

2008 Virginia General Assembly
Legislative Report
1/27/2008

If the early signs I am seeing prove to be correct, transportation funding is headed for another trainwreck at the 08 session. This is largely based on the Governor's revised estimates for coming revenue which will be publicly presented to the legislature in mid-February. But the leaks portend bad news.

Senior transportation officials are now indicating that there is going to be a need to make about \$400 million worth of transportation funding cuts in the current proposed 2008-2010 proposed budget, based on shrinking revenues from the normal transportation sources and the doing away with the now hated abusive driver fees. But the much more serious news is that revenue forecasts for the current six-year plan suggest a billion dollar shortfall - a number equal to one full year of construction under the plan! And no one from the Governor on down, is really focusing on addressing this gigantic shortfall in the state's transportation funding budget. With no legislative solutions on the horizon, the forecast is really dim for state funded highway work over the next six years.

The broad issue of illegal immigration continues to create challenges for many lobbyists representing construction, farm and commercial businesses as conservative legislators continue to push a large number of bills that could literally close down a business for hiring an illegal alien. These various bills, like HB 90, have not yet ripened, but will start to crystallize shortly. VUHCC is trying to keep a close eye on them, if and when they do.

VUHCC has been successful in killing a number of bad truck bills, (HB 292, HB 1546, SB 558) which would allow counties across the Commonwealth to weigh trucks, collect fines, and use the proceeds for non-transportation purposes. There are still a few more of these bills floating around, and we will try and ensure they receive the same outcome.

SB 189 was also heard last week. It is legislation that we would normally oppose because it substantially raised the dollar limits of work that both counties and the state can perform with their own forces. But

we were handcuffed by three issues that kept us from opposing the bill. First, the bill is primarily supported by the Northern Virginia Transportation Authority - an entity that we have worked hand-in-hand with for many years. Second, the current dollar caps have not been raised since 1986, and third, the language that VUHCC had placed in the law two years ago precluding a locality from doing the work if they receive at least two responsive bids from the private sector will remain in the law. Given those facts, we let this bill move forward unopposed by the VUHCC.

We are also looking at HB 1027 which would not allow commercial vehicles to be parked in some residential areas, including a pickup truck with the name of a company written on its doors. Where do some of these bills come from?

We are now approaching the final two weeks of consideration of House or Senate bills by their own bodies. This is the time that the contentious legislation will really start to surface for consideration by the various committees, including what if anything is to be done to make up for the lost revenues of the now all but gone abusive driver fees. VUHCC continues to argue that Virginia cannot simply allow the fees to not be replaced with other, and with hopefully more reliable sources of revenue.

So the next two weeks will be very interesting.

Mark Singer
Virginia Utility & Heavy Contractors Council
1108 E. Main St., Suite 1200
Richmond, VA 23219
ph - 804.346.1020
fx - 804.346.8287
email - mark.singer@vuhcc.org
www.vuhcc.org

VUHCC: created on 01/09 at 20:26

Composite view with notes

Bills	Committee	Last action	Date
HB 6 - Brink - Constitutional amendment; exempts certain homeowners from taxation (submitting to qualified voters).	(H) Committee on Privileges and Elections	(H) Incorporated by Privileges and Elections (HB11-Albo)	01/25/08
HB 11 - Albo - Constitutional amendment; exempts certain homeowners from taxation (voter referendum).	(H) Committee on Privileges and Elections	(H) Read first time	01/28/08
HB 39 - Scott, J.M. - Wireless telecommunications device; prohibits use of text messaging while driving certain vehicles.	(H) Committee on Transportation	(H) Passed by in Transportation with letter	01/15/08
HB 41 - Scott, J.M. - Motor fuels tax; modifies rates of taxation thereof.	(H) Committee on Finance	(H) Assigned Finance sub: 2	01/15/08
HB 50 - Cole - Civil remedial fees on certain drivers; repealed.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	12/05/07
HB 59 - Frederick - Income tax, state; tax credit for health insurance premiums paid by small business employers.	(H) Committee on Finance	(H) Continued to 2009 in Finance	01/28/08
HB 67 - Marshall, R.G. - Civil remedial fees on certain drivers; repealed.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	12/07/07
HB 71 - Marshall, R.G. - Building permit; localities may adopt provisions for assessment of impact fees prior to issuance.	(H) Committee on Counties, Cities and Towns	(H) Referred to Committee on Counties, Cities and Towns	12/07/07

HB 72 - Marshall, R.G. - Building permit; localities may use impact fees for capital improvements.	(H) Committee on Counties, Cities and Towns	(H) Referred to Committee on Counties, Cities and Towns	12/07/07
HB 90 - Nichols - Public Procurement Act; verification of legal presence of contractors for employment.	(H) Committee on Rules	(H) Referred to Committee on Rules	12/13/07
HB 94 - Nichols - Secondary highway system; allocates construction funds among counties based on population.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/28/08
HB 110 - Scott, E.T. - Trucks; maximum allowable weights of vehicle combinations.	(H) Committee on Transportation	(H) Tabled in Transportation	01/15/08
HB 111 - Scott, E.T. - Highway systems; revenue-sharing funds therefor in certain counties, cities, and towns.	(H) Committee on Transportation	(H) Assigned Transportation sub: 4	01/25/08
HB 147 - Fralin - Transportation Plan; Plan to include regional goals and performance measures for highway districts.	(H) Committee on Transportation	(H) Assigned Transportation sub: 1	01/14/08
HB 148 - Fralin - Vehicle weight law enforcement; authorizes enforcement by full-time sworn members of DMV.	(H) Committee on Transportation	(H) Assigned Transportation sub: 2	01/14/08
HB 154 - Nichols - Civil remedial fees; repeals provision for those paid, imposed on certain drivers.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	12/21/07
HB 161 - Albo - Liquidated damage fees; fees to be	(H) Committee on Transportation	(H) Referred to Committee on	12/21/07

paid by all abusive drivers on State highways.		Transportation	
HB 185 - Marshall, R.G. - Trucks and combination vehicles; Transportation Board to impose fee for use in maintaining highways.	(H) Committee on Transportation	(H) Assigned Transportation sub: 2	01/16/08
HB 187 - Marshall, R.G. - Public Procurement Act; expands forms of bid, payment, and performance security.	(H) Committee on General Laws	(H) Referred to Committee on General Laws	12/26/07
HB 208 - Cole - Public facilities; deferral of subdivision plats or site plans when inadequate.	(H) Committee on Counties, Cities and Towns	(H) Referred to Committee on Counties, Cities and Towns	12/27/07
HB 227 - Cosgrove - Contractors, Board for; applications for licensure.	(H) Committee on Rules	(H) Referred to Committee on Rules	12/28/07
HB 272 - Miller, P.J. - Constitutional amendment; exempts certain homeowners from taxation (submitting to qualified voters).	(H) Committee on Privileges and Elections	(H) Incorporated by Privileges and Elections (HB11-Albo)	01/25/08
HB 275 - Watts - Motor fuel tax; rate increase.	(H) Committee on Rules	(H) Referred to Committee on Rules	01/02/08
HB 284 - Toscano - Income tax credit, earned; employers to provide notice to employees.	(H) Committee on Commerce and Labor	(H) Assigned C & L sub: 2	01/14/08
HB 287 - Kilgore - Civil remedial fees; repeals provision for those imposed on certain drivers.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/03/08
HB 290 - Englin - Civil remedial fees; repeals provision for those	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/03/08

imposed on certain drivers.			
HB 293 - Poisson - Vehicle weight limit enforcement; county enforcement on highways within its boundaries.	(H) Committee on Transportation	(H) Tabled in Transportation	01/22/08
HB 302 - Nichols - Uniform Statewide Building Code; use of diesel fuel or motor oil as release agent prohibited.	(H) Committee on General Laws	(H) Assigned GL sub: Housing	01/17/08
HB 366 - Carrico - Unemployment compensation; testing for controlled substances.	(H) Committee on Commerce and Labor <hr/> (S) Committee on Commerce and Labor	(S) Referred to Committee on Commerce and Labor	01/24/08
HB 389 - Bulova - Highway systems; allocation of maintenance funds.	(H) Committee on Transportation	(H) Assigned Transportation sub: 1	01/14/08
HB 393 - Bulova - Northern Virginia Transportation Authority; changes applicability of certain fund distribution.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/04/08
HB 426 - Marshall, R.G. - Public Procurement Act; expands forms of bid, payment, and performance security.	(H) Committee on General Laws	(H) Referred to Committee on General Laws	01/04/08
HB 448 - Rust - Civil remedial fees; fees shall be assessed on person who operates motor vehicle on highways.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/04/08
HB 450 - Rust - Motor vehicle repair services; those embraced by Northern Virginia and Hampton Roads	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/04/08

Authorities.			
HB 451 - Rust - Northern Virginia Transportation Authority; increases membership.	(H) Committee on Counties, Cities and Towns	(H) Referred to Committee on Counties, Cities and Towns	01/04/08
HB 471 - Watts - Highway construction, primary system; funds allocation.	(H) Committee on Transportation	(H) Assigned Transportation sub: 1	01/14/08
HB 490 - Amundson - Transportation funding; increases motor fuels tax and repeals certain abusive driver fees.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/07/08
HB 627 - May - PPTA; private entity to pay costs for independent audit of all traffic and cost estimates.	(H) Committee on Transportation	(H) Communicated to Senate	01/28/08
HB 635 - May - Impact fees; expands existing road impact fee provisions to include school improvements, etc.	(H) Committee on Counties, Cities and Towns	(H) Referred to Committee on Counties, Cities and Towns	01/08/08
HB 788 - Ingram - Highway maintenance payments; Arlington and Henrico Counties receive payments for roads.	(H) Committee on Appropriations	(H) Assigned App. sub: Transportation (May)	01/15/08
HB 826 - Gear - Hampton Roads Transportation Authority; expanding Hampton Roads Bridge Tunnel first tier project.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/08/08
HB 828 - Gear - Hampton Roads Transportation Authority; removes York County & Cities of Hampton & Poquoson.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/08/08
HB 829 - Gear - Hampton Roads Transportation Authority; abolishes Authority, taxes, etc.,	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/08/08

dedicated to operation.			
HB 904 - Mathieson - Mobile telephone and other wireless electronic devices; use of hands-free accessory while driving.	(H) Committee on Militia, Police and Public Safety	(H) Referred to Committee on Militia, Police and Public Safety	01/08/08
HB 926 - Byron - Illegal aliens; disciplinary action for employing.	(H) Committee on Rules	(H) Referred to Committee on Rules	01/08/08
HB 928 - Gilbert - Illegal immigration; adopts several measures aimed at curbing in State, report.	(H) Committee on Rules	(H) Referred to Committee on Rules	01/08/08
HB 944 - Albo - Public Procurement Act; procurement of professional services for certain transportation projects.	(H) Committee on General Laws	(H) Assigned GL sub: FOIA	01/17/08
HB 957 - Shannon - Northern Virginia Transportation Authority; increases membership.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/08/08
HB 961 - Shannon - Highway maintenance; provides for increased payments where traffic volumes exceed statewide average.	(H) Committee on Appropriations	(H) Assigned App. sub: Transportation (May)	01/15/08
HB 976 - Shannon - Single lot development; developers to provide stormwater management.	(H) Committee on Counties, Cities and Towns	(H) Referred to Committee on Counties, Cities and Towns	01/08/08
HB 977 - Shannon - Statistical information; VDOT to collect and report.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/08/08
HB 986 - Nutter - Income tax, state; tax credit for health insurance premiums paid by small	(H) Committee on Finance	(H) Assigned Finance sub: 3	01/15/08

business employers.			
HB 1027 - Frederick - Motor vehicles; regulation of parking of certain vehicles in certain counties.	(H) Committee on Transportation	(H) Assigned Transportation sub: 2	01/18/08
HB 1047 - Watts - Illegal immigrants; document verification for employment.	(H) Committee on Rules	(H) Referred to Committee on Rules	01/09/08
HB 1083 - Suit - Environmental impact reports; exempts state/local authority from submission on major state project.	(H) Committee on Agriculture, Chesapeake and Natural Resources	(H) Incorporated by Agriculture, Chesapeake and Natural Resources (HB1259-O'Bannon)	01/23/08
HB 1108 - Rust - Highway construction, primary system; funds allocation.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/28/08
HB 1116 - Abbitt - Environmental impact reports; required for any major state construction project over \$500,000.	(H) Committee on Agriculture, Chesapeake and Natural Resources	(H) Communicated to Senate	01/28/08
HB 1249 - Hugo - Unfair employment practices; discharging employees when unauthorized aliens are employed.	(H) Committee on Rules	(H) Referred to Committee on Rules	01/09/08
HB 1259 - O'Bannon - Environmental impact reports; requires county, city, or town to submit report on highway projects.	(H) Committee on Agriculture, Chesapeake and Natural Resources	(H) Communicated to Senate	01/28/08
HB 1304 - Oder - Hampton Roads Transportation Authority; procedures to be followed.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/09/08
HB 1385 - Miller, J.H. - Highway construction funds, primary and	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/09/08

secondary; funds allocation.			
HB 1437 - Bulova - Trees; conservation during land development process for air quality improvement.	(H) Committee on Counties, Cities and Towns	(H) Referred to Committee on Counties, Cities and Towns	01/14/08
HB 1444 - Oder - Hampton Roads Transportation Authority; abolishes Authority, taxes, etc., dedicated to operation.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/15/08
HB 1515 - Gilbert - Public-Private Transportation Act; prohibits private entity from imposing tolls on Interstates.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/17/08
HB 1516 - Gilbert - Public-Private Transportation Act; prohibits private entity from imposing tolls on Interstates.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/17/08
HB 1546 - Athey - Weight limit; town ordinance thereof on certain roads.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/18/08
HB 1548 - Morgan - Landfills; prohibits those publicly owned from accepting construction and demolition debris.	(H) Committee on Agriculture, Chesapeake and Natural Resources	(H) Referred to Committee on Agriculture, Chesapeake and Natural Resources	01/18/08
HB 1551 - Bowling - Overweight and overload permits; creates fee schedules therefor to help recover maintenance costs.	(H) Committee on Transportation	(H) Assigned Transportation sub: 3	01/25/08
HB 1554 - McClellan - Public Procurement Act; awarding of contracts to small, women-, or minority-owned businesses.	(H) Committee on General Laws	(H) Referred to Committee on General Laws	01/18/08

HB 1558 - Cline - Public Procurement Act; verification of legal presence of contractors for employment.	(H) Committee on Rules	(H) Referred to Committee on Rules	01/18/08
HB 1565 - Crockett-Stark - Multicounty/City Transportation District; created.	(H) Committee on Appropriations	(H) Assigned App. sub: Transportation (May)	01/25/08
HB 1573 - Hall - Central Virginia Regional Transportation Authority; created.	(H) Committee on Counties, Cities and Towns	(H) Referred to Committee on Counties, Cities and Towns	01/18/08
HJ 3 - Brink - Constitutional amendment; exempts certain homeowners from taxation (second reference).	(H) Committee on Privileges and Elections	(H) Incorporated by Privileges and Elections (HJ4-Albo)	01/25/08
HJ 4 - Albo - Constitutional amendment; exempts certain homeowners from taxation (second reference).	(H) Committee on Privileges and Elections	(H) Committee substitute printed 087680404-H1	01/25/08
HJ 48 - Marshall, R.G. - Constitutional amendment; Transportation Funds.	(H) Committee on Privileges and Elections	(H) Continued to 2009 in Privileges and Elections	01/18/08
HJ 56 - Miller, P.J. - Constitutional amendment; exempts certain homeowners from taxation (second reference).	(H) Committee on Privileges and Elections	(H) Incorporated by Privileges and Elections (HJ4-Albo)	01/25/08
HJ 102 - Hogan - Health insurance; JLARC to study providing income tax credit to employers that provide to employees.	(H) Committee on Rules	(H) Referred to Committee on Rules	01/08/08
HJ 153 - Watts - Public-Private Transportation Act of 1995; study competitive bidding on projects thereunder.	(H) Committee on Rules	(H) Referred to Committee on Rules	01/09/08

HJ 158 - Bouchard - Highway Trust Fund, federal; joint subcommittee to study impact on State of decline in funding.	(H) Committee on Rules	(H) Referred to Committee on Rules	01/09/08
HJ 164 - Cosgrove - Contractors, licensed; Commission on Immigration to study hiring of undocumented workers & impact.	(H) Committee on Rules	(H) Referred to Committee on Rules	01/09/08
HJ 194 - Jones, S.C. - Hampton Roads; joint subcommittee to study transportation network.	(H) Committee on Rules	(H) Referred to Committee on Rules	01/09/08
SB 1 - Houck - Civil remedial fees on certain drivers; repealed.	(S) Committee on Finance	(S) Passed by for the day	01/28/08
SB 2 - Puller - Retail Sales and Use Tax; eliminates exemption for certain fuels.	(S) Committee on Finance	(S) Referred to Committee on Finance	11/21/07
SB 4 - Puller - Civil remedial fees on certain drivers; repealed.	(S) Committee for Courts of Justice	(S) Incorporated by Courts of Justice (SB1-Houck) (15-Y 0-N)	01/16/08
SB 42 - Reynolds - Civil remedial fees; repeals provision for those imposed on certain drivers.	(S) Committee for Courts of Justice	(S) Incorporated by Courts of Justice (SB1-Houck) (15-Y 0-N)	01/16/08
SB 55 - Houck - Tank wagons; increases total gross weight for overweight permits.	(S) Committee on Transportation	(S) Communicated to House	01/16/08
SB 57 - Colgan - Civil remedial fees; repeals provision for those imposed on certain drivers.	(S) Committee for Courts of Justice	(S) Incorporated by Courts of Justice (SB1-Houck) (15-Y 0-N)	01/16/08

SB 85 - Cuccinelli - Civil remedial fees; repeals provision for those imposed on certain drivers.	(S) Committee for Courts of Justice	(S) Incorporated by Courts of Justice (SB1-Houck) (8-Y 7-N)	01/16/08
SB 90 - Colgan - Employment; verification of eligibility.	(S) Committee for Courts of Justice	(S) Assigned Courts sub: Special on Immigration	01/28/08
SB 176 - Blevins - Hampton Roads Transportation Authority; changes to taxes and fees that may be imposed.	(S) Committee on Finance	(S) Rereferred to Finance	01/10/08
SB 185 - Herring - Impact fees; grants authority to high-growth localities.	(S) Committee on Local Government	(S) Referred to Committee on Local Government	01/07/08
SB 189 - Herring - Highway construction; increases cost of project using state or local employees.	(S) Committee on Transportation	(S) Communicated to House	01/23/08
SB 444 - Petersen - Motor fuels tax; funding for transportation-related alternatives.	(S) Committee on Finance	(S) Incorporated by Finance (SB1-Houck) (16-Y 0-N)	01/23/08
SB 445 - Petersen - Motor fuels tax; funding for transportation related alternatives.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/09/08
SB 449 - Petersen - Public-Private Transportation Act; competitive bidding.	(S) Committee on Transportation	(S) Referred to Committee on Transportation	01/09/08
SB 517 - Cuccinelli - Public Procurement Act; contractors to certify immigration status verification on all employees.	(S) Committee for Courts of Justice	(S) Assigned Courts sub: Special on Immigration	01/28/08
SB 558 - Obenshain - Vehicle weight limit statutes; enforcement by local law-enforcement	(S) Committee on Transportation	(S) Continued to 2009 in Transportation (15-Y 0-N)	01/24/08

agencies.			
SB 632 - Ticer - Trees; conservation of during land development process for air quality improvement.	(S) Committee on Local Government	(S) Referred to Committee on Local Government	01/09/08
SB 660 - Miller, Y.B. - Hampton Roads Transportation Authority; power to enter into design-build contracts.	(S) Committee on Transportation	(S) Stricken from Senate calendar (40-Y 0-N)	01/23/08
SB 676 - Miller, J.C. - Hampton Roads Transportation Authority; abolishes Authority, taxes, etc., dedicated to operation.	(S) Committee on Transportation	(S) Referred to Committee on Transportation	01/14/08
SB 713 - Saslaw - Motor fuels taxes; rate increase.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/17/08
SB 724 - Cuccinelli - Hampton Roads & Northern Virginia Transportation Authorities; repeal authority impose fees or taxes.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/17/08
SB 729 - Saslaw - Retail Sales & Use Tax; Northern Virginia Transportation Authority authorized to impose.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/18/08
SB 753 - Obenshain - Public-Private Transportation Act; prohibits private entity from imposing tolls on Interstates.	(S) Committee on Transportation	(S) Stricken at request of Patron in Transportation (15-Y 0-N)	01/24/08
SB 754 - Obenshain - Public-Private Transportation Act; prohibits private entity from imposing tolls on Interstates.	(S) Committee on Transportation	(S) Referred to Committee on Transportation	01/18/08

SB 767 - Watkins - Richmond Metropolitan Authority; revises composition of Board of Directors.	(S) Committee on Local Government	(S) Referred to Committee on Local Government	01/18/08
SB 768 - Watkins - Conditional zoning; replaces cash proffer system with system of impact fees.	(S) Committee on Local Government	(S) Referred to Committee on Local Government	01/18/08
SB 782 - Obenshain - Illegal aliens; disciplinary action for employing.	(S) Committee for Courts of Justice	(S) Assigned Courts sub: Special on Immigration	01/28/08
SJ 91 - Norment - Constitutional amendment; Transportation Funds (first reference).	(S) Committee on Privileges and Elections	(S) Continued to 2009 in Privileges and Elections (14-Y 0-N)	01/22/08
SJ 92 - Stolle - Transportation entities; joint subcommittee to study relationship, duties, etc. in Hampton Roads.	(S) Committee on Rules	(S) Reading waived (40-Y 0-N)	01/28/08
SJ 122 - Colgan - Rapid transit service; joint subcommittee to study enhancing thereof in Northern Virginia.	(S) Committee on Rules	(S) Referred to Committee on Rules	01/15/08