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SENATE JOINT RESOLUTION NO. 94

Offered January 13, 2010

Prefiled January 13, 2010

Establishing a joint subcommittee to study the desirability and feasibility of replacing the state motor fuel tax with alternative methods including a mileage-based fee predicated on vehicle-miles traveled in Virginia. Report.

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Referred to Committee on Rules

WHEREAS, an efficient transportation system is vital to the future of Virginia's economy and the quality of life of its citizens; and

WHEREAS, the revenues currently available for highway maintenance and construction are inadequate to operate and maintain existing transportation infrastructure and also provide funds for improvements that would reduce congestion, improve service, and enhance safety; and

WHEREAS, the state motor fuel tax each year generates less revenue as motor vehicles become more fuel-efficient and alternative sources of fuel are identified, making the motor fuel tax an inadequate means of addressing Virginia's long-term transportation needs; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study the desirability and feasibility of replacing the state motor fuel tax with alternative methods including a mileage-based fee predicated on vehicle-miles traveled in Virginia. The joint subcommittee shall have a total membership of 10 members and shall consist of eight legislative members and two ex officio members. Members shall be appointed as follows: three members of the Senate to be appointed by the Senate Committee on Rules and five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates. The Virginia Secretary of Transportation or his designee and the Chief Engineer of the Virginia Department of Transportation or his designee shall serve ex officio with voting privileges. The joint subcommittee shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall evaluate the desirability and feasibility of (i) replacing the state motor fuel tax with alternative methods, including a fee based on mileage traveled in Virginia and collected at a fueling station, and (ii) using this same system to impose and collect congestion charges. The joint subcommittee, further, shall determine: (a) whether, using existing technology, a fee based on vehicle-miles traveled in the Commonwealth can be implemented to replace the state motor fuel tax as Virginia's principal revenue source for funding highway operation, maintenance, and construction; (b) the commercial viability of a vehicle-miles-traveled fee, i.e., how easily it can be imposed and collected at the pump, compared to the way in which the state motor fuel tax is now imposed and collected; (c) the ease with which a vehicle-miles-traveled fee might be phased in, while unequipped vehicles continue to be powered by fuels subject to the present method of imposition and collection of the state motor fuel tax; (d) the ability to integrate a vehicle-miles-traveled-based fee with the service station point-of-sale system and the current system of motor fuel tax imposition and collection; (e) the ability of the vehicle-miles-traveled fee concept to support some form of congestion pricing, as well as imposition and collection of fees on a regional basis and other zone-based congestion-management strategies; (f) the amounts and kinds of data required to be kept in order to audit and challenge billings without compromising the privacy rights of motorists in the Commonwealth; (g) the extent of the burden required to be borne by distributors and filling stations as a direct result of a conversion to a vehicle-miles-traveled-based fee; (h) how much more likely it might be that motorists will attempt to evade their obligations under a vehicle-miles-traveled-based fee approach; and (i) the costs associated with implementing a change to a vehicle-miles-traveled-based fee, as well as the costs of operating such a system, as compared to current operating costs for imposing and collecting the present state motor fuel tax.

Administrative staff support shall be provided by the Office of the Clerk of Senate. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. Technical assistance shall be provided by the Virginia Department of Transportation and the staffs of the House and Senate Finance Committees. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2010 interim, and the direct costs of this study shall not exceed \$8,000 without approval as set out in this resolution. Approval for

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59 unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the
60 joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is
61 agreed to, written authorization of both Clerks shall be required.

62 No recommendation of the joint subcommittee shall be adopted if a majority of the Senate members
63 or a majority of the House members appointed to the joint subcommittee (i) vote against the
64 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the
65 joint subcommittee.

66 The joint subcommittee shall complete its meetings by November 30, 2010, and the chairman shall
67 submit to the Division of Legislative Automated Systems an executive summary of its findings and
68 recommendations no later than the first day of the 2011 Regular Session of the General Assembly. The
69 executive summary shall state whether the joint subcommittee intends to submit to the General
70 Assembly and the Governor a report of its findings and recommendations for publication as a House or
71 Senate document. The executive summary and the report shall be submitted as provided in the
72 procedures of the Division of Legislative Automated Systems for the processing of legislative documents
73 and reports and shall be posted on the General Assembly's website.

74 Implementation of this resolution is subject to subsequent approval and certification by the Joint
75 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
76 delay the period for the conduct of the study, or authorize additional meetings during the 2010 interim.