion of general fund surplus that is deposited.	S Finance	Increases from 67% to 75% the portion of the general fund surplus remaining at the end of each fiscal year that is deposited into the construction fund. Such deposit takes place after deposits are made to the Revenue Stabilization Fund and the Water Quality Improvement Fund and other statutorily mandated commitments are met.
SB 925	McWaters	Retail Sales & Use Tax; increases amount of revenue dedicated to Transportation Trust Fund.	S Finance	Increases the amount of sales tax revenue dedicated to the construction fund from an amount generated by a 0.5% tax rate under current law to an amount generated by a 0.75 % tax rate, phased in over a period of three years.

2013 General Assembly Session Transportation Funding/Allocation Bills

SB 1075	Barker	Transportation planning and projects.	S Floor	First Reading	Legislation passed in 2012 required localities and MPOs to reimburse VDOT for expenses when terminating a project or requesting alterations that exceed 10% of the total project cost. The bill clarifies that localities and MPOs are required to pay for terminating projects only when VDOT does not mutually agree; and clarifies that this would apply after design approval by Chief Engineer.
SB 1321	Obenshain	General fund balance; assignment of fund surplus to Transportation Trust Fund at end of fiscal year	S Finance		Provides that after the full deposit is assigned to the Revenue Stabilization Fund from any general fund surplus at the end of the fiscal year, the Comptroller shall assign the remaining general fund balance to transportation construction.
SB 1328	Wagner	Revenues and appropriations of State; changes to revenues collected and distribution.	S Finance		The bill raises the state sales and use tax from 4% to 4.5%, and designates the increased revenues for the construction fund, to be allocated in the same manner as other sales and use tax revenues designated for the that fund. The bill provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary, the bill requires the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room. The bill eliminates the statewide cents-per-gallon taxation of gasoline and blended fuel but leaves it in place for other types of motor fuels. The bill establishes a new 5.5% tax on motor fuels sales. The bill increases the registration fee for electronic vehicles from \$50 to \$75. and levies the annual fee on alternative fuel vehicles.
SB 1340	Saslaw	Revenues and appropriations of State; changes specifically relating to transportation funding.	S Finance		The bill raises the state sales tax rate from 4% to 5%. Of these new revenues, an amount equal to a one-half percent sales tax will be used for construction, with the percentage of that dedicated to mass transit raised to 25%. Of the other one-half percent of the new 1% sales tax, 2/3 will be distributed to localities to use for education, and 1/3 will be used to fund higher education in the Commonwealth. In fiscal years 2014, 2015, 2016, and 2017, \$80 million dollars each year that would otherwise be used for construction will be designated to the Dulles Metrorail Phase 2, subject to certain conditions. The bill raises the cents-per-gallon rate of the tax on motor fuels by 5 cents on July 1, 2013 and July 1, 2014, and then begins indexing the cents-per-gallon rate on July 1, 2015.
HB 1355	Newman	GOVERNOR'S TRANSPORTATION PLAN: Revenues and appropriations of State; changes to revenues collected and distribution.	S Finance		Raises the registration fees for vehicles and trailers and designates the increase for Mass Transit and Intercity Passenger Rail. Eliminates the motor fuels tax and raises the state sales and use tax from 4% to 4.8%. Establishes procedures for the collection of the state sales and use tax from remote sellers for sales made in the Commonwealth, contingent upon the federal government passing legislation authorizing such collection. If enacted, a portion of the revenues would be for construction and another portion allocated to the localities - with half of that dedicated for local transportation needs. Raises the annual license fee for electric vehicles from \$50 to \$100 and imposes the fee on hybrid electric vehicles and alternative fuel vehicles.

Transportation Allocation Formula Bills

HOUSE					
HB 1884	LeMunyon	Allocation of highway maintenance funds.	H Transportation, Sub #4	Sub Recommends Reporting 3-2	Provides that highway maintenance funds shall be allocated on the basis of VMT in each highway construction district compared to the Commonwealth as a whole. The bill allows the Commissioner to direct funds to specific maintenance projects he believes are needed to protect public safety, provided he provides written notice to the CTB.
HB 2070	Comstock	Mass Transit; removes all current allocations made by CTB and implements performance-based funding.	H Transportation, Sub #4	Sub Recommends Tabling 4-1	Removes all current allocations made by the CTB to mass transit and implements performance-based funding for mass transit. This is based on DRPT's recommendations from the SJ 297 Study.

SENATE					
SB 1140	Petersen	Commonwealth Mass Transit Fund.	S Finance		Removes all current allocations made by the Commonwealth Transportation Board to mass transit and implements performance-based funding for mass transit. This is based on DRPT's recommendations from the SJ 297 Study.

Transportation Trust Fund

House					
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2013 General Assembly Session Transportation Funding/Allocation Bills

HJ 622	Jones, C.	Constitutional amendment (first resolution); Transportation Funds.	H Privileges and Elections	Committee reported 22-0.	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, construction fund, maintenance fund, Priority Transportation Fund, and other funds established by general law for transportation. All revenues dedicated to these Funds on January 1, 2014, by general law, other than a general appropriation law, shall be deposited to them. The General Assembly by general law, other than a general appropriation law, may alter the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years. Moneys designated for deposit into funds other than Transportation Funds shall not be used for any transportation-related purpose except for making certain debt service payments on transportation-related bonds and notes.
Senate					
SJ 275	Obenshain	Constitutional amendment; Transportation Funds (first reference).	S. Privileges and Elections, Constitutional Amdts. Sub		Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, construction fund, maintenance fund, and others established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years.
Other Transportation Bills					
House					
Senate					
Legislation No Longer Under Consideration					
Transportation Funding Bills					
House					
HB 1403	Cole	Sales and use tax revenue dedicated to the Transportation Trust Fund.	H Finance	Incorporated into HB 2313 (Howell)	Increases the amount of sales tax dedicated to the Transportation Trust Fund from an amount generated by a 0.5 percent tax rate under current law to an amount generated by a 1% tax rate, phased in by a 0.1% increase each year for five years, or over a longer period of time if there is a lack of growth in general fund revenues.
HB 1409	Scott, J.	Motor fuels tax; converts rate of taxation from cents per gallon to a percentage rate.	H Finance	Tabled by Voice Vote	Converts the rate of taxation on motor fuels from cents per gallon to a percentage rate. DMV Commissioner will calculate the percentage rate in an amount that will most closely yield the amount of cents per gallon being charged on the applicable motor fuel prior to the effective date of the bill. Thereafter, the percentage rates would not change, but would be applied against the average price per gallon of the fuel to determine the cents to be charged.
HB 1438	Purkey	Motor fuels tax; indexed.	H Finance	Incorporated into HB 2313 (Howell)	Requires that the motor fuels tax rate be indexed on January 1, 2014, and each year thereafter, to the average percentage change in the USDOT's Transportation Services Index for the three years ending October 31 of the year immediately preceding the affected year.
HB 1472	Watts	Transportation funding and administration.	H Finance	Tabled by Voice Vote	Provides additional funding for transportation by (i) imposing a motor fuels sales tax rate of 5% for highway maintenance; (ii) increasing the state sales tax in Northern Virginia by 0.5% for transportation projects in Northern Virginia; and (iii) adding an additional recordation tax in Northern Virginia at a rate of \$0.40 per \$100 valuation. The bill reduces the sales tax rate on food for human consumption from 1.5% to 1%, and repeals the authority for certain localities to impose a local income tax. The bill removes the sunset date (June 30, 2018) for the \$.125 per \$100 of assessed value limit on the Northern Virginia C&I tax, allowing an increase to \$0.25 per \$100 of assessed value. Finally, the bill increases the special real property tax rate on commercial property in localities in Hampton Roads from \$0.10 to \$0.125 per \$100 of assessed value.

2013 General Assembly Session Transportation Funding/Allocation Bills

HB 1663	Minchew	Motor fuels tax; authorizes any county or city to impose at rate not to exceed \$0.10 per gallon.	H Finance	Incorporated into HB 2313 (Howell)	Authorizes any county or city to impose a tax at a rate not to exceed \$0.10 per gallon on motor fuel sold by a wholesale distributor to a retail dealer in the locality. The revenue from such tax shall be used solely for transportation projects.
HB 1677	Hugo	Transportation funding.	H Finance	Incorporated into HB 2313 (Howell)	Adjusts the sources and amounts of funding for transportation by repealing the tax on all motor fuels except diesel fuel and diesel blended fuel, increasing the retail sales and use tax rate by 0.75% and allocating the additional revenue to transportation according to the current formula for motor fuels tax revenue allocation, and doubling the amount of current sales tax revenue dedicated to the Transportation Trust Fund.
HB 1878	Morrissey	Establishing and adjusting sources of revenue for appropriations of the Commonwealth and its localities.	H Finance	Tabled by Voice Vote	Establishes a 5% tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to maintenance, construction, intercity passenger rail, and the localities to be used for transportation purposes. Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, registered owners of hybrid electric vehicles would be eligible for a refund of the new 5% gas tax. Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014 - income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate. Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013; and eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.
HB 1888	LeMunyon	Income tax, state and fuels taxes; adjusted for inflation.	H Finance	Incorporated into HB 2313	Adjusts elements of Virginia's individual income tax and fuels taxes annually to account for inflation. The individual income tax income brackets, return filing thresholds, standard deduction, and personal exemption amounts would be adjusted annually beginning in 2014 by the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), for all items, from October 1 through September 30 for the immediately preceding year. Virginia's fuels taxes would be adjusted each July 1 beginning in 2013 by the percentage change in the U.S. Department of Labor's Producer Price Index for Other Nonresidential Construction - Land Transportation from May 1 through April 30 immediately preceding the affected July 1.
HB 2063	Rust	Establishing and adjusting sources of revenues for appropriations of the Commonwealth.	H Finance	Tabled by Voice Vote	Establishes a 5% tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline - revenues would be distributed to maintenance, construction, intercity passenger rail, and localities to be used for transportation purposes. Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, registered owners of hybrid electric vehicles would be eligible for a refund of the new 5% gas tax. Repeals income tax credits for vehicle emissions testing equipment effective for taxable years beginning on or after January 1, 2013. Authorizes planning district commissions to be eligible to receive revenues to be used solely for transportation purposes within the planning district - the revenues would be generated by an additional 0.5% state sales tax and an additional state recordation tax of \$.15 per \$100 in the localities located in the planning district commission. In order to be eligible, the planning district commission must determine, in order of priority, a list of 10 transportation projects that it would like to fund with the revenues. Additionally, the governing bodies of the localities representing at least a majority of the residents within the planning district commission must pass a resolution in support of the generation of such revenues. After these requirements have been met, the General Assembly must specifically authorize the imposition of such taxes in the localities in the planning district commission during the next session. If the revenues are authorized, then, if applicable, a locality would no longer be authorized to impose a local income tax.

2013 General Assembly Session Transportation Funding/Allocation Bills

HB 2179	Rust	Establishing and adjusting sources of revenue for appropriations of the Commonwealth and its localities.	H Finance	Tabled by Voice Vote	Establishes a 5% tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the HMOF, TTF, IPROF, and localities to be used for transportation purposes. Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, registered owners of hybrid electric vehicles would be eligible for a refund of the new 5% gas tax. Prohibits the placement of tolls on existing roads in the Commonwealth without the approval of the General Assembly; Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014 - income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate. Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013; Eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.
HB 2224	Howell, A.	Motor fuels tax; increases rate by \$0.10 per gallon, revenue to be used for transportation.	H Finance, Sub #1	Tabled by Voice Vote	Increases the motor fuels tax rate by \$0.10 per gallon and dedicates the additional revenue to the operation, maintenance, improvement, and expansion of the Commonwealth's transportation system.
HB 2253	Albo	Transportation funding.	H Finance	Incorporated into HB 2313 (Howell)	The bill makes several changes to the individual and corporate income tax: (i) decreases all individual income tax rates by 0.2%; (ii) adopts market-based sourcing for corporate income tax for the sourcing of services, marketable securities, and property; and (iii) repeals (a) the land preservation tax credit, (b) the long-term care insurance tax credit, and (c) the coalfield employment enhancement tax credit, including the ability of electricity generators to allocate tax credits earned by such persons for purchasing coal to persons with an economic interest in coal. The bill imposes a 5% state tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed for maintenance of roads in the secondary state highway system and construction of new roads. The bill also increases the additional state registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new 5% tax on motor fuels sales. The bill imposes a 2% state transient occupancy tax, an initial 1% state motor vehicle registration fee, and a \$0.20 per \$100 recordation fee in any locality in Northern Virginia that is imposing either of the two local taxes set forth below; The bill completely exempts food for human consumption from state and local sales taxes, repeals the sales and use tax exemption for nonprofit entities, and increases the amount of state sales tax distributed to localities from 1% to 1.23%. The bill authorizes Fairfax County, Loudoun County, and Prince William County to impose a 4% food and beverage tax without a referendum, to be used for the construction of roads that reduce traffic congestion. The bill authorizes Arlington County and the cities in Northern Virginia to impose an additional 0.5% local sales and use tax to be used for the construction of roads that reduce traffic congestion. The bill also authorizes localities in Hampton Roads to impose an additional 1% sales and use tax to be used for the construction of roads that reduce traffic congestion. All provisions of the bill, except the adoption of market-based sourcing for corporate income tax, are effective January 1, 2016. The market-based sourcing for corporate income tax is effective January 1, 2014.

2013 General Assembly Session Transportation Funding/Allocation Bills

HB 2333	Watts	Transportation; funding and administration.	H Finance	Tabled by Voice Vote	Provides additional funding for transportation by (i) imposing a motor fuels sales tax rate of five percent for highway maintenance; and (ii) increasing the additional registration fee on electric vehicles from \$50 to \$102 and imposing it on hybrid motor vehicles, with all revenue from such fee distributed to Intercity Passenger Rail (owners of hybrid electric motor vehicles would be eligible for a refund of motor fuels taxes paid); The bill also reduces the sales and use tax rate on food for human consumption from 1.5 percent to one percent, and repeals the authority for certain localities to impose a local income tax. The bill removes the sunset date (June 30, 2018) from the legislation that reduced the special real property tax rate on commercial property in Northern Virginia from \$0.25 per \$100 of assessed value to \$0.125 per \$100 of assessed value. The bill also authorizes planning district commissions to be eligible to receive revenues to be used solely for transportation purposes within the planning district. The revenues would come from an additional 0.5% state sales and use tax and an additional state recordation tax of 40 cents per \$100 in the localities located in the planning district. In order to be eligible, the planning district commission must determine, in order of priority, a list of 10 transportation projects that it would like to fund with the revenues. Additionally, the governing bodies of the localities representing at least sixty percent of the residents within the planning district commission must pass a resolution in support of the generation of such revenues. After these requirements have been met, the General Assembly must specifically authorize the imposition of such taxes in the localities in the planning district commission during the next session of the General Assembly.
Senate					
Transportation Allocation Formula Bills					
House					
HB 2141	Keam	Street maintenance payments.	H Transportation, Sub #3	Subcommittee Recommends Laying on Table	Provides for increased highway maintenance payments to municipalities where traffic volumes exceed the statewide average by more than 20%
Senate					
Transportation Trust Fund Bills					
HJR					
HJ 584	Watts	Constitutional amendment; Transportation Funds.	H Privileges and Elections, Constitutional Amdts. Sub	Incorporated into HJ 622 (Jones)	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, construction fund, maintenance fund, Priority Transportation Fund, and any other transportation fund established by general law. All revenues dedicated to Transportation Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the Funds, unless the General Assembly by general law, other than a general appropriation law, alters the dedicated revenues. Funds will be appropriated only for such transportation systems and projects as authorized by the General Assembly by law, excluding a general appropriation law. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 plus one of the members voting in each house, and it must be repaid with reasonable interest within three years.

2013 General Assembly Session Transportation Funding/Allocation Bills

HJ 651	Villanueva	Constitutional amendment (first resolution); Transportation Funds.	H Privileges and Elections, Constitutional Amdts. Sub	Incorporated into HJ 622 (Jones)	Requires the General Assembly to maintain permanent and separate Transportation Funds, including the Commonwealth Transportation Fund, construction fund, maintenance fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2014, by general law, other than a general appropriation law, shall be deposited to the Funds. The General Assembly by general law, other than a general appropriation law, may alter the revenues dedicated to the Funds. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years. Moneys designated for deposit into funds other than Funds shall not be used for any transportation-related purpose except for making certain debt service payments on transportation-related bonds and notes.
HJ 652	O'Bannon	Constitutional amendment (first resolution); Transportation Funds.	H Privileges and Elections, Constitutional Amdts. Sub	Incorporated into HJ 622 (Jones)	Requires the General Assembly to maintain permanent and separate Transportation Funds, including the Commonwealth Transportation Fund, construction fund, maintenance fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2014, by general law, other than a general appropriation law, shall be deposited to the Funds, unless the General Assembly by general law, other than a general appropriation law, alters the dedicated revenues. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years.
SJR					
Other Transportation Bills					
House					
HB 2172	Torian	Prince William County Metrorail Improvement District.	H Transportation, Sub #1	Subcommittee Recommends Laying on Table	Creates the Prince William County Metrorail Improvement District to provide a means of financing an extension of commuter rail service from Fairfax County into Prince William County.
Senate					