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SENATE BILL NO. 977**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on Transportation
on January 30, 2013)

(Patron Prior to Substitute—Senator Lucas)

A BILL to amend and reenact § 56-563 of the Code of Virginia, relating to affected local jurisdictions; approval of certain comprehensive agreements.

Be it enacted by the General Assembly of Virginia:**1. That § 56-563 of the Code of Virginia is amended and reenacted as follows:****§ 56-563. Affected local jurisdictions; approval of certain comprehensive agreements.**

A. Any private entity requesting approval from, or submitting a proposal to, a responsible public entity under § 56-560 shall notify each affected jurisdiction by furnishing a copy of its request or proposal to each affected jurisdiction.

B. Each affected jurisdiction that is not a responsible public entity for the respective qualifying transportation facility shall, within 60 days after receiving a request for comments from the responsible public entity, submit any comments it may have in writing on the proposed qualifying transportation facility to the responsible public entity and indicating whether the facility will address the needs identified in the appropriate state, regional, or local transportation plan by improving safety, reducing congestion, increasing capacity, and/or enhancing economic efficiency.

C. Any qualifying transportation facility, title or easement to which is held by the Commonwealth or an agency or authority therefor and the rights to develop or operate which have been granted to the private entity through a concession as defined in § 56-557, shall be subject to the provisions of Title 15.2 in the same manner as a facility of the Commonwealth, mutatis mutandis, except that such private entity shall comply with the provisions of subsections B and C of § 15.2-2202 as they relate to the affected jurisdiction's comprehensive plan.

D. Prior to the execution of the comprehensive agreement, the responsible public entity shall obtain the review of the metropolitan planning organization or transportation planning organization corresponding to that locality whenever the development or operation of the qualifying transportation facility (i) adversely impacts local tax revenues or (ii) increases the fees or expenses that are paid by residents of the affected jurisdictions.