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**SENATE BILL NO. 1308****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources  
on February 8, 1999)

(Patron Prior to Substitute—Senator Bolling)

*A BILL to amend the Code of Virginia by adding in Article 7.1 of Chapter 14 of Title 10.1 a section numbered 10.1-1454.2, relating to water transport of wastes.*

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

**1. That the Code of Virginia is amended by adding in Article 7.1 of Chapter 14 of Title 10.1 a section numbered 10.1-1454.2 as follows:**

*§ 10.1-1454.2. Transportation of waste upon waters; prohibitions.*

*The provisions of § 10.1-1454.1 will not in all circumstances provide sufficient protection of health, safety and welfare or of the Commonwealth's atmosphere, lands, and waters. Therefore, the commercial transport of nonhazardous solid waste (except scrap metal, dredged material and source-separated recyclables) or regulated medical waste by ship, barge or other vessel upon the navigable waters of the Commonwealth shall be prohibited on the Rappahannock, James and York Rivers, to the fullest extent consistent with limitations posed by the Constitution of the United States, as is necessary to protect health, safety and welfare and the Commonwealth's atmosphere, lands and waters from pollution, impairment or destruction.*

**2. That the Virginia Department of Transportation, in conjunction with other appropriate agencies, shall conduct an analysis of the impact any prohibition imposed pursuant to § 10.1-1454.2 may have on highway safety due to impacts on truck traffic. The Department shall report its findings to the Governor and the General Assembly by July 1, 2000. If at any time the Department reports that highway safety has decreased due to any prohibition pursuant to § 10.1-1454.2, the prohibition may be lifted by the Commonwealth Transportation Board.**

SENATE SUBSTITUTE

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