

# 2006 SPECIAL SESSION I

INTRODUCED

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## HOUSE BILL NO. 5083

Offered September 18, 2006

A BILL to amend the Code of Virginia by adding in Chapter 6 of Title 46.2 an article numbered 13, consisting of sections numbered 46.2-770 through 46.2-772, relating to a fee on commercial motor vehicles hauling solid waste.

Patron—Purkey

Referred to Committee on Transportation

### Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 6 of Title 46.2 an article numbered 13, consisting of sections numbered 46.2-770 through 46.2-772, as follows:

#### Article 13.

##### Fee on Certain Commercial Motor Vehicles.

§ 46.2-770. Fee on commercial motor vehicles hauling solid waste; interstate and intrastate.

There is hereby imposed a fee at the rate of 100% of the existing rate charged for delivering solid waste to a solid waste management facility in the Commonwealth on every commercial motor vehicle, as defined in § 46.2-341.4, hauling solid waste on the highways of the Commonwealth. Such fee shall be paid by the commercial motor vehicle operator on each load of solid waste, both interstate and intrastate, for the use, maintenance, and construction costs of such highways. For purposes of this article, solid waste management facility and solid waste shall have the same meanings as provided in § 10.1-1400.

§ 46.2-771. Charge for solid waste hauling fee.

The solid waste hauling fee authorized by this article shall be charged at the time of one of the following events, whichever occurs first within the Commonwealth:

1. The delivery of the solid waste to a solid waste management facility, as defined in § 10.1-1400, or
2. The weighing of the commercial motor vehicle at the first weigh station it reaches that is operated by the Commonwealth.

The commercial motor vehicle operator shall receive a bill for the fee from the operator of the solid waste management facility or the state weight enforcement officer, as applicable.

§ 46.2-772. Disposition of solid waste hauling fee; Transportation Trust Fund.

The revenue generated by the solid waste hauling fee authorized by this article shall be paid into the Transportation Trust Fund, as defined in § 33.1-23.03:1, for the use, maintenance, and construction costs of highways.

The Commissioner of the Department of Motor Vehicles shall promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) that include, but are not limited to, (i) when, where, and to whom payment of the solid waste hauling fee shall be remitted, (ii) the type of forms to be used when remitting the fee, and (iii) any applicable penalties due to late payments.

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