

AGENDA

Hampton Roads Transportation Accountability Commission (HRTAC) Regular Meeting - January 21, 2016

12:30 PM

The Regional Board Room, 723 Woodlake Drive, Chesapeake, VA 23320

- 1. Call to Order**
- 2. Approval of Agenda**
 - *Recommended Action: Approval*
- 3. Public Comment Period**
 - *Limit 5 minutes per individual*
- 4. Chair's Comments**
- 5. Consent Items**
 - *Recommended Action: Approval*
 - A. Minutes of the December 16, 2015 HRTAC Regular Meeting (Attachment 5A)**
 - B. Amendment to the FY2016 Budget (Attachment 5B)**
 - C. Virginia Retirement System and Group Life Insurance Program Resolutions: 1. Election to Participate in the Virginia Retirement System and Group Life Insurance Program; 2. Obtaining Social Security Coverage for Employees of Political Subdivisions of the Commonwealth of Virginia; and 3. Health Insurance Credit Program for Local Government Employees (Attachment 5C-1, 5C-2, and 5C-3)**
 - D. Preserving Flexibility to Reimburse Expenditures on I-64/I-264 Interchange Improvements Project, Phase I, with Proceeds of a Bond Issue (Attachment 5D)**
- 6. Action Items**
 - A. Authorization of Public Hearing on amendment to the HRTAC (initial) Financial Plan to cover cost of Preliminary Engineering relating to I-64/I-264 Interchange Improvements under UPC 106693 and US Route 460/58/13 Connector work under UPC 106694 - *Recommended Action: Discussion/Approval***
 - B. Resolution of Support for Proposed Legislation to Increase Regional Revenues - *Recommended Action: Discussion/Approval***
- 7. Information Items**
 - A. HRTF Financial Report - HRTAC Executive Director Page**
 - B. Legislative Update - HRTAC Executive Director Page**
 - C. Funding Strategies Advisory Committee Update - Chair Crawford**
 - D. HRTPO Report of Activities - HRTPO Executive Director Crum**
- 8. Next HRTAC Regular Meeting - February 18, 2016 - 12:30 p.m.**

Adjournment

Agenda Item 5-A
Consent Item

To: Chair Sessions and the other members of HRTAC

From: Kevin B. Page, Executive Director

Date: January 21, 2016

Re: December 16, 2015 Meeting Minutes

Recommendation:

The Commission is asked to approve the December 16, 2015 regular meeting minutes.

Background:

The Commission approves meeting minutes for the permanent record of the Commission.

Fiscal Impact:

There is no fiscal impact in relation to this Consent Item.

Suggested Motion:

Motion is to approve the minutes of the regular Commission meeting on December 16, 2015.



**Hampton Roads Transportation
Accountability Commission (HRTAC)
Summary Minutes of the December 16, 2015 Regular Meeting**

The Hampton Roads Transportation Accountability Commission (HRTAC) Regular Meeting was called to order at 12:08 p.m. in the HRTPO Regional Board Room, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

HRTAC Voting Members in Attendance:

William Sessoms, Jr., Chair	
Clyde Haulman, Vice-Chair	Alan Krasnoff
Rex Alphin	McKinley Price
Paul Fraim	Tom Shepperd, Jr.
Michael Hipple	George Wallace
Delegate Johnny Joannou	Kenneth Wright*
Linda Johnson	
Delegate Chris Jones*	

HRTAC Executive Director:

Kevin Page

HRTAC Non-Voting Members in Attendance:

Charlie Kilpatrick	John Malbon
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Other Participants:

Cathie France	W. Sheppard Miller, III
Tom Inglima	James Utterback
Dep. Sec. Grindley Johnson	

HRTAC Voting Members Absent:

Senator Kenneth Alexander	Dallas Jones
W. Eugene Hunt, Jr.	Senator Frank Wagner
Raystine Johnson-Ashburn	Delegate David Yancey

HRTAC Non-Voting Members Absent:

Jennifer Mitchell	John Reinhart
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* Denotes Late Arrival or Early Departure

Others Recorded Attending:

Donna Sayegh, Tony Wilson (Citizens); Jim Baker, Kelly Lackey, Earl Sorey (CH); Lynn Allsbrook (HA); Bryan Hill (JC); Thelma Drake, Jeffrey Raliski (NO); Bryan Stilley, Jerri Wilson (NN); Sherri Neil, Lydia Pettis Patton (PO); Patrick Roberts (SU); Angela Bezik, Brian Solis (VB); Frank Papcin (Citizens Advisory Committee); Randy Darden (Dewberry); Scott Forehand, Don Quisenberry (eScribeSolutions); George Consolvo (Kaufman & Canoles); David Miller (PFM); James Webb Jones (Poole Mahoney); Mark Geduldig-Yatrofsky (Portsmouthcitywatch.org); Mindy Hughes (Seventh Point Transportation PR); Dianna Howard (TLP, VBTA, VBTP); Jim Long, Paula Miller (VDOT); Jordan Pescale (Virginia Pilot); Amber Randolph (Willcox & Savage); Phil Lohr (WRA); Jennifer Coleman, Nancy Collins, Danetta Jankosky, Mike Long, Joe Turner (HRPDC); Robert Crum, Kathleen Grauberger, Mike Kimbrel, Brian Miller, Camelia Ravanbakht (HRTPO)

Call to Order

Chair William Sessoms called the meeting to order at 12:08 p.m.

Public Comment Period (limit to 5 minutes per individual)

Mr. Frank Papcin commented that tolls punish the working class and those that choose to live a distance from their jobs. He also called for the projects to be completed sooner than later, noting the economic stagnation resulting from project delay.

Ms. Donna Sayegh recounted recent discussions with James Utterback and Art Moye. She expressed concern that the citizens of Portsmouth need to be better informed before tolling and taxing decisions are made. She expressed a desire to be part of the decision making process.

Mr. Mark Geduldig-Yatrofsky questioned whether the HRTAC enabling legislation offered HRTAC the ability to consider sea level rise and recurrent flooding in the decision making process.

Approval of Agenda

Delegate Chris Jones Moved to approve the agenda; seconded by Mr. Rex Alphin. The Motion carried unanimously.

Delegate Johnny Joannou offered some comments regarding the letter presented to the Commission, which was a copy of Secretary Layne's letter to the HRTPO. He noted that Delegate Jones, Delegate Yancey, and he were not in the General Assembly when the 1995 P3 was passed by the General Assembly. He added that the new bill replaced the bill that gave local City Councils authority to decide whether to move forward with a project or not.

Delegate Chris Jones expressed that the HOV to HOT conversion can be another funding source. He also reminded the Commission that he is working on a bill that will require establishment of a free alternative if a fixed toll was placed.

Ms. Johnson expressed that she believes the study is prudent and a good idea. She reiterated that the cost would not be the responsibility of the HRTPO or HRTAC.

Mr. Tom Shepperd offered 3 observations:

1. He questioned who is doing the study;
2. He noted the Return-on-Investment had already been discussed and found to be low; and
3. He questioned how the conversion will affect the other projects.

Delegate Joannou asked why not just open up the HOV lanes to regular traffic. He added that spending money to convert HOV to HOT might be a waste when the money could be spent elsewhere on building other roads.

Ms. Johnson reiterated that the letter only spoke of a 13.5 mile segment. She questioned the cost of conversion, noting that it seemed excessively expensive.

Mr. Kilpatrick explained that you had to build ingress and egress components, ramps, etc. He suggested that infrastructure light facilities would be good for the short term, and that you could make incremental changes over time.

Consent Items

A. Minutes of the November 19, 2015 HRTAC Regular Meeting (Attachment 5A)

Mr. George Wallace Moved to approve the Minutes of the November 19, 2015 HRTAC Regular Meeting; seconded by Mr. Paul Fraim. The Motion carried unanimously.

6. Action Items

A. Authorization of Public Hearing on Amendment to the FY 2016 Budget (Attachment 6A)

HRTAC Executive Director Kevin Page offered that the HRTAC Finance Committee proposed a FY2016 Budget Amendment. The specifics of the amendment are an additional \$1,878,500 to complete the operating budget through close of business 2016, resulting in a total Amended Budget of \$2,966,732.

Delegate Joannou questioned whether the amended amount included the Secretary of Transportation's recommended \$1 million study. Mr. Page responded that the recommendation for the study was sent to the HRTPO and that the HRTPO would be responsible for the cost of the study. Ms. Linda Johnson noted that the Office of Intermodal Planning and Investment would be covering costs.

Mr. Alan Krasnoff expressed concerns that the HOV to HOT conversion study would hold up the High Rise Bridge project. Mr. Charlie Kilpatrick, VDOT Commissioner, responded that he didn't foresee anything about the study that would slow down the project, and could see the study easily dovetailing with other projects.

Regarding the High Rise Bridge project, Mr. Kilpatrick made the following observations:

- The Environmental Document is essentially complete;
- In order for FHWA to sign the Finding Of No Significant Impact, they need a funding plan; and
- They have initiated a call to move forward with some fundamental engineering work, aerial survey, and geotech work.

Mr. Krasnoff suggested that building a new bridge in addition to the existing bridge could cut project costs significantly. Mr. Kilpatrick agreed they are very likely to consider that option. Mr. Krasnoff asked if VDOT could present to HRTAC regarding that option in January, to which Mr. Kilpatrick responded affirmatively.

Delegate Jones suggested that February could be a more reasonable return date on a funding plan, since VDOT may need more time to get accurate numbers.

Mr. Kenneth Wright observed that the figures presented at the last meeting were prepared using tolling, and that new information has been presented that suggest a no-tolling scenario might prevail. Mr. Wright observed that the previously provided numbers need to be reworked to reflect the absence of tolling. Chair Sessoms agreed.

Mr. Rex Alphin Moved to authorize the Finance Committee to hold a Public Hearing on Proposed Amendments to the Approved FY 2016 Budget; seconded by Ms. Linda Johnson. The Motion carried unanimously.

B. Construction of Phase I of the I-64/I-264 Interchange Improvements Project (UPC 57048)(Attachment 6B)

Mr. Page reminded the Commission of Secretary Layne's presentation from August regarding HB2 applications potentially slowing projects. He offered that this current Action Item was put forth to continue to advance project readiness in incremental construction. He noted that the HRTPO has submitted the project for HB2 funding. He relayed that the current funding of the project was a pay-go type funding, and the action item is requesting allocation of \$137,023,653. He highlighted that the resolution allows for a reduction in allocated funds should other funding sources like HB2 funds be procured.

There was a discussion regarding the legal implications of the phrase "subject to modifications as the Chair and Executive Director may deem necessary." Mr. Joannou questioned whether that could give the Chair or the Executive Director the authority to impose tolling without having the Commission vote on tolling. Counsel Inglima said that it did not. Counsel Inglima stated that he would recommend against that action, adding that if that action were to happen, it would create a contract that was not enforceable. For further clarification, Counsel Inglima offered that changes made would be akin to changing the name of the project, project location, dates, and amounts.

Delegate Chris Jones summarized Delegate Joannou's concern regarding binding the Commission to certain actions without the Commission voting on them, and questioned whether a check and balance existed. Counsel Inglima added that the Bylaws contemplate that budget line item changes made by the Executive Director require Finance Committee Chair approval, which acts as a check and balance on changes to the operating budget. He suggested that in the future, the Commission could adopt a similar check and balance in connection with contract modifications.

Mr. Alan Krasnoff Moved to adopt the applicable resolution presented in the agenda packet to approve construction of Phase I of the I-64/I-264 Interchange Improvements Project; seconded by Ms. Linda Johnson. A roll call vote was held with the results as follows:

Alan Krasnoff	Yes
Raystine Johnson-Ashburn	Absent
George Wallace	Yes
Rex Alphin	Yes
Michael Hipple	Yes
McKinley Price	Yes
Paul Fraim	Yes
Kenneth Wright	Yes
Linda Johnson	Yes
William Sessoms	Yes
Clyde Haulman	Yes
Thomas Shepperd	Yes
Johnny Joannou	Yes
Frank Wagner	Absent
Kenny Alexander	Absent
Eugene Hunt	Absent
Dallas Jones	Absent
David Yancey	Absent

The Motion Passed with the required affirmative votes.

C. Annual Fiscal Year 2015 Annual Report to the Joint Commission on Transportation Accountability (JTAC) Relating to the Hampton Roads Transportation Fund (Attachment 6C)

Mr. Page explained that the annual report submitted to the JTCA was a requirement of the Appropriations Act. He noted that the report should look similar to a report submitted last year. He concluded his comments thanking the Commissioner and his staff for their help with the preparation of the report.

Mr. Rex Alphin Moved to endorse for submission the Annual Fiscal Year 2015 Annual Report to the Joint Commission on Transportation Accountability; seconded by Ms. Linda Johnson. The Motion carried unanimously.

7. Information Items

A. HRTF Financial Report

- Combined bank balances of \$362,657,294.85 as of 10/31/15;
- Gross Revenues of \$365 million;
- Total Expenditures of \$2.142 million; and
- Cash balance of \$363,433,790.

B. Funding Strategies Advisory Committee Update

Mr. Sheppard Miller reported the following regarding the Funding Strategies Advisory Committee:

- The funding for the current I-64 Widening Project is 75% Regional Funds, and 25% State and Federal Funds;
- \$229 Million per year is the expected funding shortfall;
- Flooring the Gas Tax is a potential solution to some of the shortfall; and
- He expects to be able to provide hard numbers on the HOV to HOT conversion in the next 30 to 60 days.

C. HRTPO Executive Director's Comments

Mr. Page provided that he was very close to finishing his task of meeting with all the voting members of the Commission. He thanked everyone for opening up their schedules and wished everyone a great holiday.

D. HRTPO Report of Activities

Mr. Robert Crum stated that the HRTPO will place on their January 21 meeting agenda an item regarding following up on Secretary Layne's correspondence.

Next Regular HRTAC meeting date

Chair Sessoms stated that the next HRTAC Regular meeting would be held on January 21, 2016 at 12:30 PM.

Adjournment

With no further business to come before the Hampton Roads Transportation Accountability Commission, the meeting adjourned at 1:16 p.m.

William D. Sessoms, Jr.
HRTAC Chair

Agenda Item 5-B
Consent Item

To: Chair Sessions and the other members of HRTAC

From: Kevin B. Page, Executive Director

Date: January 21, 2016

Re: Recommendation of the Amended FY2016 Budget

Recommendation:

The Finance Committee is asking the Commission to endorse proposed amendments to the FY2016 Budget reflected in the attached Budget (the "Amended FY 2016 Budget").

Background:

During FY2016, HRTAC hired an Executive Director and accelerated the startup of HRTAC's organizational and development activities. As the FY2016 year has advanced into the third quarter, HRTAC authorized activities will require transfer adjustments to certain line items and additional appropriations in order to align the budget with expenses. The proposed Amended FY2016 Budget also has been reformatted in order to allow the Commission to separately track its general operating expenses and its project development expenses. The majority of the increase in the budget is attributable to project readiness reflected in the project development expenses.

At its December 16, 2015 Regular Meeting, the Commission authorized holding a public hearing regarding the proposed Amended FY 2016 Budget. A public hearing was held on Monday, January 11, 2016 at 9:00 a.m. Two speakers made comment on the proposed budget concerning the increase of bank, legal, and financial advisor fees. The Executive Director explained the services relating to three line items that are anticipated.

Fiscal Impact:

There is a \$1,878,500 fiscal impact in relation to this Action Item.

Suggested Motion:

Motion is to approve and adopt the Amended FY2016 Budget.





PROPOSED AMENDED FY2016 BUDGET

as of 10/09/15

CATEGORY	PROPOSED AMENDED BUDGET			APPROVED BUDGET	PROPOSED AMENDMENT
	OPERATIONS	PROJECT DEVELOPMENT	BUDGET		
REVENUES					
HRTF Support	\$ 466,732	\$ 1,300,000	\$ 1,766,732	\$ 1,088,232	\$ 678,500
Interest Income	<u>1,200,000</u>	<u>-</u>	<u>1,200,000</u>	<u>-</u>	<u>1,200,000</u>
TOTAL REVENUE	\$ 1,666,732	\$ 1,300,000	\$ 2,966,732	\$ 1,088,232	\$ 1,878,500
EXPENDITURES					
PERSONNEL**					
HRTAC Staff	\$ 520,932	\$ -	\$ 520,932	\$ 520,932	\$ -
HRTPC/HRPDC Support Staff**	<u>207,000</u>	<u>-</u>	<u>207,000</u>	<u>95,000</u>	<u>112,000</u>
SUBTOTAL PERSONNEL	727,932	-	727,932	615,932	112,000
PROFESSIONAL SERVICES					
Audit	40,000	-	40,000	40,000	-
Bank Fees	250,000	-	250,000	3,500	246,500
Legal	500,000	500,000	1,000,000	180,000	820,000
Financial Advisors	-	800,000	800,000	179,000	621,000
Insurance	3,000	-	3,000	3,000	-
Recruiting	5,000	-	5,000	5,000	-
SUBTOTAL PROFESSIONAL SERVICES	798,000	1,300,000	2,098,000	410,500	1,687,500
TECHNOLOGY/COMMUNICATION**					
Computer hardware & peripherals/maintenance/communications/phone**	25,000	-	25,000	10,000	15,000
LAN system	10,000	-	10,000	-	10,000
Website Consultant	300	-	300	300	-
SUBTOTAL TECHNOLOGY/COMMUNICATION	35,300	-	35,300	10,300	25,000
ADMINISTRATIVE **					
Public Notices/Advertising	35,000	-	35,000	20,000	15,000
Office Space	12,000	-	12,000	-	12,000
Office Supplies**	2,000	-	2,000	2,000	-
Furniture	10,000	-	10,000	10,000	-
Printing/Copying**	5,000	-	5,000	5,000	-
Dues/Subscriptions	2,000	-	2,000	2,000	-
Travel	5,000	-	5,000	5,000	-
Meeting Expenses**	28,500	-	28,500	3,500	25,000
Postage**	1,000	-	1,000	1,000	-
Professional Development	5,000	-	5,000	3,000	2,000
SUBTOTAL ADMINISTRATIVE	105,500	-	105,500	51,500	54,000
TOTAL EXPENDITURES	\$ 1,666,732	\$ 1,300,000	\$ 2,966,732	\$ 1,088,232	\$ 1,878,500
BUDGET BALANCE	\$ -	\$ -	\$ -	\$ -	\$ -

**includes items to be reimbursed to HRPDC/HRTPC



Agenda Item 5-C
Consent Item

To: Chair Sessoms and the other members of HRTAC

From: Kevin B. Page, Executive Director

Date: January 21, 2016

Re: Recommendation of adoption and execution of Virginia Retirement Service Resolutions

Recommendation:

The Commission is asked to approve joining the Virginia Retirement Service (VRS) and to adopt the three related resolutions requested by VRS.

Background:

At its July 16, 2015 meeting, HRTAC approved the hiring of its executive director and the benefits contemplated by his employment agreement, including membership in the VRS. HRTAC's election to join VRS as a participating member is irrevocable and will cover all current and future employees of HRTAC. Membership will require annual employer and employee contributions based upon periodic actuarial assessment performed by VRS.

Several steps have been taken to apply for membership in VRS. VRS has estimated that the total cost (including employer contribution and employee contribution equal to 5% of pay) of providing retirement benefits for HRTAC's current sole employee under subsection A of § 51.1-130 of the Code of Virginia (Virginia Retirement System--VRS) is \$40,464 annually (21% of active employee payroll). This estimate relates to the period beginning January 1, 2016. As part of HRTAC's application, HRTAC requested retroactive service credit for its employee's service to HRTAC between September 1, 2015 and December 31, 2015. VRS has indicated it will grant such retroactive treatment which will result in additional cost in respect of that period. VRS did not estimate the additional cost, but it is not expected to be materially different from a prorated portion of the annual cost. Group life and retiree health insurance benefits are also provided through VRS at an additional cost of approximately \$2800 annually for the current employee. HRTAC's employment of additional employees in the future will require increased incremental annual costs per covered employee with respect to retirement, group life and retiree health insurance benefits provided by VRS.

In order to complete HRTAC's application for membership, the Virginia Retirement System has indicated that the three attached resolutions must be formally adopted by HRTAC: 1. Election to Participate in the Virginia Retirement System and Group Life Insurance



Program; 2. Obtaining Social Security Coverage for Employees of Political Subdivisions of the Commonwealth of Virginia; and 3. Health Insurance Credit Program for Local Government Employees.

Fiscal Impact:

There is a fiscal impact of approximately \$44,000 in relation to this Action Item for the current fiscal year, which is covered by the Commission's Adopted FY2016 Operating Budget.

Suggested Motion:

Motion is to approve the Commission joining the Virginia Retirement Service (VRS) and to adopt the three related resolutions, which have been prepared at the request of VRS and are attached in the Agenda package.



HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION

RESOLUTION 2016-01

ELECTION TO PARTICIPATE IN THE VIRGINIA RETIREMENT SYSTEM AND GROUP LIFE INSURANCE PROGRAM

BE IT HEREBY RESOLVED that the Hampton Roads Transportation Accountability Commission (“HRTAC”), a political subdivision of the Commonwealth of Virginia, does hereby elect to have those of its employees who are regularly employed full time on a salaried basis and whose tenure is not restricted as to temporary or provisional appointment to become eligible to participate in the Virginia Retirement System, effective February 1, 2016, as set out in Title 51.1, Chapter 1, Section 51.1-100 and following, and in the Group Life Insurance program as set out in Title 51.1, Chapter 5, Section 51.1-500 and following, of the Code of Virginia, as amended; and

BE IT FURTHER RESOLVED that HRTAC agrees that its employees who are Virginia Retirement System members shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pretax basis; and

BE IT FURTHER RESOLVED that HRTAC agrees to pay the required employer cost for participation of its employees in the Retirement System for all service commencing on or after September 1, 2015 for HRTAC prior to the effective date, for which credit is authorized and established on forms prescribed by the Retirement System, and for membership service in the System after such date, and also to deduct from the employees’ wages the amounts required by law; and

BE IT FURTHER RESOLVED that HRTAC further agrees to pay the required employer cost for its eligible employees in the Group Life Insurance program and to deduct from the employees’ portion to the extent that such employees’ portion is not paid by HRTAC.

NOW, THEREFORE, William D. Sessoms, Chair of HRTAC, and Kevin B. Page, Executive Director, are hereby authorized and directed in the name of HRTAC to execute any required contract in order that the employees of HRTAC become eligible to participate in the Virginia Retirement System and in the Group Life Insurance program as provided in the Code of Virginia. In execution of any contract which may be required, the seal of HRTAC shall be affixed and attested by the Vice Chair of HRTAC, and the officers of HRTAC are hereby authorized and directed to take any other action necessary in the lawful conclusion of this matter and in conformity with law. The Executive Director of HRTAC is hereby authorized and directed to pay from time to time such sums as are due to be paid by HRTAC and its employees for this purpose.

BY: _____
Chair

DATE: _____

CERTIFICATE

I, _____, Vice Chair of HRTAC, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of HRTAC held at 723 Woodlake Drive, Chesapeake, Virginia, at 12:30 p.m. on January 21, 2016. Given under my hand and seal of HRTAC this 21st day of January, 2016.

ATTEST:

Vice Chair

DATE:_____

HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION

RESOLUTION 2016-02

**OBTAINING SOCIAL SECURITY COVERAGE FOR EMPLOYEES
OF POLITICAL SUBDIVISIONS OF THE COMMONWEALTH OF VIRGINIA**

WHEREAS, Old Age, Survivors, Disability and Hospital Insurance (Social Security) coverage is available to public employees through Section 218 of the Social Security Act and Title 51.1, Chapter 7 of the Code of Virginia, as amended; and

WHEREAS, it is deemed to be desirable that the Hampton Roads Transportation Accountability Commission obtain said Social Security coverage for its employees;

NOW, THEREFORE, BE IT RESOLVED the Hampton Roads Transportation Accountability Commission that this Resolution and attached Plan and Agreement be approved and that Kevin B. Page, Executive Director be, and hereby is, authorized to execute on behalf of the Hampton Roads Transportation Accountability Commission the following Social Security coverage contract, or Plan and Agreement, with the Virginia Retirement System, Virginia's agency responsible for the administration of Social Security coverage under the Commonwealth of Virginia's Section 218 Agreement.

BE IT FURTHER RESOLVED, that the proper fiscal officers be, and they are, hereby authorized to establish such systems of payroll deductions, under said Social Security coverage, from the wages of employees and officers and to report and pay such deductions to the Internal Revenue Service in such amounts and at such times as required by applicable state and federal statutes and regulations.

IT IS FURTHER RESOLVED, that the following services or positions are hereby designated as those which are to be excluded from Social Security coverage:

No Exclusions Applicable

This Resolution shall be in full force and effect upon passage and approval, for all intents and purposes, except that active coverage shall be effective as of January 31, 2016.

I, William D. Sessoms, Chair of the Hampton Roads Transportation Accountability Commission do hereby certify that the foregoing was adopted and recorded on January 21, 2016.

BY: _____
William D. Sessoms, Chair

DATE: _____

ATTEST:

Vice Chair

DATE: _____

**PLAN AND AGREEMENT FOR OBTAINING SOCIAL SECURITY COVERAGE FOR
EMPLOYEES OF POLITICAL SUBDIVISIONS OF THE COMMONWEALTH OF
VIRGINIA**

**Hampton Roads Transportation Accountability Commission
723 Woodlake Drive
Chesapeake, VA 23320**

The Hampton Roads Transportation Accountability Commission does hereby apply to the Board of Trustees of the Virginia Retirement System of the Commonwealth of Virginia, hereinafter called “State Agency,” pursuant to the provisions of Title 51.1, Chapter 7 of the Code of Virginia, as amended, to extend the insurance system established by Title II of the Social Security Act to services performed by individuals as employees of the Hampton Roads Transportation Accountability Commission.

The Hampton Roads Transportation Accountability Commission submits for the State Agency’s approval this Plan and Agreement to become effective on the date hereinafter stated.

I. Definitions

For the purpose of this Plan and Agreement:

- (a) The term “employee” means an employee as defined in Section 210(j) of the Social Security Act, Section 3121(d) of the Internal Revenue Code and Section 51.1-700 of the Code of Virginia, as amended; and shall include an officer of the Hampton Roads Transportation Accountability Commission.
- (b) The term “wages” means all remuneration for employment as defined in Section 51.1-700 of the Code of Virginia, as amended, and Section 3121(a) of the Internal Revenue Code.
- (c) The term “employment” means any service performed by an employee as defined in Section 51.1-700 of the Code of Virginia, as amended, and Section 3121(b) of the Internal Revenue Code.
- (d) The term “services” includes all services performed by individuals as employees of the Hampton Roads Transportation Accountability Commission, except
 - (1) Any service performed by an employee in a position covered by a retirement system on the date this agreement is made applicable to the employee’s coverage group, unless and until the conditions prescribed under Section 218(d) of the Social Security Act have been met.
 - (2) Service performed by an individual, who is employed to relieve such individual from unemployment.

- (3) Service performed in a hospital, home or other institution by a patient or inmate thereof.
- (4) Covered transportation service (as defined in Section 210(k) of the Social Security Act).
- (5) Service (other than agricultural labor or service performed by a student) excluded from employment by any provisions of Section 210(a) of the Social Security Act, other than paragraph (7) of such section.
- (6) Service performed by an individual as an employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood, or other similar emergency.

II. Services Covered

This Plan and Agreement includes all services which constitute employment and are performed in the employ of the Hampton Roads Transportation Accountability Commission by employees thereof except:

No Exclusions Applicable

III. Administration of the Plan

The Hampton Roads Transportation Accountability Commission agrees and has heretofore authorized and directed the appropriate officers and employees to do and perform all things found necessary by the State Agency to the proper and efficient administration of the Plan, including but not limited to the maintenance of employment records relating to both services and salaries, required contributions by both the Hampton Roads Transportation Accountability Commission and its employees and other data required by the State Agency or the Commissioner of Social Security, to make such reports in such form and containing such information as the State Agency may from time to time require, and to comply with such provisions as the State Agency or the Commissioner of Social Security may from time to time find necessary to assure the correctness and verification of such reports.

IV. Contributions

- (a) The Hampton Roads Transportation Accountability Commission shall pay to the Internal Revenue Service, with respect to wages as defined in Section 51.1-700 of the Code of Virginia, as amended, and Section 3121(a) of the Internal Revenue Code, contributions equivalent to the sum of the taxes which would be imposed by Section 3101 and 3111 of the Internal Revenue Code if the services covered by this Plan and Agreement constituted employment as defined in Section 3121(b) of such Code. The Hampton Roads Transportation Accountability Commission agrees to insure the source and the payment of such contributions imposed by this Plan and Agreement and to specifically provide for the payment

of such contributions in the Hampton Roads Transportation Accountability Commission budget for each and every year this Plan and Agreement is in place.

(b) The Hampton Roads Transportation Accountability Commission agrees that it shall impose upon each of its employees, as to services which are covered by this Plan and Agreement, a contribution with respect to wages, not exceeding the amount of the tax which would be imposed by Section 3101 of the Internal Revenue Code if such services constituted employment within the meaning of such Code, and to deduct the amount of such contribution from wages as and when paid. It is further understood that the contributions so collected shall be paid in partial discharge of the liability of the Hampton Roads Transportation Accountability Commission, but that failure to make such deduction shall not relieve the employee or the Hampton Roads Transportation Accountability Commission from liability therefore.

V. Modification

The Plan and Agreement is irrevocable but may be modified, at the request of the Hampton Roads Transportation Accountability Commission, to include coverage groups or services in addition to those not included by this Plan. Such modification must be consistent with Title 51.1, Chapter 7 of the Code of Virginia, as amended, and the provisions of Section 218 of the Social Security Act.

VI. Effective Date:

This Plan and Agreement shall be effective as of January 31, 2016.

This Plan and Agreement is entered and submitted by the Hampton Roads Transportation Accountability Commission on January 21, 2016.

By: _____

William D. Sessoms, Chair
**Hampton Roads Transportation
Accountability Commission**

WITNESS:

(Signed)

(Name and Title)

To Be Completed by the Commonwealth of Virginia State Social Security Administrator

The foregoing Plan and Agreement is approved and accepted.

Date: _____

By: _____

Robert P. Schultze, Director
Virginia Retirement System
Commonwealth of Virginia

WITNESS:

Barry C. Faison
Chief Financial Officer
Virginia Retirement System
Commonwealth of Virginia

HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION

RESOLUTION 2016-03

**HEALTH INSURANCE CREDIT PROGRAM
FOR LOCAL GOVERNMENT EMPLOYEES**

BE IT RESOLVED that the Hampton Roads Transportation Accountability Commission (“HRTAC”) does hereby elect to provide the Health Insurance Credit Program as provided in the Code of Virginia Section 51.1-1402 for its eligible current and future retirees as defined in Article 5, Chapter 1 of Title 51.1 of the Code of Virginia.

BE IT ALSO RESOLVED that HRTAC agrees to accept all liability for any current or future additional employer contributions and any increases in current or future employer contribution rates resulting from its election to provide the benefits of the Program to its retirees.

BE IT FURTHER RESOLVED that HRTAC elects to allow its eligible retirees to receive the benefits under the Program effective February 1, 2016.

NOW, THEREFORE, William D. Sessoms, Chair of HRTAC, and Kevin B. Page, Executive Director of HRTAC, are hereby authorized and directed in the name of HRTAC to execute any required contract in order that said eligible retirees of HRTAC may participate in the Health Insurance Credit Program as provided for in the Code of Virginia. In execution of any contract which may be required, the seal of HRTAC shall be affixed and attested by the Vice Chair of HRTAC, and said officers of HRTAC are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by HRTAC for this purpose.

BY: _____
Chair

DATE: _____

CERTIFICATE

I, _____, Vice Chair of HRTAC, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of HRTAC held at 723 Woodlake Drive, Chesapeake, Virginia, at 12:30 p.m. on January 21, 2016. Given under my hand and seal of HRTAC this 21st day of January, 2016.

ATTEST:

Vice Chair

DATE: _____

Agenda Item 5-D
Consent Item

To: Chair Sessoms and the other members of HRTAC

From: Kevin B. Page, Executive Director

Date: January 21, 2016

Re: Resolution to Preserve Flexibility to Reimburse Expenditures on I-64/I-264 Interchange Improvements Project, Phase I, with Proceeds of a Bond Issue

Recommendation:

To preserve the option to reimburse itself for the costs of the project from proceeds of a future bond issue, the Commission is asked to adopt a “Resolution of Official Intent for Allocation of Bond Proceeds to Reimburse HRTAC Expenditures on I-64/I-264 Interchange Improvements Project, Phase I,” which is attached hereto as Attachment 5D.

Background:

The Commission may adopt a written “official intent” to preserve its flexibility under bond regulations to advance funds for current project expenses and later reimburse those advances out of proceeds of a tax-exempt bond issue. An “official intent” resolution must set forth a general description of the applicable project and the maximum principal amount of bonds expected to be applied to reimburse project costs. Because it will take months for a Commission bond issue to be structured, validated, offered and sold, the Commission should adopt an “official intent” resolution as it begins incurring expenses on the first phase of the I-64/I-264 Interchange Improvements Project. By adopting such resolution at this time, the Commission will preserve the option to allocate bond proceeds to expenditures made on the project, if they were spent no earlier than 60 days before the date of the resolution, and if the Bonds are issued no later than 3 years after the first expenditure being reimbursed. Adopting the “official intent” resolution does not obligate the Commission to use bonds instead of pay-go for the project.

Fiscal Impact:

There is no fiscal impact of in relation to this Action Item.

Suggested Motion:

Motion is to adopt the “Resolution of Official Intent for Allocation of Bond Proceeds to Reimburse HRTAC Expenditures on I-64/I-264 Interchange Improvements Project, Phase I.”



HRTAC RESOLUTION 2016-04

RESOLUTION OF OFFICIAL INTENT FOR ALLOCATION OF BOND PROCEEDS TO REIMBURSE HRTAC EXPENDITURES ON I-64 / I-264 INTERCHANGE IMPROVEMENTS PROJECT, PHASE I

WHEREAS, in accordance with its statutory powers and purposes, the Hampton Roads Transportation Accountability Commission (the “Commission”) has resolved and agreed to pay portions of the costs incurred by the Virginia Department of Transportation (“VDOT”) in the acquisition, construction and completion of the first phase of VDOT’s I-64 / I-264 Interchange Improvements Project, to: (i) construct a second exit lane on westbound Interstate 64 and widen the ramp from westbound Interstate 64 to eastbound Interstate 264, (ii) construct a new two lane collector-distributor roadway from Interstate 64 to the Newtown Road interchange, and (iii) construct a new two-lane flyover ramp from westbound Interstate 64 to the existing eastbound Interstate 264 collector-distributor roadway (collectively, the “Project”); and

WHEREAS, plans for the Project have proceeded and it is expected that the Commission will cause funds under its control to be advanced to pay expenditures related to the Project (each, an “Expenditure” and, collectively, the “Expenditures”) prior to such time as the Commission may be prepared to issue one or more series of tax-exempt bonds (“Bonds”) to finance transportation projects within Planning District 23 generally; and

WHEREAS, the Commission intends for a portion of the proceeds of a future issue of Bonds to be available to reimburse the Commission for the payment of Expenditures; and

WHEREAS, Section 1.150-2 of the Treasury Regulations, promulgated under the Internal Revenue Code of 1986, as amended (the “Code”), provides that to allocate proceeds of Bonds to reimbursement of Expenditures paid in advance of an issue of Bonds, the Commission must declare its official intent to allocate proceeds of Bonds to reimbursement of the Expenditures;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION:

1. The Commission intends to issue Bonds in a future period and allocate a portion of the proceeds thereof, in a maximum principal amount of \$137,023,653, to the reimbursement of the Expenditures.

2. Each Expenditure to be reimbursed with Bond proceeds was or shall be either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of such Expenditure), or (b) a cost of issuance with respect to the Bonds.

3. The Commission intends to make a reimbursement allocation, which is a written allocation by the Commission that evidences the Commission’s use of proceeds of the Bonds to reimburse Expenditures, no later than 18 months after the later of (a) the date on which the first Expenditure for the Project was paid or (b) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the date on which the first Expenditure was paid with respect to the Project.

4. The Commission intends that the adoption of this resolution shall confirm the “official intent” of the Commission within the meaning of Treasury Regulations Section 1.150-2 to reimburse Expenditures paid not earlier than sixty (60) days prior to the date of adoption of this resolution and not later than the date of the final allocation described in paragraph 3 above.

5. This resolution shall take effect immediately upon its adoption.

*

*

*

The undersigned hereby certify that this is a true and correct copy of a resolution duly adopted at a meeting of the Hampton Roads Transportation Accountability Commission held on January 21, 2016.

Chair, Hampton Roads Transportation
Accountability Commission

Vice Chair, Hampton Roads Transportation
Accountability Commission

Agenda Item 6A
Action Item

To: Chair Sessions and the other members of HRTAC

From: Kevin Page

Date: January 21, 2016

Re: Authorization of Public Hearing on Amendment to the HRTAC (Initial) Financial Plan to add Preliminary Engineering of (i) the remaining movements of the I-64/I-264 Interchange Improvements (UPC 106693) and (ii) the US Route 460/58/13 Connector (UPC 106694)

Recommendation:

The Commission is asked to authorize the Funding Strategies Advisory Committee or the Finance Committee to conduct a public hearing to amend the HRTAC-adopted (initial) Financial Plan to include certain Preliminary Engineering costs relating to (i) the remaining traffic movements of the I-64/I-264 Interchange Improvements (UPC 106693) and (ii) the US Route 460/58/13 Connector (UPC 106694).

Background:

At its August 20, 2015 meeting, the (now known as) Funding Strategies Advisory Committee received a request from VDOT to advance the Preliminary Engineering of the remaining traffic movements of the I-64/I-264 Interchange Improvements (UPC 106693) and the US Route 460/58/13 Connector (UPC 106694) and to endorse the allocation of funds to those projects for such costs, which are (a) \$5,000,000 and (b) \$2,000,000. Because these projects (and the proposed costs) are not included in the HRTAC-adopted (initial) Financial Plan, a public hearing to amend the (initial) Financial Plan to include the proposed costs is required before HRTAC will approve allocating the proposed funds.

Fiscal Impact:

If HRTAC amends its adopted (initial) Financial Plan, there is a potential fiscal impact of \$7,000,000 that will be sourced from the Hampton Roads Transportation Fund Revenues under the control of HRTAC.

Suggested Resolution:

Motion is to authorize the Funding Strategies Advisory Committee or Finance Committee to conduct a public hearing to amend the HRTAC-adopted (initial) Financial Plan to include \$7,000,000 for Preliminary Engineering for (i) the remaining traffic movements of the I-



64/I-264 Interchange Improvements (UPC 106693) and (ii) the US Route 460/58/13 Connector (UPC 106694).



Hampton Roads Transportation Accountability Commission

Agenda Item 6-B
Action Item

To: Chair Sessoms and the other members of HRTAC

From: Kevin B. Page, Executive Director

Date: January 21, 2016

Re: Resolution of Support for Proposed Legislation to Increase Regional Revenues

Recommendation:

The Commission is requested to express its support for proposed legislation that increases the tax rate on certain regional fuel sales and legislation that establishes a minimum tax rate for certain regional fuel sales.

Background:

Since the enactment of HB 2313, there has been an unexpected decline in the cost of gasoline, resulting in HRTF funds not meeting amounts projected at the time of the enactment of HB 2313 and a funding gap for transportation needs in Hampton Roads. In an effort to increase HRTF funds and close such funding gap, Senator Frank Wagner, a member of the Commission, has introduced two pieces of legislation (the “Proposed Legislation”) for consideration during the General Assembly 2016 Session: (i) SB 470, which increases the tax rate on certain regional fuel sales, and (i) SB 477, which establishes a minimum tax rate for certain regional fuel sales.

Fiscal Impact:

There is no fiscal impact of in relation to this Action Item.

Suggested Motion:

Motion is to adopt the resolution of support for the Proposed Legislation, which is attached hereto.



HRTAC RESOLUTION 2016-05

RESOLUTION ENDORSING PROPOSED LEGISLATION

WHEREAS, through the enactment of HB 2313 and the implementation of additional regional sales and use and motor fuels sales taxes, the General Assembly created two new regional revenue streams (the "HRTF Funds"), which were to be deposited in the Hampton Roads Transportation Fund for certain transportation purposes specified in the Commission's enabling legislation;

WHEREAS, since the enactment of HB 2313, there has been an unexpected decline in the cost of gasoline, resulting in HRTF Funds not meeting amounts projected at the time of the enactment of HB 2313 and a funding gap for transportation needs in Hampton Roads;

WHEREAS, in an effort to increase HRTF Funds and close such funding gap, Senator Frank Wagner, a member of the Commission, has introduced two pieces of legislation (the "Proposed Legislation") for consideration during the General Assembly 2016 Session: (i) SB 470, attached hereto as Exhibit A, which increases the tax rate on certain regional fuel sales, and (i) SB 477, attached hereto as Exhibit B, which establishes a minimum tax rate for certain regional fuel sales; and

WHEREAS, the Commission now desires to express its support for these legislative efforts;

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby endorses the Proposed Legislation.

APPROVED and ADOPTED by the Hampton Roads Transportation Accountability Commission at its meeting on the 21st day of January, 2016.

William D. Sessoms, Jr.
Chair
Hampton Roads Transportation
Accountability Commission

Clyde A. Haulman
Vice-Chair
Hampton Roads Transportation
Accountability Commission



EXHIBIT A

SB 470

2016 SESSION

INTRODUCED

INTRODUCED

SB470

16101311D

SENATE BILL NO. 470

Offered January 13, 2016

Prefiled January 12, 2016

*4 A BILL to amend and reenact § 58.1-2295, as it is currently effective, of the Code of Virginia, relating
5 to motor vehicle fuels sales tax in certain transportation districts.*

6 Patron—Wagner

7
8 Referred to Committee on Finance
9

10 Be it enacted by the General Assembly of Virginia:

11 1. That § 58.1-2295, as it is currently effective, of the Code of Virginia is amended and reenacted
12 as follows:

13 § 58.1-2295. (Contingent expiration date) Levy; payment of tax.

14 A. 1. In addition to all other taxes now imposed by law, there is hereby imposed a tax upon every
15 distributor who engages in the business of selling fuels at wholesale to retail dealers for retail sale in
16 any county or city that is a member of (i) any transportation district in which a rapid heavy rail
17 commuter mass transportation system operating on an exclusive right-of-way and a bus commuter mass
18 transportation system are owned, operated, or controlled by an agency or commission as defined in
19 § 33.2-1901 or (ii) any transportation district that is subject to subsection C of § 33.2-1915 and that is
20 contiguous to the Northern Virginia Transportation District. *The tax shall be imposed at a rate of 2.1*
21 *percent of the sales price charged by a distributor for fuels sold to a retail dealer for retail sale in any*
22 *such county or city. In any such sale to a retail dealer in which the distributor and the retail dealer are*
23 *the same person, the sales price charged by the distributor shall be the cost price to the distributor of*
24 *the fuel.*

25 *The tax levied under this section shall be imposed at the time of sale by the distributor to the retail*
26 *dealer.*

27 2. In addition to all other taxes now imposed by law, there is hereby imposed a tax upon every
28 distributor who engages in the business of selling fuels at wholesale to retail dealers for retail sale in
29 any county or city that is located in a Planning District established pursuant to Chapter 42 (§ 15.2-4200
30 et seq.) of Title 15.2 that (i) as of January 1, 2013, has a population of not less than 1.5 million but
31 fewer than two million, as shown by the most recent United States Census, has not less than 1.2 million
32 but fewer than 1.7 million motor vehicles registered therein, and has a total transit ridership of not less
33 than 15 million but fewer than 50 million riders per year across all transit systems within the Planning
34 District or (ii) as shown by the most recent United States Census meets the population criteria set forth
35 in clause (i) and also meets the vehicle registration and ridership criteria set forth in clause (i). In any
36 case in which the tax is imposed pursuant to clause (ii) such tax shall be effective beginning on the July
37 1 immediately following the calendar year in which all of the criteria have been met. *Beginning July 1,*
38 *2016, the tax shall be imposed at a rate of 5.1 percent of the sales price charged by a distributor for*
39 *fuels sold to a retail dealer for retail sale in any such county or city. In any such sale to a retail dealer*
40 *in which the distributor and the retail dealer are the same person, the sales price charged by the*
41 *distributor shall be the cost price to the distributor of the fuel.*

42 *The tax levied under this section shall be imposed at the time of sale by the distributor to the retail*
43 *dealer.*

44 B. The tax shall be imposed at a rate of 2.1 percent of the sales price charged by a distributor for
45 fuels sold to a retail dealer for retail sale in any such county or city. In any such sale to a retail dealer
46 in which the distributor and the retail dealer are the same person, the sales price charged by the
47 distributor shall be the cost price to the distributor of the fuel. *The tax levied under this section shall be*
48 *imposed at the time of sale by the distributor to the retail dealer.* C. The tax imposed by this section
49 shall be paid by the distributor, but the distributor shall separately state the amount of the tax and add
50 such tax to the sales price or charge. Thereafter, such tax shall be a debt from the retail dealer to the
51 distributor until paid and shall be recoverable at law in the same manner as other debts. No action at
52 law or suit in equity under this chapter shall be maintained in the Commonwealth by any distributor
53 who is not registered under § 58.1-2299.2 or is delinquent in the payment of taxes imposed under this
54 chapter.



EXHIBIT B

SB 477

2016 SESSION

INTRODUCED

INTRODUCED

SB477

16103951D

SENATE BILL NO. 477

Offered January 13, 2016

Prefiled January 12, 2016

4 *A BILL to amend and reenact § 58.1-2295, as it is currently effective, of the Code of Virginia, relating
5 to the motor vehicle fuels sales tax in certain transportation districts; price floor.*

6 Patron—Wagner

7
8 Referred to Committee on Finance
9

10 Be it enacted by the General Assembly of Virginia:

11 1. That § 58.1-2295 of the Code of Virginia is amended and reenacted as follows:
12 § 58.1-2295. (Contingent expiration date) Levy; payment of tax.

13 A. 1. In addition to all other taxes now imposed by law, there is hereby imposed a tax upon every
14 distributor who engages in the business of selling fuels at wholesale to retail dealers for retail sale in
15 any county or city that is a member of (i) any transportation district in which a rapid heavy rail
16 commuter mass transportation system operating on an exclusive right-of-way and a bus commuter mass
17 transportation system are owned, operated, or controlled by an agency or commission as defined in
18 § 33.2-1901 or (ii) any transportation district that is subject to subsection C of § 33.2-1915 and that is
19 contiguous to the Northern Virginia Transportation District.

20 2. In addition to all other taxes now imposed by law, there is hereby imposed a tax upon every
21 distributor who engages in the business of selling fuels at wholesale to retail dealers for retail sale in
22 any county or city that is located in a Planning District established pursuant to Chapter 42 (§ 15.2-4200
23 et seq.) of Title 15.2 that (i) as of January 1, 2013, has a population of not less than 1.5 million but
24 fewer than two million, as shown by the most recent United States Census, has not less than 1.2 million
25 but fewer than 1.7 million motor vehicles registered therein, and has a total transit ridership of not less
26 than 15 million but fewer than 50 million riders per year across all transit systems within the Planning
27 District or (ii) as shown by the most recent United States Census meets the population criteria set forth
28 in clause (i) and also meets the vehicle registration and ridership criteria set forth in clause (i). In any
29 case in which the tax is imposed pursuant to clause (ii) such tax shall be effective beginning on the July
30 1 immediately following the calendar year in which all of the criteria have been met.

31 B. The tax shall be imposed at a rate of 2.1 percent of the sales price charged by a distributor for
32 fuels sold to a retail dealer for retail sale in any such county or city. In any such sale to a retail dealer
33 in which the distributor and the retail dealer are the same person, the sales price charged by the
34 distributor shall be the cost price to the distributor of the fuel.

35 *In no case shall the tax for a gallon of fuel, except for diesel fuel, be imposed on a sales price that
36 is less than the statewide average sales price of a gallon of fuel, except for diesel fuel, on February 20,
37 2013, as determined by the Commissioner.*

38 *In no case shall the tax for a gallon of diesel fuel be imposed on a sales price that is less than the
39 statewide average sales price of a gallon of diesel fuel on February 20, 2013, as determined by the
40 Commissioner.*

41 The tax levied under this section shall be imposed at the time of sale by the distributor to the retail
42 dealer.

43 C. The tax imposed by this section shall be paid by the distributor, but the distributor shall separately
44 state the amount of the tax and add such tax to the sales price or charge. Thereafter, such tax shall be a
45 debt from the retail dealer to the distributor until paid and shall be recoverable at law in the same
46 manner as other debts. No action at law or suit in equity under this chapter shall be maintained in the
47 Commonwealth by any distributor who is not registered under § 58.1-2299.2 or is delinquent in the
48 payment of taxes imposed under this chapter.

HAMPTON ROADS TRANSPORTATION FUND

FINANCIAL REPORT

FY2014 – FY2016

VDOT provides the HRTPO and HRTAC staff with monthly financial reports relating to the HRTF including the following information:

- Revenue from sources as detailed by the collecting agency
- Interest earnings
- Expenditures reflecting both the program total as well as project totals
- The current cash position/balance in the HRTF as well as forecasted cash position/balance

Attached are the November 2015 financial reports. Based on the financial reports received to date from VDOT, the HRTPO staff has analyzed the data and prepared the attached reports and summaries:

Revenues

Total Gross Revenues (as of November 30, 2015): \$377,941,489

- State Sales and Use Tax : \$284,992,771
- Local Fuels Tax : \$91,345,447
- Interest : \$1,603,271

Expenditures

Total Expenditures: \$2,142,715

- I-64 Peninsula Widening – Segment 1: \$1,544,502
- Total Dept. of Tax Administrative Fees: \$499,518
- Total DMV Administrative Fees: \$98,695

Cash Balance

Ending Cash Balance: \$375,798,774

Encumbered Balance

Balance of Encumbered: \$487,735,643

- Allocation: \$489,280,145
- Less Construction Expenditures: \$1,544,502

Hampton Roads Transportation Fund (HRTF)
Total of Sales & Use and Fuels Taxes
Summary

	Gross Revenue				Expenditures				Cummulative Balance 7/1/13 - 11/30/15
	Sales & Use Tax	Fuel Tax	Interest	Total	Construction	Dept of Tax Admin Fee	DMV Admin Fee	Total	
July 2013 - November 2014	\$ 159,812,477	\$ 57,710,554	\$ 648,276	\$ 218,171,307	\$ 1,519,960	\$ 496,432	\$ 98,695	\$ 2,115,087	\$ 216,056,220
December 2014	9,964,325	2,947,347	-	12,911,672	16,049	7,055	-	23,104	228,944,788
January 2015	11,849,200	3,561,879	391,282	15,802,361	23,415	-	-	23,415	244,723,734
February 2015	8,667,143	2,657,036	-	11,324,180	(14,922)	(3,969)	-	(18,891)	256,066,805
March 2015	8,463,030	2,347,171	-	10,810,201	-	-	-	-	266,877,006
April 2015	10,608,274	2,249,595	405,386	13,263,256	-	-	-	-	280,140,262
May 2015	10,889,809	2,287,393	-	13,177,202	-	-	-	-	293,317,464
June 2015	17,587,265	4,519,545	137,371	22,244,181	-	-	-	-	315,561,646
July 2015	4,412,902	1,513,488	-	5,926,390	-	-	-	-	321,488,035
August 2015	10,870,438	3,240,804	-	14,111,242	-	-	-	-	335,599,277
September 2015	10,921,675	3,103,960	-	14,025,635	-	-	-	-	349,624,910
October 2015	10,667,491	2,730,430	20,956	13,418,877	-	-	-	-	363,043,788
November 2015	10,278,741	2,476,244	-	12,754,986	-	-	-	-	375,798,774
Total 12 Months	\$ 125,180,294	\$ 33,634,893	\$ 954,995	\$ 159,770,183	\$ 24,542	\$ 3,086	\$ -	\$ 27,628	375,798,774
Grand Totals	\$ 284,992,771	\$ 91,345,447	\$ 1,603,271	\$ 377,941,489	\$ 1,544,502	\$ 499,518	\$ 98,695	\$ 2,142,715	
Less Balance of Encumbered									\$ (487,735,643)
Total Net Available									(111,936,869)

HRTF Revenue

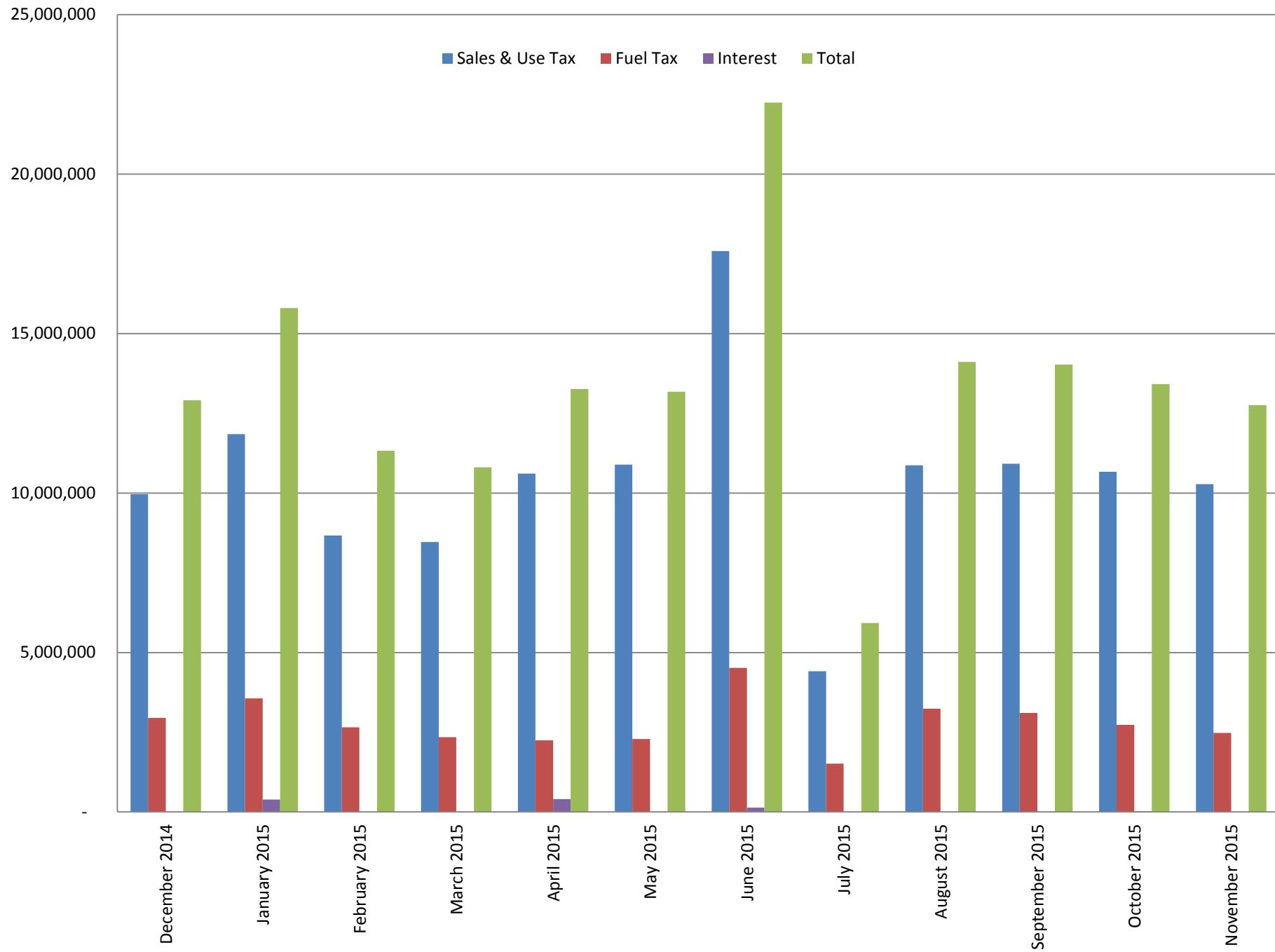


Table 1 - Total HRTF Revenues**Hampton Roads Transportation Fund (HRTF)****Total of Sales & Use and Fuels Taxes****Fiscal Year 2016**

Locality	Total FY2014 & FY 2015	Previous FY2016	November 2015	Total YTD FY2016	Total
<i>Chesapeake</i>	\$ 57,563,089	\$ 8,346,694	\$ 2,344,003	\$ 10,690,697	\$ 68,253,786
<i>Franklin</i>	2,865,973	366,613	100,593	467,206	3,333,179
<i>Hampton</i>	23,542,897	3,345,706	974,888	4,320,594	27,863,491
<i>Isle of Wight</i>	5,282,253	696,507	208,010	904,517	6,186,770
<i>James City</i>	14,177,964	2,312,757	600,929	2,913,686	17,091,650
<i>Newport News</i>	33,547,498	4,930,163	1,382,530	6,312,693	39,860,190
<i>Norfolk</i>	43,822,384	6,428,492	1,767,043	8,195,535	52,017,919
<i>Poquoson</i>	850,501	119,456	32,874	152,330	1,002,831
<i>Portsmouth</i>	11,236,094	1,719,855	487,024	2,206,879	13,442,973
<i>Southampton</i>	1,597,572	222,399	60,576	282,975	1,880,547
<i>Suffolk</i>	14,942,594	2,150,034	622,227	2,772,261	17,714,855
<i>Virginia Beach</i>	85,034,171	13,480,912	3,314,573	16,795,485	101,829,656
<i>Williamsburg</i>	7,022,217	1,060,991	293,120	1,354,110	8,376,327
<i>York</i>	14,636,839	2,280,609	566,596	2,847,205	17,484,044
Total	\$ 316,122,046	\$ 47,461,188	\$ 12,754,986	\$ 60,216,173	\$ 376,338,218
Interest	1,582,315	20,956	-	20,956	1,603,271
Total Revenues	\$ 317,704,361	\$ 47,482,144	\$ 12,754,986	\$ 60,237,129	\$ 377,941,489
Construction	(1,544,502)	-	-	-	(1,544,502)
Dept of Tax Admin Fees	(499,518)	-	-	-	(499,518)
DMV Admin Fees	(98,695)	-	-	-	(98,695)
Cash Balance	\$ 315,561,646	\$ 47,482,144	\$ 12,754,986	\$ 60,237,129	\$ 375,798,774
Less Balance of Encumbered					(487,735,643)
Net Available Cash					\$ (111,936,869)
Forecast	331,869,992	36,408,737	13,921,472	65,000,624	396,870,616
Total Revenue - Forecast (under)/over	(14,165,631)	11,073,407	(1,166,486)	(4,763,495)	(18,929,127)

Source: VDOT report "Revenues By Locality"

Prepared by Hampton Roads Transportation Planning Organization on 12/28/2015

Table 1A - State Sales & Use Tax**Hampton Roads Transportation Fund (HRTF)*****State Sales & Use Tax******Fiscal Year 2016***

Locality	Total FY2014 & FY 2015	Previous FY2016	November 2015	Total YTD FY2016	Total
<i>Chesapeake</i>	\$ 42,602,215	\$ 6,343,992	\$ 1,869,248	\$ 8,213,241	\$ 50,815,456
<i>Franklin</i>	1,855,105	260,504	76,880	337,383	2,192,488
<i>Hampton</i>	17,539,754	2,530,467	782,204	3,312,671	20,852,425
<i>Isle of Wight</i>	2,663,976	395,419	118,677	514,096	3,178,072
<i>James City</i>	12,098,166	1,980,141	536,905	2,517,047	14,615,213
<i>Newport News</i>	25,985,257	3,848,619	1,133,540	4,982,159	30,967,416
<i>Norfolk</i>	35,121,631	5,194,974	1,491,742	6,686,717	41,808,348
<i>Poquoson</i>	558,003	82,923	25,563	108,486	666,489
<i>Portsmouth</i>	7,793,823	1,211,776	346,638	1,558,414	9,352,237
<i>Southampton</i>	617,250	92,462	30,758	123,221	740,471
<i>Suffolk</i>	9,516,894	1,468,464	449,606	1,918,070	11,434,964
<i>Virginia Beach</i>	65,279,448	10,832,387	2,711,962	13,544,350	78,823,798
<i>Williamsburg</i>	5,391,622	860,774	253,011	1,113,786	6,505,408
<i>York</i>	10,818,381	1,769,603	452,004	2,221,607	13,039,988
Total	\$ 237,841,525	\$ 36,872,506	\$ 10,278,741	\$ 47,151,247	\$ 284,992,772
Updated Forecast	236,871,040	38,202,336	10,540,803	48,743,139	285,614,179
Diff(under)/over	970,485	(1,329,830)	(262,062)	(1,591,892)	(621,407)

Table 1B - Local Fuels Tax

Hampton Roads Transportation Fund (HRTF)
Local Fuels Tax
Fiscal Year 2016

Locality	Total FY2014 & FY 2015	Previous FY2016	November 2015	Total YTD FY2016	Total
<i>Chesapeake</i>	\$ 14,960,876	\$ 2,002,702	\$ 474,755	\$ 2,477,456	\$ 17,438,332
<i>Franklin</i>	1,010,868	106,108	23,713	129,822	1,140,690
<i>Hampton</i>	6,003,145	815,239	192,685	1,007,924	7,011,069
<i>Isle of Wight</i>	2,618,275	301,089	89,333	390,420	3,008,695
<i>James City</i>	2,079,798	332,616	64,023	396,639	2,476,437
<i>Newport News</i>	7,562,240	1,081,544	248,989	1,330,533	8,892,773
<i>Norfolk</i>	8,700,754	1,233,519	275,300	1,508,819	10,209,573
<i>Poquoson</i>	292,497	36,534	7,311	43,845	336,342
<i>Portsmouth</i>	3,442,272	508,079	140,385	648,464	4,090,736
<i>Southampton</i>	980,321	129,936	29,818	159,754	1,140,075
<i>Suffolk</i>	5,425,699	681,571	172,621	854,191	6,279,890
<i>Virginia Beach</i>	19,754,723	2,648,524	602,611	3,251,135	23,005,858
<i>Williamsburg</i>	1,630,595	200,215	40,108	240,324	1,870,919
<i>York</i>	3,818,458	511,006	114,592	625,599	4,444,057
Total	78,280,521	\$ 10,588,682	\$ 2,476,244	\$ 13,064,926	\$ 91,345,447
Updated Forecast	94,200,002	12,843,092	3,380,669	16,223,761	110,423,763
Diff(under)/over	(15,919,481)	(2,254,410)	(904,425)	(3,158,835)	(19,078,316)

Table 2A - Dept of Tax Administrative Fee

Hampton Roads Transportation Fund (HRTF)
Administrative Fee
Fiscal Year 2016

Locality	Total FY2014 & FY 2015	Previous FY2016	November 2015	Total YTD FY2016	Total
<i>Chesapeake</i>	\$ 88,870	\$ -	\$ -	\$ -	\$ 88,870
<i>Franklin</i>	3,817	-	-	-	3,817
<i>Hampton</i>	36,711	-	-	-	36,711
<i>Isle of Wight</i>	5,729	-	-	-	5,729
<i>James City</i>	27,205	-	-	-	27,205
<i>Newport News</i>	54,648	-	-	-	54,648
<i>Norfolk</i>	74,054	-	-	-	74,054
<i>Poquoson</i>	1,120	-	-	-	1,120
<i>Portsmouth</i>	15,747	-	-	-	15,747
<i>Southampton</i>	1,366	-	-	-	1,366
<i>Suffolk</i>	19,302	-	-	-	19,302
<i>Virginia Beach</i>	136,884	-	-	-	136,884
<i>Williamsburg</i>	11,448	-	-	-	11,448
<i>York</i>	22,617	-	-	-	22,617
Total	\$ 499,518	\$ -	\$ -	\$ -	\$ 499,518
% of Sales & Use Tax Revenue	0.21%	0.00%	0.00%	0.00%	0.18%

Table 2B - DMV Administrative Fee

Hampton Roads Transportation Fund (HRTF)

Administrative Fee

Fiscal Year 2016

Locality	Total FY2014 & FY 2015	Previous FY2016	November 2015	Total YTD FY2016	Total
<i>Chesapeake</i>	18,260	\$ -	\$ -	\$ -	\$ 18,260
<i>Franklin</i>	1,255	-	-	-	1,255
<i>Hampton</i>	7,781	-	-	-	7,781
<i>Isle of Wight</i>	3,305	-	-	-	3,305
<i>James City</i>	2,869	-	-	-	2,869
<i>Newport News</i>	9,844	-	-	-	9,844
<i>Norfolk</i>	10,866	-	-	-	10,866
<i>Poquoson</i>	275	-	-	-	275
<i>Portsmouth</i>	4,957	-	-	-	4,957
<i>Southampton</i>	1,212	-	-	-	1,212
<i>Suffolk</i>	7,249	-	-	-	7,249
<i>Virginia Beach</i>	24,312	-	-	-	24,312
<i>Williamsburg</i>	1,616	-	-	-	1,616
<i>York</i>	4,895	-	-	-	4,895
Total	98,695	\$ -	\$ -	\$ -	\$ 98,695
% of Fuel Tax Revenues	0.13%	0.00%	0.00%	0.00%	0.11%

Table 3 - Allocations

Hampton Roads Transportation Fund (HRTF)
Allocations
Fiscal Year 2016

Project	Total FY2014 & FY 2015	Previous FY2016	November 2015	Total YTD FY2016	Total
<i>I-64 Peninsula Widening</i>					
- UPC 104905 (Segment 1) -Construction	\$ 44,000,000	\$ -	\$ -	\$ -	\$ 44,000,000
- UPC 106665 (Segment 2) - PE & Construction	6,000,000	207,592,853	-	207,592,853	213,592,853
<i>I-64/264 Interchange Improvement</i>					
- UPC 17630 - PE/ROW	54,592,576	-	-	-	54,592,576
- UPC 57048 - PE/ROW	15,071,063	-	-	-	15,071,063
<i>Third Crossing - UPC 106724 - SEIS</i>	5,000,000	-	-	-	5,000,000
<i>I-64 Southside/High-Rise Bridge - UPC 106692 - PE</i>	20,000,000	-	-	-	20,000,000
Total	\$ 144,663,639	\$ 207,592,853	\$ -	\$ 207,592,853	\$ 352,256,492

Allocations at December 2015 Meeting

I-64/I-264 Interchange Improvements Project - UPC	137,023,653
57048 - Construction of Phase I	
Total of All Allocations	\$ 489,280,145

Table 4 - Expenditures

Hampton Roads Transportation Fund (HRTF)
Expenditures
Fiscal Year 2016

Project	Total FY2014 & FY 2015	Previous FY2016	November 2015	Total YTD FY2016	Total
<i>I-64 Peninsula Widening</i>					
<i>- UPC 104905 (Segment 1) -Construction</i>	\$ 1,544,502	\$ -		\$ -	\$ 1,544,502
	-	-		-	-
	-	-		-	-
	-	-		-	-
	-	-		-	-
	-	-		-	-
	-	-		-	-
	-	-		-	-
Total	\$ 1,544,502	\$ -	\$ -	\$ -	\$ 1,544,502

Source: VDOT report "All Project Costs"

Prepared by Hampton Roads Transportation Planning Organization on 12/28/2015

2016 General Assembly Session – Summary of Transportation Related Bills

Bill	Summary	Introduced By:	Status
HB109	Secondary state highway system; counties that have not withdrawn from system allowed to submit requests for maintenance and improvement of components to VDOT.	Lingamefelter	Prefiled and ordered printed: offered 01/13/16 16100755D
HB224	Interstate System components; prior approval by General Assembly required before any tolls may be imposed or collected for use of any component.	Marshall, RG	Prefiled and ordered printed: offered 01/13/16 16101289D
HB274	Hampton Roads Transportation Fund. Ensures that the moneys in the Hampton Roads Transportation Fund are distributed to the Hampton Roads Transportation Accountability Commission and allows the Commission to invest moneys in excess of those required to meet current needs in accordance with applicable law.	Yancey	Prefiled and ordered printed: offered 01/13/16 16101176D
HB275	Hampton Roads Transportation Accountability Commission; composition. Allows an elected official of any of the four counties embraced by the Hampton Roads Transportation Accountability Commission who serves on the county's governing body and has been appointed by resolution of such governing body to represent the county on the Commission to serve on the Commission. Currently, only the chief elected officer of such county may serve on the Commission.	Yancey	Prefiled and ordered printed: offered 01/13/16 16101178D
HB276	Hampton Roads Transportation Accountability Commission; administrative expenses. Allows the Hampton Roads Transportation Accountability Commission to spend Hampton Roads Transportation Fund moneys on administrative and operating expenses and removes the requirement that, if no other funds are available, administrative expenses of the Commission be allocated among the localities within Planning District 23 on the basis of relative population. The bill states that it does not result in the expiration of the contingently effective provisions of Chapter 896 of the Acts of Assembly of 2007 or Chapter 766 of the Acts of Assembly of 2013.	Yancey	Prefiled and ordered printed: offered 01/13/16 16101179D
HB384	Commonwealth Transportation Board; meetings. Requires any meeting of the Commonwealth Transportation Board that involves a discussion or vote related to a transportation project valued in excess of \$5 million be held in the highway construction district where the project being considered is located.	Marshall, RG	Prefiled and ordered printed: offered 01/13/16 16103504D
HB692	Payments to cities and towns for maintenance of certain highways. Provides that maintenance payments made to eligible cities and towns shall be for total pavement width based on an 11-foot lane.	Carr	Prefiled and ordered printed: offered 01/13/16 16101598D
HB718	Commonwealth Transportation Board; project proposals to regional organizations. Requires the Commonwealth Transportation Board (CTB) to annually solicit input from localities, metropolitan planning organizations, transit authorities, transportation authorities, and other stakeholders in its development of the prioritization process. The bill requires the CTB to annually propose transportation projects to metropolitan planning organizations and the Northern Virginia Transportation Authority. The CTB shall consider such input prior to submission of projects to be evaluated under the statewide prioritization process.	LeMunyon	Prefiled and ordered printed: offered 01/13/16 16102489D
HB719	Commonwealth Transportation Board; value of statewide prioritization factors. Requires the Commonwealth Transportation Board to make public the criteria used to determine the value of each factor used in the statewide prioritization process for project selection no later than 30 days prior to a vote on such project or strategy.	LeMunyon	Prefiled and ordered printed: offered 01/13/16 16100315D
HB721	Toll Facilities Revolving Account; statewide prioritization process. Requires funds allocated from the Toll Facilities Revolving Account to be evaluated using the statewide prioritization process.	LeMunyon	Prefiled and ordered printed: offered 01/13/16 16101248D
HB1008	Motor vehicle fuels sales tax in certain transportation districts; price floor. Places a floor on the 2.1 percent tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads by ensuring that the average sales price be no less than the statewide average sales price on February 20, 2013, which is the date used as a floor on the statewide motor vehicle fuels sales tax.	Levine	Prefiled and ordered printed: offered 01/13/16 16101983D

2016 General Assembly Session – Summary of Transportation Related Bills

HB1069	<p>Tolling civil penalties; period of nonpayment; limitations on tolling; notification of toll violations. The bill prohibits tolling any highway, bridge, or tunnel without approval of the General Assembly except in limited circumstances. The bill requires the Department of Transportation to allow E-ZPass account holders to provide an email or phone number and to electronically notify account holders of a toll violation and further requires toll operators to notify the Department of such toll violations. The bill amends the definition of high-occupancy toll (HOT) lanes to ensure that mass transit vehicles and commuter buses meet the high-occupancy requirement. The bill lengthens from 30 to 60 days the period following notification of an unpaid toll on HOT lanes after which, if the toll is still unpaid, the owner or operator of the vehicle is in violation. The bill decreases the civil penalties for an unpaid toll violation on the HOT lanes, making them equal to civil penalties for other toll violations, and allows the HOT lanes operator to offer reduced civil penalties if the owner of the vehicle pays within 14 days prior to the hearing date, which is also permitted for other toll operators. For violations on any toll road, the bill provides that for a first court appearance there are reduced civil penalties and places a cap of \$2,200 on civil penalties and administrative fees. Finally, the bill provides for a 10-day grace period for unpaid tolls and requires toll operators to attempt to process and collect unpaid tolls twice during such period.</p>	Jones, S. Chris	Prefiled and ordered printed: offered 01/13/16 16103861D
HB1070	<p>Toll violations; reciprocity agreements; enforcement. Allows the Commonwealth to enter into agreements with other states to provide for the enforcement of tolling violations occurring in Virginia on out-of-state residents and to enforce tolling violations in other states on Virginia residents. Reciprocity agreements with other states would provide for notification of the Commissioner of the Department of Motor Vehicles (DMV) or other similar entity in another state so that violators who have not paid would have their registration suspended in accordance with the agreement. The bill allows for agreements between toll operators or high-occupancy toll (HOT) lanes operators and DMV to include necessary information to enforce reciprocity agreements. The bill states that a toll violation on the HOT lanes is a traffic infraction and that a HOT lanes operator shall mail the statutorily required invoice for unpaid tolls, as is the case for other toll violations. The bill clarifies references to the issuance of summonses for toll violations. The bill provides for a two-year statute of limitations for all toll violations. The bill contains technical amendments.</p>	Jones, S. Chris	Prefiled and ordered printed: offered 01/13/16 16104010D
HB1111	<p>Hampton Roads Transportation Accountability Commission. Ensures that the moneys in the Hampton Roads Transportation Fund are distributed to the Hampton Roads Transportation Accountability Commission and allows the Commission to invest moneys in excess of those required to meet current needs in accordance with applicable law. Allows the Hampton Roads Transportation Accountability Commission to spend Hampton Roads Transportation Fund moneys on administrative and operating expenses and removes the requirement that, if no other funds are available, administrative expenses of the Commission be allocated among the localities within Planning District 23 on the basis of relative population. The bill states that it does not result in the expiration of the contingently effective provisions of Chapter 896 of the Acts of Assembly of 2007 or Chapter 766 of the Acts of Assembly of 2013. The bill allows an elected official of any of the four counties embraced by the Hampton Roads Transportation Accountability Commission who serves on the county's governing body and has been appointed by resolution of such governing body to represent the county on the Commission to serve on the Commission. Currently, only the chief elected officer of such county may serve on the Commission. The bill also allows a member representing a city or county to designate a current elected officer of the same governing body to serve in his place on the Commission after making such designation to</p>	Villanueva	Prefiled and ordered printed: offered 01/13/16 16103721D

2016 General Assembly Session – Summary of Transportation Related Bills

	the Chairman and limits such designation to two meetings or 25% percent of the Commission's meetings per year.		
HJ55	Study; Department of State Police; bicycle safety; report. Requests the Department of State Police to study existing laws and policies governing bicycling on state highways.	Linamfelter	Prefiled and ordered printed; offered 01/13/16 16102403D
HJ58	Study; Department of Transportation; traffic signal retiming; report. Requests the Department of Transportation to study traffic signal retiming and current implementation of traffic signal timing in the Commonwealth.	Marshall, D.	Prefiled and ordered printed; offered 01/13/16 16101525D
HJ73	Midtown and Downtown Tunnels in Hampton Roads; Commonwealth Transportation Board to study feasibility of reducing or eliminating tolls.	Heretick	Prefiled and ordered printed; offered 01/13/16 16101941D (House)
HJ77	Midtown and Downtown Tunnels in Hampton Roads; Commonwealth Transportation Board to study feasibility of reducing or eliminating tolls.	James	Prefiled and ordered printed; offered 01/13/16 16102420D (House)
HJ139	Constitutional amendment first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2017, 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 amendment specifies that the General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house and that the loan must be repaid with reasonable interest within four years.	LaRock	Prefiled and ordered printed; offered 01/13/16 16103263D (House)
SB32	Virginia Casino Gaming Commission; regulation of casino gaming; penalties. Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill specifies the licensing requirements for casino gaming and imposes penalties for violations of the casino gaming law. The bill also requires the Commission to establish a voluntary exclusion program allowing persons to voluntarily exclude themselves from the gaming areas of facilities under the jurisdiction of the Commission. Under the bill, casino gambling shall be limited to localities in which at least 40 percent of the land area is exempt from local real property taxation pursuant to federal law or subdivisions (a) (1) through (a) 5 and (a) 7 of Section 6 of Article X of the Constitution of Virginia. The bill requires proceeds of the gross receipts tax and admission tax imposed on casino gaming operators to be paid as follows: (i) 10 percent to the locality in which the casino gaming operation is located and (ii) 90 percent into the Toll Mitigation Fund, established by the bill, which shall be used to mitigate the tolls established to support construction and maintenance of the Dominion Boulevard Bridge and Roadway Improvement Project and the Downtown Tunnel/Midtown Tunnel/Martin Luther King Freeway Extension Project.	Lucas	Prefiled and ordered printed; offered 01/13/16 16100321D (Senate)
SB33	Virginia Casino Gaming Commission; regulation of casino gaming; penalties. Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill specifies the licensing requirements for casino gaming and imposes penalties for violations of the casino gaming law. Casino gaming shall be limited to localities that have passed a referendum on the question of allowing casino gaming in the locality. The bill also	Lucas	Prefiled and ordered printed; offered 01/13/16 16100677D (Senate)

2016 General Assembly Session – Summary of Transportation Related Bills

	requires the Commission to establish a voluntary exclusion program allowing persons to voluntarily exclude themselves from the gaming areas of facilities under the jurisdiction of the Commission. In addition the bill establishes the Problem Gambling Treatment and Support Fund administered by the Commissioner of Behavioral Health and Developmental Services to provide counseling and other support services for compulsive and problem gamblers, develop problem gambling treatment and prevention programs, and provide grants to supporting organizations that provide assistance to compulsive gamblers. The bill requires proceeds of the gross receipts tax and admission tax imposed on casino gaming operators to be paid as follows: (i) one percent into the Problem Gambling Treatment and Support Fund, ii) 10 percent to the locality in which the casino gaming operation is located, and (iii) 89 percent into the Toll Mitigation Fund, which shall be used to mitigate the tolls established to support construction and maintenance of the Dominion Boulevard Bridge and Roadway Improvement Project and the Downtown Tunnel/Midtown Tunnel/Martin Luther King Freeway Extension Project.		
SB34	Lottery Board; regulation of casino gaming; penalties. Authorizes casino gaming in the state to be regulated by the Virginia Lottery Board (the Board). The bill specifies the licensing requirements for casino gaming and imposes penalties for violations of the casino gaming law. Casino gaming shall be limited to localities that have passed a referendum on the question of allowing a casino gaming in the locality. The bill requires the Board to establish and implement a voluntary exclusion program allowing individuals to voluntarily list themselves as being barred from entering a casino gaming establishment or other facility under the jurisdiction of the Board. In addition, the bill establishes the Problem Gambling Treatment and Support Fund administered by the Commissioner of Behavioral Health and Developmental Services to provide counseling and other support services for compulsive and problem gamblers, develop problem gambling treatment and prevention programs, and provide grants to supporting organizations that provide assistance to compulsive gamblers. The bill requires proceeds of the gross receipts tax and admission tax imposed on casino gaming operators to be paid as follows: (i) one percent into the Problem Gambling Treatment and Support Fund, ii) 10 percent to the locality in which the casino gaming operation is located, and (iii) 89 percent into the Toll Mitigation Fund, which shall be used to mitigate the tolls established to support construction and maintenance of the Dominion Boulevard Bridge and Roadway Improvement Project and the Downtown Tunnel/Midtown Tunnel/Martin Luther King Freeway Extension Project.	Lucas	Prefiled and ordered printed; offered 01/13/16 16100685D (Senate)
SB47	Hampton Roads Transportation Accountability Commission; local representation. Allows the chairman of the board of supervisors of a county within Planning District 23 to designate a current elected officer of the same governing body to serve in his place on the Hampton Roads Transportation Accountability Commission.	Lucas	Prefiled and ordered printed; offered 01/13/16 1610176D (Senate)
SB255	Department of Transportation to study toll relief. Requires the Department of Transportation to conduct a survey of other states' toll relief programs and evaluate potential methods of toll relief for citizens of the Commonwealth. The Department shall submit a report of its findings no later than the first day of the 2017 Regular Session of the General Assembly.	Surovell	Prefiled and ordered printed; offered 01/13/16 16103393D (Senate)
SB258	Commonwealth Transportation Board; voting weighted by population. Provides that the votes of the nine nonlegislative citizen members of the Commonwealth Transportation Board who represent the nine highway construction districts shall be weighted on the basis of the population of each member's district as a percentage of the total population of the Commonwealth.	Surovell	Prefiled and ordered printed; offered 01/13/16 16100159D (Senate)

2016 General Assembly Session – Summary of Transportation Related Bills

SB334	Toll violations at all-electronic toll facilities; administrative fees and period of nonpayment. Lowers the administrative fee that is paid after 30 days of nonpayment of an unpaid toll from \$100 to \$50 and lengthens such period of nonpayment from 30 days to 60 days. The time period for notice to contest liability for a toll violation is extended from 60 to 90 days. The time period to file an affidavit stating that the owner of the vehicle was not the operator of the vehicle during the unpaid toll violation is extended from 14 to 30 days.	Locke	Prefiled and ordered printed; offered 01/13/16 161102119D (Senate)
SB365	Prioritization of statewide transportation projects; exceptions. Provides that projects on U.S. Route 460 and U.S. Route 121 are not subject to the prioritization process that the Commonwealth Transportation Board applies to projects eligible for state funding.	Chafin	Prefiled and ordered printed; offered 01/13/16 16102524D (Senate)