

**HB 37 Overload and overweight permits; fees established by Commissioner. (OPPOSE)**

Revises the fees for vehicle overload and overweight permits to conform to recommendations of the Virginia Transportation Research Council. *Patron:* Marshall, R.G. 01/26/10 House: Passed by in Transportation with letter

**HB 402 Hampton Roads Bridge-Tunnel; VDOT to accept for review unsolicited proposals to add capacity. (SUPPORT).**

Directs the Virginia Department of Transportation to accept for review unsolicited proposals to add capacity to the Hampton Roads Bridge-Tunnel. *Patron:* Oder. 02/02/10 House: VOTE: --- PASSAGE (80-Y 16-N 1-A). 02/23/10 Senate: Passed 40-0.

**HB 473 Weight limits; extends sunset provision for trucks hauling gravel, etc., in coal-producing counties. (SUPPORT).**

Repeals the July 1, 2010, "sunset" on increased weight limits applicable to trucks hauling gravel and certain other cargoes in coal-producing counties. *Patrons:* Carrico and Morefield; Senator: Puckett. 02/09/10 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N). 3/2/10 Senate: Passed 40-0.

**HB 480 Public-Private Transportation Act of 1995; CTB to conduct third party audits of agreements executed. (OPPOSE).**

Requires the Commonwealth Transportation Board to conduct third party audits of agreements executed under the Public-Private Transportation Act. Under the bill, the audits will consist of a review of the bidding process and certain other summary information regarding each project. The bill requires responsible public entities proceeding under the Act to advertise in the area where the project will be located to encourage participation by local small contractors. In addition, the bill (i) provides that contracts must be rebid if a change order exceeds 25 percent or one million dollars over the original contract amount, (ii) limits agreements under the act from extending more than two years past the original completing date without being rebid, and (iii) requires all agreements to include standard small, women-owned and minority-owned participation components of 30 percent as of July 1, 2010. *Patrons:* Carrico and Armstrong; Senator: Reynolds. 01/21/10 House: Subcommittee recommends laying on the table

**HB 515 Wetlands and stream mitigation; prohibits localities from regulating location of projects. (SUPPORT).**

Prohibits localities from regulating the location of wetlands and stream mitigation projects that are subject to a Virginia Water Protection Permit. *Patrons:* Rust and Knight. 02/01/10 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N). 02/25/10 Senate: Passed 40-0.

**HB 756 Offshore drilling; royalties to be deposited in Transportation Trust Fund, etc. (SUPPORT).**

**Royalties from offshore drilling.** Requires that at least 80 percent of any revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be deposited to the Transportation Trust Fund. *Patrons:* Stolle, Albo, Anderson, Bell, Richard P., Byron, Carrico, Cole, Comstock, Cosgrove, Cox, J.A., Crockett-Stark, Gilbert, Greason, Hugo, Iaquinto, Jones, Knight, Landes, LeMunyon, Lingamfelter, Lohr, Miller, J.H., Oder, Pogge, Poindexter, Purkey, Scott, E.T., Tata and Villanueva. 02/08/10 House: VOTE: --- PASSAGE (71-Y 26-N). 02/22/10 Senate: Passed 21-19.

**HB 969 PPTA; preconditions to certain comprehensive agreements. (OPPOSE).** Requires that highway construction projects of \$100 million or more undertaken under the PPTA have prior approval from the General Assembly. The bill further requires that any proposed PPTA contract involving HOT lanes be subject to an explicit evaluation comparing its impact with a mass-transit-based alternative. *Patrons:* Englin, Ebbin and Kory. 02/02/10 House: Tabled in Transportation (14-Y 4-N).

**HB 1220 Stormwater management regulations; effective date. (SUPPORT)** Delays the regulation that establishes local program criteria and delegation procedures and the water quality and water quantity criteria. The regulation, however, shall be adopted within 280 days after the establishment of the U.S. Environmental Protection Agency's Chesapeake Bay-wide Total Maximum Daily Load, but no later than December 1, 2011. The bill also directs the Virginia Soil and Water Conservation Board to establish an advisory panel to review the regulation and make recommendations on possible revisions to the regulation. This bill incorporates HB 1311 and [HB 155](#). This bill is identical to [SB 395](#). Passed House and Senate, signed by Governor

**SB 34 Worker Misclassification Act; created. (OPPOSE).** Prohibits an employer from classifying an individual as an independent contractor if he is an employee. An individual shall be considered an employee of the party which pays that remuneration, for purposes of Titles 40.1 (Labor and Employment), 60.2 (Unemployment Compensation), and 65.2 (Workers' Compensation) unless and until it is shown to the satisfaction of the Department of Labor and Industry that (i) the individual has been and will continue to be free from direction and control of the employer, both under his contract of service and in fact, (ii) the service is outside the usual course of the business of the employer, and (iii) the individual is customarily engaged in an independently established trade, occupation, profession, or business, both under his contract of service and in fact. Discrimination or taking adverse action against any person in retaliation for exercising rights protected under this measure is also prohibited. Violators are subject to criminal penalties, civil penalties, debarment from public contracts, private actions, and stop-work orders. *Patron:* Lucas. 02/01/10 Senate: Continued to 2011 in Commerce and Labor (15-Y 0-N)

**SB 212 Overload and overweight permits; Transportation Board, et al. to establish new schedule of fees. (OPPOSE).** Requires the Commonwealth Transportation Board, in consultation with the Commissioner of the Department of Motor Vehicles, to establish a new schedule of fees for issuance of overweight and overload vehicle permits. Such fees shall not apply to all vehicles hauling cargoes subject to a coal or gas severance tax. *Patron:* Barker. 02/04/10 Senate: Passed by in Transportation with letter (15-Y 0-N)

**SB 377 Workplace Fraud Act; established. (OPPOSE).** Establishes penalties for employers providing construction services that wrongly classify their employees as independent contractors. The measure authorizes the Commissioner of Labor and Industry to initiate an investigation under specified circumstances to determine whether specified violations occurred, requires the Commissioner to enforce specified provisions by issuing citations, and establishes the method of determining whether an employer-employee relationship exists for purposes of proper classification under specified circumstances. The measure imposes civil penalties on employers who violate its provisions. *Patron:* Puckett. 02/01/10 Senate: Continued to 2011 in Commerce and Labor (15-Y 0-N)

**HB 1309 Public Procurement Act; procurement of certain professional services by Transportation Commissioner. (SUPPORT).** Increases from \$2 million to \$5 million the amount of all projects in one contract term for environmental location, design, and inspection work regarding highways and bridges awarded by the Commonwealth Transportation Commissioner. Such contract may be renewable for two additional one-year terms at the option of the Commissioner. *Patron:* Scott, E.T. 02/12/10 House: Passed 96-0. 3/10/10 Senate: Passed 40-0.