

HB687 General Assembly; office allowances. Provides an alternative office expense allowance arrangement for General Assembly members. Members may continue the present nonvouchered arrangement or change to an accountable plan within the meaning of the Internal Revenue Code regulations. Under the alternative plan, members will be required to substantiate their business expenditures on a quarterly basis and return any amount in excess of the substantiated expenses. The bill also provides a separate office equipment allowance not to exceed \$2,000 during a two-year period. Members will be required to submit a voucher and accompanying receipts prior to receiving payment for equipment expenses. The Clerk of the House of Delegates and the Clerk of the Senate, under the direction of their respective Rules Committees, are required to establish policies in their houses regarding the transfer of office equipment purchased with the allowance to the Commonwealth when the equipment falls into disuse or the member leaves office. The Clerks must submit by November 1, 2006, the policies and forms needed to implement the bill to their respective Rules Committees for approval.

Patron - Brink

HB740 Virginia Code Commission. States explicitly that the Code Commission is authorized to publish a renumbered code and delineates savings provisions to assure that references to prior and new code provisions are given effect. The bill is a recommendation of the Virginia Code Commission.

Patron - Landes

HB837 Virginia Budget Office. Establishes in the legislative branch a Virginia Budget Office.

Patron - Frederick

HB1052 Tax legislation; sunset date. Requires a sunset date on all taxation bills that add new taxes or increase tax rates.

Patron - Reid

HB1142 General Assembly; Senate and House Committees on Standards of Conduct. Incorporates provisions of the rules of the Senate and the House of Delegates that relate to membership on the Rules Committee subcommittee on Standards of Conduct of each house. This bill was incorporated into HB 1178.

Patron - Cline

HB1365 Joint Commission on Transportation Accountability. Creates the Joint Commission on Transportation Accountability to carry out close legislative oversight of state agencies with transportation responsibilities.

Patron - Wardrup

HB1377 The Keep Our Promise Act of 2006. Reinstates the Personal Property Tax Relief Act of 1998 at 100 percent reimbursement for qualifying vehicles effective January 1, 2007.

Patron - Frederick

HB1477 Bills that create or increase fees; consideration by House Finance Committee or Senate Finance Committee. Provides that the House Finance Committee and Senate Finance Committee, before considering any revenue bill that creates or increases a fee of the Commonwealth, may require a written report from the Department of Taxation that includes any or all of the following: (i) when the fee was first established; (ii) the dates and amounts by which the fee has increased over the past 10 years; (iii) the purpose for the revenue from the fee, and whether any amounts of such revenue

have been spent for other purposes in the past 10 years; (iv) the total annual amount of revenues raised from the fee in each of the past 10 years; and (v) the estimated amount of revenues that will be generated by the proposed increase and the reason for the increase.

Patron - Lingamfelter

SB20 First-day introduction of VRS bills; 2007 Code Project. Moves the requirement concerning the first-day introduction VRS bills into a separate section so that it may be placed with other similar sections that establish first-day introduction deadlines for certain types of bills. This is a recommendation of the Code Commission as part of the 2007 Code Project.

Patron - Mims

SB174 Public-Private Transportation Act; Public-Private Education Facilities and Infrastructure Act; guidelines; Public-Private Partnership Advisory Commission. Requires the review of the terms and conditions of interim or comprehensive agreements for qualifying projects under the Public-Private Transportation and Public-Private Education Facilities and Infrastructure Acts by the appropriating body before the final execution of such agreements by the responsible public entity. "Appropriating body" is defined in the bill as the body responsible for appropriating or authorizing funding for the project. The bill also requires specific provisions to be included in the guidelines that must be adopted by responsible public entities (RPE's) under each of the Acts. In addition, the bill establishes the Public-Private Partnership Advisory Commission to review the terms of the interim and comprehensive agreements prior to signing by state RPE's and to provide non-binding, advisory opinions regarding the terms of such agreements.

Patron - Wampler

SB208 Office of Children's Services Ombudsman. Creates, within the legislative branch, the Office of Children's Services Ombudsman. The mission of the office is to protect children and parents from harmful agency action or inaction; investigate the acts of state and local administrative agencies adversely affecting children; recommend appropriate changes toward the goals of safeguarding the rights of children and parents; and promote higher standards of competency, efficiency, and justice in the administration of child protection and child welfare laws. The office is to be headed by a Director appointed by the Joint Rules Committee. The bill also contains an exemption from the Freedom of Information Act for active investigations conducted by the office.

Patron - Edwards

SB693 The Council on Capitol Square. Establishes a permanent council to operate, maintain, and preserve Capitol Square, which includes the State Capitol, the Executive Mansion, the Bell Tower, and the area surrounding the Capitol enclosed by the iron fence installed in 1818 and its extension. The council will have the sole authority to coordinate and approve any additions, improvements, or renovations and will oversee the state-appropriated funds for the operation, maintenance, and renovation of Capitol Square.

Patron - Norment

Carried Over

HB954 Auditor of Public Accounts; powers. Provides that authorities, commissions, districts, or other political subdivisions, the members of whose governing body are not elected by popular vote, and any legal entity created by those bodies shall be subject to periodic external reviews in accor-

dance with the provisions of the Legislative Program Review and Evaluation Act. The bill also authorizes the Auditor of Public Accounts or his legal representatives to examine the accounts and books of these entities at the request of the Joint Legislative Audit and Review Commission.

Patron - Joannou

[C]SB705 Joint Commission on State Government Programs. Creates the Joint Commission on State Government Programs as a legislative agency. The bill sets out the Commission's membership, terms, staffing, and powers and duties.

Patron - Stolle

General Provisions of Virginia Code

Passed

[P]HB1011 Emblems; state fish and bat. Redesignates the Brook Trout as the official fish of the Commonwealth and corrects the spelling of the name of the state bat. The Code section that recognized the Brook Trout as the official state fish was inadvertently repealed during the recodification of Title 1 last year. The Brook Trout has been the Commonwealth's official fish since 1993.

Patron - Hurt

Failed

[F]HB765 Emblems, designations and honors; storyteller laureate. Creates the honorary position of Storyteller Laureate of Virginia, to be appointed by the Governor from a list of nominees submitted by the Virginia Storytelling Alliance. Each storyteller laureate shall serve a term of two years with no restrictions on reappointment.

Patron - Sickles

[F]HB1256 Storyteller Laureate of Virginia. Creates the position of Storyteller Laureate in the Commonwealth. The storyteller laureate will be appointed by the Governor and receive an annual honorarium of \$5,000 to promote storytelling in the Commonwealth.

Patron - Hugo

[F]HB1273 Official emblems and designations of the Commonwealth; Freedom Flag as the official remembrance of September 11, 2001. Designates the Freedom Flag, designed by Richard Nicholas Melito, as the official flag of remembrance of September 11, 2001, in Virginia.

Patron - Janis

[F]HB1524 Jurisdiction of lands acquired by the United States; reversion to the Commonwealth; conveyance of certain lands by the Governor. Authorizes the Governor to convey the Commonwealth's reversionary interest to a locality should the United States Congress approve a military facility for closure pursuant to the federal Defense Base Closure and Realignment Act of 1990 and (i) all or a portion of the land upon which such facility is located is conveyed to the United States with a provision in the deed that upon abandonment or use for any purpose other than that stated in the deed, such land shall revert to the Commonwealth or (ii) title to any such land otherwise reverts to the Commonwealth pursuant to the provisions of subsection B of § 1-405. The bill also pro-

vides that the approval of the Governor is not necessary when the Commonwealth conveys its reversionary interest to a locality.

Patron - Ward

[F]SB682 State Song. Designates "Shenandoah" as the interim state song.

Patron - Colgan

Carried Over

[C]HB156 Emblems and designations of the Commonwealth; state amphibian. Designates the Shenandoah Mountain Salamander (*Plethodon Virginia*) as the official state amphibian.

Patron - Ward

[C]SB696 Reversion of certain land to the Commonwealth. Authorizes the Governor to convey the reversionary interest in certain land to the locality in which the land is located.

Patron - Williams

Guardian and Ward

Passed

[P]HB796 Virginia Uniform Transfer to Minors Act; custodians. Allows two people to be joint custodians for a single minor under the Virginia Uniform Transfer to Minors Act. Each joint custodian shall have full power and authority to act alone with respect to the custodial property, and if either resigns, dies, becomes incapacitated or is removed, the remaining person becomes sole custodian.

Patron - Fralin

Health

Passed

[P]HB13 Reporting of tuberculosis strains with antimicrobial drug susceptibilities. Removes the option of submitting to the local health director a report of antimicrobial drug susceptibilities performed by a laboratory certified to perform such testing in lieu of submitting a representative and viable sample of initial cultures positive for tubercle bacilli to the Virginia Division of Consolidated Laboratory Services. The bill requires that the Virginia Division of Consolidated Laboratory Services establish a library of isolates from persons with active tuberculosis disease for the purpose of disease strain analysis as indicated by epidemiological investigations. This bill is identical to SB112.

Patron - Hamilton

[P]HB48 Chesapeake CHAMPS program. Repeals Chapter 598 of the Acts of Assembly of 1991. CHAMPS, Inc. was originally incorporated to assist in the coordinated medical care between the Health Department and community volunteer physicians who agreed to see patients for episodic care. However, it was never established as a 501(c)(3) organization and is currently defunct. The repeal of Chapter 598 is by the recommendation of the Chesapeake Health Department and the Vir-

ginia Code Commission and will not result in any adverse effects on current Department of Health programs.

Patron - Landes

HB267 Certificate of public need. Authorizes the submission of an application for an increase in nursing home beds, either on-site or through relocation within the same city or county, for a facility that was licensed for less than 40 beds under certain specific conditions. The approval shall not affect whether Requests for Applications are issued before the beds have been operated for two years. The bill has a sunset of June 30, 2007, as well as an emergency clause.

Patron - Cole

HB381 Certificate of public need; authorization of certain amendment. Authorizes, notwithstanding the provisions of the moratorium on nursing home bed construction or additions that was in effect until July 1, 1996, or the provisions of two previous authorizations for amendments to the relevant certificate, the Commissioner of Health to accept and approve a request to amend the conditions of a certificate of public need issued as an exception to a former restriction on filing applications for nursing home bed projects. The bill authorizes the facility to request an amendment to its previous certificate of public need to admit persons, other than residents of the cooperative units, to its nursing home facility beds. The facility must be: (i) operated by an association described in § 55-458; (ii) created in connection with a real estate cooperative; and (iii) providing its residents a level of nursing services consistent with the definition of continuing care in Chapter 49 (§ 38.2-4900 et seq.) of Title 38.2. This bill applies to one facility to which the original certificate of public need was issued prior to October 3, 1995. The certificate shall expire no later than June 30, 2009.

Patron - Suit

HB413 Virginia Cord Blood Bank Initiative. Establishes the Virginia Cord Blood Bank Initiative as a public resource for Virginians for the treatment of patients with life-threatening illnesses or debilitating conditions, for use in advancing basic and clinical research, and, in the event of a terrorist attack, to be used in the treatment of the injured citizens of the Commonwealth. The Initiative will be established as a nonprofit legal entity to collect, screen for infectious and genetic diseases, perform tissue typing on, cryopreserve, and store umbilical cord blood and will be a collaborative consortium covering all geographical regions of Virginia. The State Health Commissioner will develop or arrange for or contract with a nonprofit entity for the development of the Initiative. Medical schools, hospitals, biotechnology companies, regional blood banks, laboratories, and others will be requested to participate and assist in the design and implementation of the Initiative. Participants will estimate the costs of implementation and the Commissioner will assist in the development of cost estimates, compare and evaluate the estimates, and negotiate with the participants. The Commissioner will also coordinate the design of the Initiative, such as appropriate contact with pregnant women, obtaining informed consent for donations, storage periods, recycling of the samples and the sale or transfer of the samples being withdrawn from storage for use in basic or clinical research, and the development of reasonable rates and fees for cord blood products. The Initiative will conduct outreach and research, particularly for ethnic and racial minorities. Information will be disseminated through health departments and Medicaid. Women will be offered the opportunity to donate umbilical cord blood; however, no woman will be required to make a cord blood donation. Health care entities must disclose financial remuneration for the collection of the cord blood prior to harvesting it. No person who objects to transfusion or transplantation of blood on the basis of bona fide

religious beliefs will be required to participate in the Initiative. The Initiative will be implemented with such funds as may be appropriated or otherwise made available for its purpose. The Commissioner must, upon implementation of the Initiative, seek the development of a nonprofit entity to assume the operation and administration of it and may seek federal, state, and private grant funds for its continuation. This bill is a recommendation of the Joint Subcommittee to Study Medical, Ethical, and Scientific Issues Relating to Stem Cell Research in the Commonwealth (HJR 588 of 2005). This bill is identical to SB 370.

Patron - Marshall, R.G.

HB577 Residential placements of children; reimbursement restrictions; regulatory requirements for licensure; reporting and other regulations. Requires the Boards and Departments of Education, Juvenile Justice, Mental Health, Mental Retardation and Substance Abuse Services, and Social Services to promulgate regulations that require, as a condition of initial licensure of, and, if appropriate, license renewal, that the applicant (i) be personally interviewed by Department personnel to determine the qualifications of the owner or operator before granting an initial license; (ii) provide evidence of having relevant prior experience before any initial license is granted; (iii) provide, as a condition of initial license or renewal licensure, evidence of staff participation in training on appropriate siting of the residential facilities for children, good neighbor policies, and community relations; and (iv) be required to screen residents prior to admission to exclude individuals with behavioral issues, such as histories of violence, that cannot be managed in the relevant residential facility. In addition, the departments must notify relevant local governments and placing and funding agencies, including the Office of Comprehensive Services, of multiple health and safety or human rights violations in children's residential facilities for which the relevant department serves as lead licensure agency when such violations result in the lowering of the licensure status of the facility to provisional; post on the department's website information concerning the application for initial licensure of or renewal, denial, or provisional licensure of any residential facility for children located in the locality; require all licensees to self-report lawsuits against or settlements with residential facility operators relating to the health and safety or human rights of residents and any criminal charges that may have been made relating to the health and safety or human rights of residents; require proof of contractual agreements or staff expertise to provide educational services, counseling services, psychological services, medical services, or any other services needed to serve the residents in accordance with the facility's operational plan; and modify the term of the license (or, in the case of the Department of Juvenile Justice, the certificate) based on a change in compliance. The Department of Social Services will be given the additional responsibility for disseminating or posting an accurate list of licensed and operating group homes and other residential facilities for children by locality with information on services and identification of the lead licensure agency. In the event a group home or residential facility has its licensure status lowered to provisional as a result of multiple health and safety or human rights violations, all children placed by CSA in the facility must be assessed to determine whether it is in the best interests of each child to be removed from the facility and placed in a fully licensed facility and additional placements are prohibited until full licensure status has been restored. Prior to placing a child across jurisdictional lines, the local family assessment and planning team must also explore all appropriate community services for the child; document that no appropriate placement is available in the locality; and report the rationale for placement to the community policy and management team (CPMT). The CPMTs are required to report annually to the office of Comprehensive Ser-

vices on the gaps in services needed to keep children in the local community and any barriers to the development of the services. The CPMTs are also required to notify receiving school divisions of placements across jurisdictional lines and to identify children with disabilities and foster care children to expedite enrollment and special education. A second enactment requires emergency regulations for the licensure and certification requirements and a third enactment requires that the emergency regulations include provisions addressing HB 2461 (2005) and SB 1304 (2005). This bill is a recommendation of the Joint Subcommittee Studying Private Youth and Single Family Group Homes pursuant to HJR 685 (2005).

Patron - Nixon

[P]HB594 Emergency medical services; oxygen training. Directs the State Board of Health to prescribe regulations authorizing emergency medical services personnel to possess and administer oxygen with the authority of the local medical director and a licensed emergency medical services agency.

Patron - Lohr

[P]HB610 Facilitating an emergency medical services quality of care initiative; civil immunity and privileged communications. Facilitates the development of a quality of care initiative in the emergency medical services system by providing civil immunity for members of entities monitoring such care and rendering their communications privileged in the same manner as provided to other professional groups.

Patron - O'Bannon

[P]HB625 Determination of hazardous human remains. Allows the Commissioner of the Department of Health, in conjunction with the Governor, to determine if human remains are hazardous to the public health. If remains are determined to be hazardous, the Commonwealth is charged with handling and disposition of the remains and shall erect a memorial at the disposition site. "Hazardous human remains" means those remains contaminated with an infectious, radiologic, chemical or other dangerous agent.

Patron - O'Bannon

[P]HB714 Local health partnership authorities; sunset repealed. Repeals the sunset clause that allows the article on local health partnership authorities to expire on July 1, 2006, thereby establishing the law indefinitely. The law provides that government and private entities may join forces to address the health care needs of an area and assist in providing such services in a coordinated manner so as to eliminate duplication and inefficiency. This bill is identical to SB 252.

Patron - McQuigg

[P]HB758 Medical Assistance Services; State Plan amendment or application for waiver. Requires the Department of Medical Assistance Services (DMAS) to convene a Medicaid Revitalization Committee to prepare recommendations for a State Plan amendment or an application for a waiver, including but not limited to a research and demonstration project waiver pursuant to Section 1115 of Title XIX of the Social Security Act, as amended, to reform and revitalize Virginia's Medicaid program. The recommendations shall include fundamental elements to move toward greater emphasis on the state's role in purchasing healthcare services, leveraging the forces of the marketplace to customize services to meet the needs of Virginia's various Medicaid populations, enhancing personal responsibility and empowering individuals to manage their healthcare, bridging public and private coverage, and containing the growth of Medicaid expenditures in the Commonwealth. By May 15, 2007, DMAS shall prepare, submit, and seek approval of any required State Plan amendments or waiver authority. Enactment clauses require emergency regula-

tions upon obtaining approval of the waiver and authorize DMAS to use electronic media, when in compliance with the Administrative Process Act, in the regulatory process. The provisions of the bill are subject to an appropriation of funds in the general appropriation act.

Patron - Hamilton

[P]HB759 Medicaid; public-private long-term care partnership program. Requires the Board of Medical Assistance Services to include, in the state plan for medical assistance services, a provision, when authorized by and in compliance with federal law, to establish a public-private long-term care partnership program between the Commonwealth of Virginia and private insurance companies that must be designed to reduce Medicaid costs for long-term care by delaying or eliminating dependence on Medicaid for such services through encouraging the purchase of private long-term care insurance policies designated by the Department as "qualified state long-term care insurance partnerships" that may be used as the first source of benefits for the participant's long-term care. The components of the program, including the treatment of assets for Medicaid eligibility and estate recovery, must be structured in accordance with federal law and applicable federal guidelines. A second enactment clause requires DMAS to collaborate with the Department of Human Resource Management to encourage state employees to participate in the partnership program.

Patron - Hamilton

[P]HB760 Health care data reporting; safety and quality of care. Requires the Commissioner of Health to determine, along with the Board of Medicine, any data concerning safety and quality health care services rendered by physicians to Medicaid recipients that should be identified, collected, and disseminated. Also requires sufficient funding to be identified to cover the costs to physicians of this additional reporting requirement.

Patron - Hamilton

[P]HB831 Family Access to Medical Insurance Security Plan. Requires that, insofar as feasible, individuals eligible for Family Access to Medical Insurance Security (FAMIS) Plan must be enrolled in health maintenance organizations. The bill modifies the present requirement that the health care benefits provided under FAMIS must be through the existing Department of Medical Assistance Services' contracts with health maintenance organizations and other providers, or through new contracts with HMOs, health insurance plans, or other entities or through employer-sponsored health insurance.

Patron - Welch

[P]HB851 Hospital standing orders or protocols for certain vaccinations. Authorizes hospitals to provide or arrange for the administration of influenza and pneumococcal vaccinations to their patients when standing orders or protocols for the immunizations have been approved by a member or committee of the hospital's medical staff. The standing order or protocol will waive the requirement for specific written physician orders for influenza and pneumococcal immunizations; however, the standing order or protocol will not supersede a physician's authority to issue specific written orders relating to immunizations. The standing order or protocol for administration of the vaccines must be in accordance with the most recent recommendations of the Advisory Committee on Immunization Practices (ACIP) of the Centers for Disease Control and Prevention; medical contraindications must be ascertained; the patient's wishes and any religious objections must be determined; and informed consent must be obtained from the patient or his legal representative. The vaccinations must be documented in the patient's health record. Approval of a standing

order or protocol for the administration of the vaccines will be deemed to satisfy the requirement for a bona fide practitioner-patient relationship.

Patron - O'Bannon

[P]HB853 Health records privacy. Clarifies that health records may be disclosed by a health care entity in connection with the health care entity's own health care operations, as specified in federal regulation (45 C.F.R. § 164.501), or in the normal course of business.

Patron - O'Bannon

[P]HB1134 Sewage sludge fee. Requires the Board of Health to promulgate regulations establishing an initial fee of \$5,000 to be imposed upon permit holders and applicants and a fee not to exceed \$1,000 for the reissuance, amendment or modification of a permit. Fees collected are to be deposited into the Sludge Management Fund for the administration and management of the Department of Health's sewage sludge program. Currently, the Board may adopt regulations requiring permittees to pay a reasonable fee, not to exceed \$2,500, for the processing of the application for a sewage sludge permit.

Patron - Cline

[P]HB1391 Virginia Congenital Anomalies Reporting and Education System. Requires the Commissioner of the Department of Health to provide for a secure system that protects the confidentiality of data and information for which reporting is required to implement the Virginia Congenital Anomalies Reporting and Education System (VaCARES). The system may include online data entry and a minimum data set is specified, including names, gender, diagnosis, etc. The bill deletes current reporting requirements concerning the parent's service in Vietnam and possible exposure to Agent Orange and certain outdated language relating to the Board's regulations. Hospitals, the only facilities required to report birth defects to VaCARES, are authorized to view personally identifiable information in the system "as approved by the Commissioner and upon receipt by the Commissioner of sworn affirmation from each such person that the confidentiality of the information will be preserved."

Patron - Hogan

[P]HB1398 Nursing homes, assisted living facilities, adult day care, home care organizations, and hospice; barrier crimes. Removes the phrase "moral turpitude" from the description of crimes that would constitute a barrier to employment in nursing homes, assisted living facilities, adult day care, home care organizations, and hospice care. This bill is identical to SB 620.

Patron - Hamilton

[P]SB112 Reporting of tuberculosis strains with antimicrobial drug susceptibilities. Removes the option of submitting to the local health director a report of antimicrobial drug susceptibilities performed by a laboratory certified to perform such testing in lieu of submitting a representative and viable sample of initial cultures positive for tubercle bacilli to the Virginia Division of Consolidated Laboratory Services. The bill requires that the Virginia Division of Consolidated Laboratory Services establish a library of isolates from persons with active tuberculosis disease for the purpose of disease strain analysis as indicated by epidemiological investigations. This bill is identical to HB 13.

Patron - Howell

[P]SB116 Immunization of children against certain diseases. Sets out the minimum requirements for the immunization of children for the State Board to include in their regulations. The requirements bring the Commonwealth in line with

the Immunization Schedule developed and published by the Centers for Disease Control and Prevention, Advisory Committee on Immunization Practices, the American Academy of Pediatrics, and the American Academy of Family Physicians. The bill also requires the State Board of Health to review the section annually and make recommendations to the Governor, the General Assembly, and the Joint Commission on Health Care. The bill is contingent on funding.

Patron - Howell

[P]SB117 Immunization of patients against certain diseases. Adds the requirement of a booster dose of tetanus toxoid, reduced diphtheria toxoid, and acellular pertussis (Tdap) vaccine in accordance with the board's regulations, which shall also require that, prior to entering sixth grade, a child must have another booster dose of Tdap if more than five years have elapsed since the last dose. This bill is contingent on funding.

Patron - Howell

[P]SB119 Virginia Donor Registry. Clarifies that the Virginia Transplant Council (VTC) is the agency responsible for the creation, compilation, maintenance, and modification of the Virginia Donor Registry, currently referred to in the Code of Virginia as the Organ and Tissue Donor Registry. The bill consists primarily of technical amendments to arrive at this clarification, including the reordering of the VTC's responsibilities to list the Registry first and updating of the VTC's voting and nonvoting associate membership.

Patron - Howell

[P]SB190 Summary suspension of licenses of certain group homes and residential facilities under certain circumstances; penalty. Authorizes the Superintendent of Public Instruction, the Director of the Department of Juvenile Justice, and the Commissioner of Social Services to issue orders of summary suspension of a license to operate a group home or other residential facility for children, in cases of immediate and substantial threat to the health, safety, and welfare of residents. The bill also authorizes the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services to issue orders of summary suspension of a license to operate a group home or other residential facility for adults, in cases of immediate and substantial threat to the health, safety, and welfare of residents. Since DMHMRSAS obtained identical summary suspension authority for children's group homes and residential facilities in 2005, this bill provides consistency in the legal authority for the interdepartmental licensure program for children's residential facilities by giving all four departments the authority to address egregious circumstances while ensuring due process for the licensees or certificate holders. Emergency regulations are required by the second enactment clause. Technical amendments are also included. This bill is a recommendation of the Joint Subcommittee Studying Private Youth and Single Family Group Homes pursuant to HJR 685 (2005).

Patron - Martin

[P]SB252 Local health partnership authorities; sunset repealed. Repeals the sunset clause that allows the article on local health partnership authorities to expire on July 1, 2006, thereby establishing the law indefinitely. The law provides that government and private entities may join forces to address the health care needs of an area and assist in providing such services in a coordinated manner so as to eliminate duplication and inefficiency. This bill is identical to HB 714.

Patron - Puller

[P]SB370 Virginia Cord Blood Bank Initiative. Establishes the Virginia Cord Blood Bank Initiative as a public

resource for Virginians for the treatment of patients with life-threatening illnesses or debilitating conditions, for use in advancing basic and clinical research, and, in the event of a terrorist attack, to be used in the treatment of the injured citizens of the Commonwealth. The Initiative will be established as a nonprofit legal entity to collect, screen for infectious and genetic diseases, perform tissue typing on, cryopreserve, and store umbilical cord blood and will be a collaborative consortium covering all geographical regions of Virginia. The State Health Commissioner will develop or arrange for or contract with a nonprofit entity for the development of the Initiative. The medical schools, hospitals, biotechnology companies, regional blood banks, laboratories, and others will be requested to participate and assist in the design and implementation of the Initiative. Participants will estimate the costs of implementation and the Commissioner will assist in the development of cost estimates, compare and evaluate the estimates, and negotiate with the participants. The Commissioner will also coordinate the design of the Initiative, such as appropriate contact with pregnant women, obtaining informed consent for donations, storage periods, recycling of the samples and the sale or transfer of the samples being withdrawn from storage for use in basic or clinical research, and the development of reasonable rates and fees for cord blood products. The Initiative will conduct outreach and research, particularly for ethnic and racial minorities. Information will be disseminated through health departments and Medicaid. Women will be offered the opportunity to donate umbilical cord blood; however, no woman will be required to make a cord blood donation. Health care entities must disclose financial remuneration for the collection of the cord blood prior to harvesting it. No person who objects to transfusion or transplantation of blood on the basis of bona fide religious beliefs will be required to participate in the Initiative. The Initiative will be implemented with such funds as may be appropriated or otherwise made available for its purpose. The Commissioner must, upon implementation of the Initiative, seek the development of a nonprofit entity to assume the operation and administration of it and may seek federal, state, and private grant funds for its continuation. This bill is a recommendation of the Joint Subcommittee to Study Medical, Ethical, and Scientific Issues Relating to Stem Cell Research in the Commonwealth (HJR 588 of 2005). This bill is identical to HB 413.

Patron - Saslaw

[P]SB428 Information sharing among users of the Virginia Congenital Anomalies Reporting and Education System. Allows hospitals, medical facilities, and other persons required to report birth defect data to a secure system established by the Commissioner. Hospitals are also authorized to view existing information in the secure system, as authorized by the Commissioner of Health, in order to prevent duplication of reportable information and to facilitate follow-up of patients and minimize costs, while preserving the confidentiality of personally identifiable data and health record information. This bill establishes certain minimum reporting requirements and eliminates the reporting requirement related to Agent Orange exposure. For the purposes of only complying with the reporting requirements, authorized users of the system must provide written affirmation to the Commissioner that the confidentiality of information will be preserved, as a condition to access personally identifiable data. The advisory committee to assist the Board of Health with the promulgation of regulations to implement the system has been retained; however, the specificity of the contents of the regulations has been removed.

Patron - Lambert

[P]SB519 Designation as rural hospital. Establishes in state law that any medical care facility licensed as a hospital will be considered a rural hospital on and after September 30,

2004, pursuant to 42 U.S.C. §1395ww(d)(8)(E)(ii)(II), if (i) the hospital is located in an area defined as rural by federal statute or regulation; (ii) the Board of Health defines, in regulation, the area in which the hospital is located as a rural health area or the hospital as a rural hospital; or (iii) the hospital was designated, prior to October 1, 2004, as a Medicare-dependent small rural health hospital, as defined in 42 U.S.C. §1395ww(d)(5)(G)(iv).

Patron - Puckett

[P]SB620 Nursing homes, assisted living facilities, adult day care, home care organizations, and hospice; barrier crimes. Removes the phrase "moral turpitude" from the description of crimes that would constitute a barrier to employment in nursing homes, assisted living facilities, adult day care, home care organizations, and hospice care. This bill is identical to HB 1398.

Patron - Hawkins

Failed

[F]HB123 Medical assistance services; mental health services for at-risk youth. Requires the Director of the Department of Medical Assistance Services to develop and apply for a waiver to obtain Medicaid coverage for children in need of mental health services and who are at risk of institutional placement due to the need for those services. The waiver would be designed to provide behavioral, respite care, and family support services. The number of waiver slots requested would be dependent upon appropriations for this purpose. The bill requires the waiver to be submitted to the federal Centers for Medicare and Medicaid Services by October 1, 2006, and provides for the development of emergency regulations to implement the waiver. The bill is contingent upon appropriations.

Patron - Fralin

[F]HB189 Licensure of abortion clinics. Requires all abortion clinics, defined as any facility, other than a hospital or an ambulatory surgery center, in which 25 or more first trimester abortions are performed in any 12-month period, to be licensed and to comply with the requirements currently in place for ambulatory surgery centers, except the requirement for a certificate of public need. The Board of Health may also waive certain structural requirements.

Patron - Marshall, R.G.

[F]HB229 Medical Assistance; prevention of chronic conditions. Requires the Department of Medical Assistance Services to include in the state plan a provision for payment of medical assistance for prevention of chronic conditions that, if not prevented, result in long-term treatment and associated costs. "Chronic conditions" includes obesity, diabetes, and high blood pressure.

Patron - Jones, D.C.

[F]HB373 I-SaveRX Prescription Drug Program. Requires the Secretary of Health and Human Resources to enter into discussions with the states that are participating in the I-SaveRx prescription drug program implemented by the State of Illinois in October 2004. The memorandum of understanding shall be executed by January 1, 2007, and requires various assessments of the program and reports to the Governor and the relevant standing committees of the General Assembly. This bill incorporates HB 388.

Patron - Carrico

[F]HB388 I-SaveRX Prescription Drug Program. Requires the Secretary of Health and Human Resources to

enter into discussions with the states that are participating in the I-SaveRx prescription drug program implemented by the State of Illinois in October 2004. The memorandum of understanding shall be executed by January 1, 2007, and requires various assessments of the program and reports to the Governor and the relevant standing committees of the General Assembly. This bill was incorporated into HB 373.

Patron - Englin

HB426 Comprehensive Services Act; receipt of funds. Requires children's residential facilities to be Medicaid providers in order to be eligible for reimbursement under this Act. This bill also allows the Director of the Department of Medical Assistance Services to enroll out-of-state residential facilities to be Medicaid providers if they are providing services to children under the Act. This bill was incorporated into HB 577.

Patron - Nutter

HB437 Medical Assistance Services; autism waiver. Requires the Director of the Department of Medical Assistance Services to develop and seek a Medicaid waiver to establish a program for long-term support of children with autism, including treatment using applied behavior analysis. The number of waiver slots requested would be dependent upon appropriations for this purpose. The bill requires the waiver to be submitted to the federal Centers for Medicare and Medicaid Services by October 1, 2006, and provides for the development of emergency regulations to implement the waiver. The bill is contingent upon appropriations.

Patron - Griffith

HB555 Regulation of medical care services; circulator duties. Directs the Board of Health to require by regulation that circulator duties during surgical procedures be performed by a registered nurse who is present in the operating room and qualified by training and experience in operating room nursing. The bill defines "circulator duties."

Patron - Cox

HB586 Nursing homes; staffing regulations. Requires a minimum of three and one-half hours of direct care services per resident per 24-hour period as averaged quarterly, to be reported to the State Board of Health using payroll information as reported to the Internal Revenue Service.

Patron - Watts

HB637 Health records; destruction. Requires facilities holding health records to notify individuals and allow them to obtain their records before such records are destroyed. This bill also makes technical corrections to outdated references in the Code.

Patron - Phillips

HB688 Land application of sewage sludge. Prohibits the land application of sewage sludge beginning January 1, 2007, unless the sewage sludge is applied in the same locality in which it is generated. The departments that have oversight of the spreading of sewage sludge, the Health Department and the Department of Environmental Quality, are required to certify that the sewage sludge is being applied in a manner that protects human health and the environment, and the Department of Conservation and Recreation is to certify that the nutrient management plan for applying the sewage sludge protects water quality.

Patron - Abbitt

HB690 Sewage sludge. Prohibits sewage sludge from being stored at a site where it is being land applied for more than three days prior to application.

Patron - Hogan

HB757 Medical assistance services; certain reform initiatives. Requires the Board of Medical Assistance Services to implement and authorizes contracting for the delivery of effective disease management for individuals with chronic mental or physical disorders. Further, the Board shall implement, insofar as feasible, an online electronic and appropriately encrypted system, including electronic funds transfer technology and electronic benefits cards, e-prescribing, prospective electronic real-time utilization review of services and claims, point-of-sale and point-of-contact submission of claims and payments when possible and online recipient eligibility review and eligibility verification. Health care providers will be encouraged to implement the use of electronic health records. Enactment clauses authorize the Director of the Department of Medical Assistance Services to design fail-safe mechanisms to ensure that no recipient is denied necessary medical or health-care services because of technology deficiencies during the implementation of the online system and require the Boards of Pharmacy and Medical Assistance Services to collaborate in developing an e-prescription system, properly encrypted and protected after considering various issues relating to electronic signatures, interception of e-mailed prescriptions, issuance of more than one prescription on a document, any required form for e-prescriptions, staff transmission of e-mails for prescribers, application, if any, of the Uniform Electronic Transactions Act, Chapter 42.1 (§ 59.1-479 et seq.) of Title 59.1, and any other issues the Boards may deem relevant.

Patron - Hamilton

HB787 Local health partnership authorities; sunset repealed. Repeals the sunset clause that allows the article on local health partnership authorities to expire on July 1, 2006, thereby establishing the law indefinitely. The law provides that government and private entities may join forces to address the health care needs of an area and assist in providing such services in a coordinated manner so as to eliminate duplication and inefficiency.

Patron - Brink

HB1062 DMHMRSAS; pilot program for older adults with mental illness; report. Requires the Department of Mental Health, Mental Retardation and Substance Abuse Services to develop a two-year pilot program to provide specialized services for older adults (age 65 and older) who have serious mental illness. The bill sets forth program requirements and objectives, and includes evaluation criteria. The bill requires both interim and final reports.

Patron - Watts

HB1139 Board of Health; regulation of hospice programs. Requires the Board of Health to develop staffing regulations specific to entities that are concurrently licensed as a hospice and an assisted living facility that would not require the presence on each shift of a registered nurse for any concurrently licensed facility that has no more than four beds and operates within an integrated healthcare system.

Patron - Cline

HB1151 Restrictions on funding of family planning services. Prohibits the Departments of Health, Medical Assistance Services, and Social Services from making any payment, grant, or expenditure of any state funds used for family planning services, pregnancy testing, and follow-up services to subsidize directly or indirectly abortion services or administra-

tive expenses or to any organization or affiliate of any organization that provides abortion services. "Family planning services" is defined as preconception services that limit or enhance fertility, including contraception methods, the management of infertility, preconception counseling, education, and general reproductive health care. No referrals for abortion services may be made by organizations receiving state funds. Organizations receiving state family planning funds must be independently incorporated from any organization that provides abortion services, must not share the same or similar name, facilities, expenses, employee wages or salaries, equipment, or supplies, and must maintain financial records demonstrating strict compliance with the funding prohibition. An audit must be performed at least every three years.

Patron - Lingamfelter

[F]HB1274 Health professions; abortion complications reporting; penalty. Requires physicians to report medical treatment for complications arising as a result of an induced abortion. Patient identifiers are not included in the information reported.

Patron - Janis

[F]HB1394 Medical assistance services. Requires the development and implementation of an online electronic and appropriately encrypted system for recipient eligibility review and eligibility verification, with software designed to detect inaccuracies and to issue alert notices of potential changes in circumstances or program violations. An enactment clause authorizes the Director of the Department of Medical Assistance Services to design fail-safe mechanisms to ensure that no recipient is denied necessary medical or health care services because of technology deficiencies during the implementation of the online system. This bill was incorporated into HB 757.

Patron - Welch

[F]HB1472 Medicaid; family planning services. Requires the state plan for medical assistance services to include a provision for payment for family planning services to individuals with a family income up to 133 percent of the federal poverty level. These services shall include items such as gynecological examinations, screening for breast and cervical cancer, contraceptive counseling, sexually transmitted disease testing, and referrals for pregnancy and prenatal care. The services shall not include abortions or abortion referrals. The bill contains a technical amendment.

Patron - Saxman

[F]HB1474 Viral hepatitis; certain awareness program. Requires the State Health Commissioner to establish and administer a viral hepatitis awareness program for the purpose of distributing information to Virginians who are at risk for exposure to viral hepatitis, with emphasis on the risks of viral hepatitis C (HCV) exposure and infection with HCV among Virginia's veterans. The State Health Commissioner is required to provide information by electronic means on the etiology, prevention, and effects of, as well as treatment and testing for, HCV and other viral hepatitis strains, with particular emphasis on veterans and infection with HCV. Upon request, hard copies of the information must be made available.

Patron - Carrico

[F]SB207 Board of Health regulations; guidelines for staffing of nursing homes. Requires the Board of Health, in its licensure regulations, to establish staffing guidelines for nursing homes and certified nursing facilities to ensure the delivery of quality care that shall establish a minimum of three and one-half hours of direct care services per resident per 24-hour period.

Patron - Edwards

[F]SB426 Certificate of Public Need; reduced rate for health care services to the medically indigent. Defines "reduced rate," for the purpose of the Commissioner's conditions on approval of a certificate of need, as including the operating losses of a provider network's facility located in a medically underserved area as defined by the Human Resources and Services Administration of the U.S. Department of Health and Human Services. Currently, under Board of Health regulations, the Commissioner of Health is authorized to condition a certificate of need on the agreement of the applicant to provide health care services at a reduced rate to the medically indigent or to accept patients needing specialized care.

Patron - Lambert

[F]SB647 Certificate of birth resulting in stillbirth. Modifies the law relating to certificates of birth resulting in stillbirth to provide retroactive application to any circumstances occurring after July 1, 2003, (the effective date of the law), in which the individual listed as the mother or father on a report of fetal death occurring in the Commonwealth did not have knowledge of his right to request a certificate of birth resulting in stillbirth. The bill also revises the law to provide, consistent with the Board of Health's regulations, that when no report of spontaneous fetal death is available to establish the event, documentation from the following sources is acceptable: the physician or licensed nurse midwife who provided care to the mother, documentation from the medical record maintained at the hospital of occurrence, copy of the report of spontaneous fetal death, or documentation from the funeral service director (if such services were provided).

Patron - O'Brien

Carried Over

[C]HB129 State Board of Health; emergency orders. Allows the Board to declare an area a hazard to the public health and require that sewer service be offered if existing sewer service is available within one-half mile of the affected area and sufficient capacity exists.

Patron - Cosgrove

[C]HB343 Board of Health; regulation of hospice programs. Requires the Board of Health to develop staffing regulations specific to entities that are concurrently licensed as a hospice and an assisted living facility. The regulations would require the presence on each shift of a licensed practical nurse rather than a registered nurse.

Patron - Sherwood

[C]HB444 Stem cell research authorized; requirements. Authorizes stem cell research involving the derivation and use of human embryonic stem cells, human embryonic germ cells, and human adult stem cells from any source if approved by the Stem Cell Research Oversight Committee. Requires each institution to establish a Stem Cell Research Oversight Committee specifically for the purpose of evaluating and approving such proposals and projects. Additionally, the bill requires that for embryonic stem cells to be eligible for research in the Commonwealth they must meet each of the following requirements: (i) the stem cells must have been donated from in vitro fertilization clinics and must have been created for the purposes of fertility treatment; (ii) the stem cells must have been in excess of the needs of the individuals seeking such treatment and would otherwise be discarded (as determined in consultation with the individuals seeking fertility treatment); and (iii) the stem cells must have been donated by

such individuals with written informed consent and without any financial or other inducements.

Patron - Shuler

HB572 Medical assistance services; burial expenses disregard. Increases the disregard from countable resources when calculating Medicaid eligibility from \$3,500 to \$5,000.

Patron - Nixon

HB768 Health care providers; use of reprocessed single-use medical devices; civil penalty. Prescribes requirements for the use of reprocessed single-use medical devices, other than needles and syringes, by health care providers. The requirements include notice to patients and the patient's ability to refuse the use of reprocessed single-use devices, liability for the safety and effectiveness of such devices, and remedies in the event of a violation of the section. Health care providers include institutions licensed under Title 32.1 as well as individuals licensed under Title 54.1 of the Code of Virginia.

Patron - Sickles

HB875 Access to over-the-counter medications containing the drug Dextromethorphan (DXM). Requires the State Health Commissioner, in the exercise of his authority to act for the Board of Health when it is not in session pursuant to § 32.1-20, to utilize the authority provided to the Board in § 32.1-13, relating to the suppression of nuisances dangerous to public health, to issue an emergency order prescribing corrective actions to restrict access to over-the-counter medications containing the drug Dextromethorphan (DXM) such as, but not limited to, brand and generic cough syrups. Access to the ingredients used to make methamphetamine has been recently restricted in this manner.

Patron - Frederick

HB1035 Medical assistance services; Inspector General for Medical Assistance Services established. Establishes the Office of Inspector General for Medical Assistance Services for the purpose of providing objective review and evaluation of all activities and services of the Department of Medical Assistance Services and investigation and diligent prosecution of provider or recipient fraud and abuse and sets out the powers and duties of the Inspector General, including access to medical records and reporting requirements.

Patron - Hamilton

HB1504 Certificate of public need; exemption. Exempts from the definition of "medical care facility" a specialized center for the provision of magnetic resonance imaging (MRI) restricted to obese, disabled, or claustrophobic patients.

Patron - Hamilton

HB1607 Special foods for the management of phenylketonuria. Provides for the reimbursement, in an amount not to exceed \$2,000 per diagnosed person per year, to the parents or guardian of a child identified as being a legal resident of the Commonwealth and who is diagnosed as requiring treatment for phenylketonuria (PKU), for the purchase of special food products required in the management of phenylketonuria.

Patron - Gear

SB684 Certificate of public need; exemption. Exempts from the definition of "medical care facility" a specialized center for the provision of magnetic resonance imaging (MRI) restricted to obese, disabled, or claustrophobic patients.

Patron - Lambert

Highways, Bridges and Ferries

Passed

HB1 Adjustment of claims resulting from certain contracts. Repeals Chapter 8 of Title 33.1, which relates to adjustment of claims resulting from contracts entered into prior to July 1, 1976, for construction of state highways. This bill is a recommendation of the Virginia Code Commission.

Patron - Landes

HB2 Richmond-Petersburg Turnpike Authority; Elizabeth River Tunnel Commission. Eliminates from Title 33.1 (Highways, Bridges, and Ferries) obsolete references to the Richmond-Petersburg Turnpike Authority and the Elizabeth River Tunnel Commission. This bill is a recommendation of the Virginia Code Commission.

Patron - Landes

HB143 Naming highways, bridges, and interchanges. Allows the Commonwealth Transportation Board to name highways, bridges, and interchanges that are part of any state highway system, provided they are not named for living people.

Patron - Cole

HB201 Local toll facilities. Allows adjoining counties, cities, and towns to enter into agreements for the construction and operation of toll highways, bridges, and ferries within their boundaries.

Patron - Marshall, R.G.

HB226 Mobility goals for addressing the transportation needs of populations with limited mobility. Requires the Commonwealth Transportation Board, in cooperation with other local, regional, or statewide agencies and entities vested with transportation planning responsibilities, to establish specific mobility goals for addressing the transportation needs of populations with limited mobility and incorporate such goals in the development and implementation of the Statewide Transportation Plan required by § 33.1-23.03.

Patron - Jones, D.C.

HB511 Worrell Family Bridge. Designates the Virginia Route 662 bridge over Burks Fork Creek the "Worrell Family Memorial Bridge."

Patron - Armstrong

HB589 Blue Star Memorial Highway. Designates a portion of Old Keene Mill Road in Fairfax County a "Blue Star Memorial Highway."

Patron - Watts

HB643 Maintenance of certain private roads in Dickenson County. Adds Dickenson County to an existing provision allowing county maintenance of private roads serving certain cemeteries.

Patron - Phillips

HB665 Outdoor advertising; vegetation control. Establishes a consistent statewide standard for vegetation control throughout the Commonwealth, including inside municipalities. The bill would clearly establish applicability of the statewide standard inside municipalities and throughout the Commonwealth, but also respect the beautification projects of local governments, by granting VDOT the authority to impose on a billboard company requesting approval of a vegetation

control permit, the obligation to relocate or replant vegetation according to a landscaping plan approved by VDOT, at the sole cost of the billboard company.

Patron - Wardrup

HB666 Awarding of design-build contracts by Commonwealth Transportation Board. Eliminates the number and dollar limitations on awarding of design-build contracts by the Commonwealth Transportation Board.

Patron - Wardrup

HB667 Contracts for maintenance of components of Interstate Highway System. Requires that, with a few exceptions, all maintenance on components of the Interstate Highway System in Virginia be carried out under contracts awarded by the Commonwealth Transportation Commissioner and approved by the Commonwealth Transportation Board.

Patron - Wardrup

HB671 Design-build contracts. Allows counties, cities, and towns to award contracts for the construction of transportation projects on a design-build basis.

Patron - Wardrup

HB672 Naming highways and bridges. Requires the Commonwealth Transportation Board to receive resolutions from affected local governing bodies in support of a highway or bridge naming before naming a highway or bridge and requires that costs of producing, placing, and maintaining signs indicating the names of highways and bridges be borne by the locality in which they are located. Highways and bridges are not to be named for living people.

Patron - Wardrup

HB673 Commonwealth Transportation Board; election of certain members by General Assembly. Provides for election of the non-at-large members of the Commonwealth Transportation Board by the General Assembly.

Patron - Wardrup

HB676 Annual report by CTC to General Assembly. Requires the Commonwealth Transportation Commissioner (CTC) annually to report in writing to the General Assembly, no later than November 30 of each year, on all actions, accomplishments, achievements, and initiatives of the Virginia Department of Transportation in the preceding fiscal year that involved outsourcing, privatization, and downsizing. The bill further requires the CTC to provide, in writing to the General Assembly, detailed and specific plans for outsourcing, privatization, and downsizing in the current fiscal year.

Patron - Wardrup

HB677 Annual report by Commonwealth Transportation Commissioner certain accomplishments, actions, and initiatives of the Virginia Department of Transportation. Requires that the Commonwealth Transportation Commissioner annually report in writing to the General Assembly, no later than November 30 of each year, on all actions and initiatives of the Virginia Department of Transportation in the preceding fiscal year that involved outsourcing, privatization, and downsizing. The Commissioner is further required to provide, in writing to the General Assembly, detailed and specific plans for outsourcing, privatization, and downsizing in the current fiscal year, including, but not limited to, appropriate asset management and intelligent transportation system functions and services.

Patron - Wardrup

HB801 Interstate Public-Private Transportation Partnership Compact. Establishes the Interstate Public-Private Transportation Partnership Compact.

Patron - Fralin

HB809 Primary and secondary system highway projects undertaken by counties. Grants counties carrying out construction projects under § 33.1-75.3 the same power to enter property to survey transportation projects granted the Commonwealth Transportation Commissioner. The bill also provides that (i) any county without an existing franchise agreement shall have the same authority as the Department pertaining to the relocation of utilities and (ii) whenever so requested by any county, funding of any project may be supplemented solely by state funds to avoid complying with additional federal requirements, provided that a determination has been made by the Department that adequate state funds are available to fully match federal funds and the Department can meet its federal obligation authority.

Patron - Fralin

HB821 Rural Rustic Road program. Allows roads with average daily traffic volumes of no more than 1,000 vehicles to qualify for the Rural Rustic Road program. Present law limits roads in the program to average daily traffic volumes of no more than 500 vehicles.

Patron - May

HB824 Installation and maintenance of certain signs. Authorizes any town to request and pay for the installation of "children at play" signage by the Virginia Department of Transportation without the approval of the county in which the town is located.

Patron - May

HB843 High-occupancy vehicle lanes; penalties. Increases the fine for first-time HOV lane violations in Northern Virginia to \$125. The fine for a second violation within five years of the original violation is increased to \$250. Additionally, any subsequent violation within five years of the original violation carries a penalty of three demerit points.

Patron - Frederick

HB877 Construction by state and local employees. Provides that the Commonwealth Transportation Board may enter into written agreements with localities for the building and maintenance of any of the roads in any system of state highways by local employees provided that: (i) the locality has obtained a cost estimate for the work of not less than \$300,000 nor more than \$650,000 and (ii) the locality has issued an invitation for bid and has received fewer than two bids from private entities to build or maintain such roads.

Patron - Frederick

HB977 Shortline Railway Preservation and Development Fund. Creates a Shortline Railway Preservation and Development Fund to foster retention, maintenance, and improvement of shortline railways and development of railway transportation support facilities that are essential to the Commonwealth's continued economic growth, vitality, and competitiveness in national world markets.

Patron - Abbitt

HB1219 James B. Tabb Sr. Memorial Highway. Designates the portion of Virginia Route 615 from the intersection with Virginia Route 616 to the intersection with Virginia Route 5000 as the "James B. Tabb Sr. Memorial Highway."

Patron - Barlow

HB1248 HOV lanes; exemption for clean special fuel vehicles. Extends the "sunset" to 2007 authorizing the use of HOV lanes by vehicles bearing clean special fuel vehicle license plates. This bill also provides that all clean special fuel vehicle license plates issued after July 1, 2006, be issued with a new design distinctively different from the design of the previous plates. Also, on HOV lanes serving the I-95/395 corridor, only vehicles registered with and displaying clean special fuel vehicle license plates prior to July 1, 2006, shall be treated as vehicles displaying special license plates issued under this section. This bill also directs the Commissioner of the Division of Motor Vehicles to develop procedures to ensure that all potential purchasers of clean special fuel vehicle license plates receive adequate notice of the benefits, risks and timelines required for the issuance of these plates. In addition, this bill raises the annual fee for clean special fuel vehicle license plates from \$10 to \$25, with funds being paid to the HOV Enforcement Fund for use by Virginia State Police for enhanced HOV enforcement. This bill also increases first and second offense fines in Planning District Eight to \$125 and \$250 respectively.

Patron - Hugo

HB1282 Industrial access roads. Changes the term "industrial" sites to "economic development" sites to include nonmanufacturing as well as manufacturing developments.

Patron - Johnson

HB1543 Rural Addition Program. Provides that neither the Commonwealth Transportation Board nor the Commonwealth Transportation Commissioner shall promulgate regulations diminishing funds allocated or allocable to any county for use under the Rural Addition Program if the county has taken private roads or constructed roads not built to standards set forth by the Department of Transportation. The bill further provides that, in those counties where the bill is applicable, a local ordinance must state that any and all streets that are not constructed to meet the standards necessary for inclusion in the system of state highways must be privately maintained and will not be eligible for acceptance into the system of state highways unless improved to current Department of Transportation standards with funds other than those appropriated by the General Assembly and allocated by the Commonwealth Transportation Board. This bill incorporates HB 792 and HB 1515.

Patron - Fralin

HB1547 Alma C. White Memorial Bridge. Designates the Virginia Route 631 bridge at Little Creek Dam Road the "Alma C. White Memorial Bridge."

Patron - Rapp

HB1581 Interstate Route 81 Corridor; diversion of truck traffic. Requires the Commonwealth of Virginia, through the Secretary of Transportation and the Rail Advisory Board, to complete a comprehensive feasibility plan to define the conditions that would be necessary to divert the maximum amount feasible of the long-haul, through-truck freight traffic to intermodal rail in the Interstate Route 81 Corridor.

Patron - Cline

HB1582 Transportation agreements between local governments and local school divisions. Provides that any local government or combination of governments within planning district 16 may enter into cooperative agreements with a local school division for the use of school vehicles for public transportation purposes during non-school hours. Such agreements may utilize public or private funds for addressing the costs of the program. An enactment clause provides that if no

such agreements are entered into by July 1, 2010, the provisions of the act will expire on July 1, 2010.

Patron - Orrock

HB1597 Blue Star Memorial Highway. Designates the entire portion of U.S. Route 236 and Braddock Road between U.S. Route 123 and U.S. Route 28 the "Blue Star Memorial Highway."

Patron - Hugo

SB13 Industrial access roads. Changes the term "industrial" sites to "economic development" sites to include nonmanufacturing as well as manufacturing developments.

Patron - Reynolds

SB87 Outdoor advertising; vegetation control. Establishes a consistent statewide standard for vegetation control throughout the Commonwealth, including inside municipalities. The bill would clearly establish applicability of the statewide standard inside municipalities and throughout the Commonwealth, but also respect the beautification projects of local governments, by granting VDOT the authority to impose on a billboard company requesting approval of a vegetation control permit, the obligation to relocate or replant vegetation according to a landscaping plan approved by VDOT, at the sole cost of the billboard company.

Patron - Watkins

SB193 Allocation of highway construction funds for rail projects. Allows the Commonwealth Transportation Board to allocate up to 10 percent of funds available for highway construction to undertaking and financing of rail projects that, in its determination, will result in mitigation of highway congestion.

Patron - Williams

SB196 Construction by state and local employees. Provides that the Commonwealth Transportation Board may enter into written agreements with localities for the building and maintenance of any of the roads in any system of state highways by local employees provided that: (i) the locality has obtained a cost estimate for the work of not less than \$300,000 nor more than \$650,000 and (ii) the locality has issued an invitation for bid and has received fewer than two bids from private entities to build or maintain such roads.

Patron - Williams

SB198 Rail Advisory Board. Provides that the members of the Rail Advisory Board are not subject to the provisions of § 2.2-3112 (prohibited conduct concerning personal interest in a transaction).

Patron - Williams

SB213 O. Winston Link Trail. Establishes the O. Winston Link Trail.

Patron - Edwards

SB304 Commonwealth Transportation Board. Provides for election of the non-at-large members of the Commonwealth Transportation Board by majority vote of the members elected to each house of the General Assembly.

Patron - Williams

SB425 Interstate Public-Private Transportation Partnership Compact. Establishes the Interstate Public-Private Transportation Partnership Compact.

Patron - Williams

SB454 HOV lanes; exemption for clean special fuel vehicles. Extends the "sunset" to 2007 authorizing the use of

HOV lanes by vehicles bearing clean special fuel vehicle license plates. This bill also provides that all clean special fuel vehicle license plates issued after July 1, 2006, be issued with a new design distinctively different from the design of the previous plates. Also, on HOV lanes serving the I-95/395 corridor, only vehicles registered with and displaying clean special fuel vehicle license plates prior to July 1, 2006, shall be treated as vehicles displaying special license plates issued under this section. This bill also directs the Commissioner of the Division of Motor Vehicles to develop procedures to ensure that all potential purchasers of clean special fuel vehicle license plates receive adequate notice of the benefits, risks and timelines required for the issuance of these plates. In addition, this bill raises the annual fee for clean special fuel vehicle license plates from \$10 to \$25, with funds being paid to the HOV Enforcement Fund for use by Virginia State Police for enhanced HOV enforcement. This bill also increases first and second offense fines in Planning District Eight to \$125 and \$250 respectively.

Patron - Devolites Davis

[P]SB484 Jimmy Maloney Memorial Highway. Designates the portion of U.S. Route 60W between Virginia Route 646 and Virginia Route 1611 the "Jimmy Maloney Memorial Highway."

Patron - Norment

[P]SB485 Jack L. Massie Memorial Bridge. Designates each of the Virginia Route 199 twin bridges over College Creek the "Jack L. Massie Memorial Bridge."

Patron - Norment

[P]SB532 Blue Star Memorial Highway. Designates a portion of Old Keene Mill Road in Fairfax County a "Blue Star Memorial Highway."

Patron - O'Brien

[P]SB614 Virginia-North Carolina Interstate Toll Road Compact. Establishes the Virginia-North Carolina Interstate Toll Road Compact to set, impose, and collect tolls for use of Interstate Route Interstate 95.

Patron - Wagner

[P]SB650 Nicely Memorial Bridge. Designates the Interstate 64 bridge over the Cowpasture River in Allegheny County the "Nicely Memorial Bridge."

Patron - Deeds

[P]SB663 Mobility goals for addressing the transportation needs of populations with limited mobility. Requires the Commonwealth Transportation Board, in cooperation with other local, regional, or statewide agencies and entities vested with transportation planning responsibilities, to establish specific mobility goals for addressing the transportation needs of populations with limited mobility and incorporate such goals in the development and implementation of the Statewide Transportation Plan required by § 33.1-23.03.

Patron - Miller

[P]SB721 Revenue-sharing funds for systems in certain counties, cities, and towns. Expands the present revenue-sharing fund program for counties to include cities and towns as well. The annual match limit is raised to \$1 million per locality, and the total limit on state funds is raised to \$50 million. Up to half of local contributions may take the form of proffers. Since the program now applies to all localities (not just counties), the present section embodying the program is repealed, and the new program is relocated to the article of

Chapter 1 of Title 33.1 dealing with overall allocations of highway improvement funds.

Patron - Saslaw

Failed

[F]HB88 Traffic-calming studies. Requires that the Virginia Department of Transportation, at the request of county boards of supervisors, conduct traffic-calming studies and implement measures based on the results of such studies.

Patron - Cole

[F]HB117 Primary highway system construction funds allocation. Replaces primary system lane miles with vehicle registrations as a factor in allocating primary highway system construction funds among the nine highway construction districts.

Patron - Marshall, R.G.

[F]HB119 Primary highway system construction funds allocation. Replaces primary system lane miles with vehicle registrations as a factor in allocating primary highway system construction funds. The bill also allocates primary system construction funds among the Commonwealth's 23 planning districts, rather than among the nine highway construction districts.

Patron - Marshall, R.G.

[F]HB133 Tolls on U.S. Route 17 in Chesapeake. Requires VDOT to impose and collect tolls for use of U.S. Route 17 in Chesapeake.

Patron - Cosgrove

[F]HB165 Primary and secondary highway construction funds allocations. Revises the formulas used to allocate primary and secondary highway construction funds so that such funds are allocated on the basis of population.

Patron - Lingamfelter

[F]HB166 Virginia Defense Facility and Transportation Improvement Fund and Program. Establishes the Virginia Defense Facility and Transportation Improvement Fund and Program. The Fund is to consist of \$250 million of annual collections of state recordation taxes. Its proceeds are to be allocated by the Commonwealth Transportation Board to highway construction districts wherein federal defense facilities or bases are expanded as the result of actions of the Base Realignment and Closure Commission, and are to be used for transportation infrastructure improvements. The provisions of the bill would expire on July 1, 2011.

Patron - Lingamfelter

[F]HB198 Interstate Route 81 Development Authority. Creates the Interstate Route 81 Development Authority to identify, undertake, and finance construction of rail and highway projects in the Interstate Route 81 corridor that will improve highway safety in the Interstate Route 81 corridor and facilitate the movement of cargo within and through the Interstate Route 81 corridor by rail rather than by truck. The activities of the Authority will be financed through the imposition and collection of tolls for the operation of trucks and tractor-trailer combinations in the Interstate Route 81 corridor.

Patron - Marshall, R.G.

[F]HB200 Fees on trucks. Requires the Commonwealth Transportation Board to impose a fee on trucks and combination vehicles for use in maintaining state highways. The Board is to calculate, impose, and collect a fee for damage done to highways by certain vehicles. The amount of the fee is to be

based on the difference between the amount received annually by the Commonwealth from the federal government for highway maintenance and the annual cost to the Commonwealth of repairing damage done to the highways of the Commonwealth by vehicles subject to the fee. The amount of the fee and the method of payment are to be determined by the Board. The fee is to be imposed on a vehicle-by-vehicle basis and no vehicle upon which a fee is assessed is to be operated on any highway of the Commonwealth if the fee is not paid in full on or before the date upon which payment of the fee is due.

Patron - Marshall, R.G.

[F]HB236 Virginia Regional Transportation Authority. Establishes the Virginia Regional Transportation Authority to plan, finance, construct, and operate transportation projects and improve air quality. The bill is patterned on the Georgia Regional Transportation Authority established in Georgia in 1999.

Patron - Jones, D.C.

[F]HB309 Alternative fuel vehicles; high-occupancy lanes; penalty. Extends the sunset authorizing HOV lane use by vehicles bearing clean special fuel license plates to July 1, 2007. This bill was incorporated into HB 1248.

Patron - Rust

[F]HB399 Littering on highways; community service; penalty. Requires any person convicted of littering on any highway to perform a mandatory minimum of 100 hours of community service, administered by the Department of Transportation, picking up litter/trash while wearing a blaze orange vest with the phrase "I AM A LITTERBUG." Unsuccessful completion shall result in a misdemeanor conviction of up to 12 months in jail and/or a fine of \$2,500.

Patron - Wittman

[F]HB409 Dulles Toll Road; tolls. Imposes certain conditions on the increase and use of tolls on the Dulles Toll Road.

Patron - Marshall, R.G.

[F]HB440 Integrated Directional Sign Program. Requires that whenever any county, city, town, or any agency or instrumentality thereof applies for signage as part of the Integrated Directional Sign Program (IDSP) administered by the Department of Transportation or its agents and the signage is denied by the Department or any of its agents, all moneys expended by the county, city, or town in connection with any such application must be refunded in full by the Department.

Patron - Crockett-Stark

[F]HB446 Interstate Route 81 Corridor; diversion of truck traffic. Requires the Commonwealth of Virginia, through the Secretary of Transportation and its Rail Advisory Board, to complete a comprehensive feasibility plan to define the conditions that would be necessary to divert at least 60 percent of the long-haul, through-truck freight traffic to intermodal rail in the Interstate Route 81 Corridor. This bill was incorporated into HB 1581.

Patron - Shuler

[F]HB490 Publication of notice of certain local decisions required. Requires that whenever a governing body approves a change in zoning or takes any similar action that involves or potentially will involve construction of new structures or expansion of existing structures whose construction or expansion would require or reasonably be expected to require the construction, reconstruction, improvement, or expansion of any transportation facility, and such transportation facility construction, reconstruction, improvement, or expansion is not provided for in the most recent six-year improvement plan of

the Department of Transportation, the local governing body must publish a notice to that effect at least once a week for two successive weeks in a newspaper published or having general circulation in the affected locality.

Patron - Frederick

[F]HB494 HOV lanes. Prohibits imposition and collection of tolls for use of HOV lanes by vehicles having the required number of occupants.

Patron - Frederick

[F]HB495 High-occupancy vehicle (HOV) facilities. Permits law-enforcement vehicles to use HOV facilities only when responding to an emergency call or in an emergency situation, unless occupied by the otherwise required minimum number of occupants.

Patron - Frederick

[F]HB580 Primary system highway construction funds allocation. Allocates primary system highway construction funds among the nine highway construction districts on the basis of the ratio of vehicle miles traveled on primary highways divided by the lane miles of primary highways in each highway construction district, weighted 90 percent, and a need factor, weighted 10 percent.

Patron - Watts

[F]HB604 Alternative fuel vehicles; high-occupancy lanes. Alternative fuel vehicles; high-occupancy lanes. Extends the sunset authorizing HOV lane use by vehicles bearing clean special fuel license plates to July 1, 2008. This bill was incorporated into HB 1248.

Patron - Amundson

[F]HB640 Low-water bridge in Pound. Requires Dickenson County to transfer ownership of the low-water bridge in the Town of Pound to the Virginia Department of Transportation (VDOT) and requires VDOT to take the bridge into the secondary highway system.

Patron - Phillips

[F]HB655 Alternative fuel vehicles; high-occupancy lanes. Extends the sunset authorizing HOV lane use by vehicles bearing clean special fuel license plates to July 1, 2008. The bill also amends the definition of "clean special fuel" by adding that such vehicles must average more than 50 miles per gallon. This bill was incorporated into HB 1248.

Patron - Plum

[F]HB669 State/local "revenue-sharing" transportation improvement projects. Increases the project cap from \$500,000 to \$1 million and the amount of the Commonwealth's participation in the "revenue-sharing" programs from \$10 million to \$20 million annually. This bill was incorporated into HB 681.

Patron - Wardrup

[F]HB675 Interstate Public-Private Transportation Partnership Compact. Establishes the Interstate Public-Private Transportation Partnership Compact with North and South Carolina. This bill was incorporated into HB 801.

Patron - Wardrup

[F]HB681 Special funds for highway improvements in localities. Expands the present revenue-sharing fund program for counties to include cities and towns as well. The annual match limit is raised to \$4 million per locality, and the total limit on state funds is raised to \$100 million. Since the program now applies to all localities (not just counties), the present section embodying the program is repealed, and the

new program is relocated to the article of Chapter 1 of Title 33.1 dealing with overall allocations of highway improvement funds.

Patron - Scott, E.T.

HB716 Highways; dumping litter; penalty. Authorizes a court to order, in addition to other penalties, the suspension of the driver's license of the defendant convicted of a second or subsequent offense of dumping litter on the highway.

Patron - McQuigg

HB724 State-Local Intersection Partnership Program. Establishes the State-Local Intersection Partnership Program under which the Commonwealth Transportation Board will annually allocate \$100 million to local governments to be used exclusively for the purpose of undertaking highway improvement, construction, reconstruction, expansion, reconfiguration, and alteration projects to address issues associated with intersection congestion and safety by providing funding to counties, cities, and towns, subject to a local contribution of at least 25 percent of project cost, for the construction of turn lanes, extension of existing turn lanes, and construction of roundabouts and pedestrian safety facilities, including but not necessarily limited to pedestrian overpasses and underpasses.

Patron - McQuigg

HB792 Subdivision streets; taking of streets into state secondary highway system. Provides that subdivision streets do not need to meet VDOT standards if they serve fewer than three families per mile, and that VDOT cannot refuse to honor any request to take a subdivision street into the state secondary system because the street does not meet VDOT standards if the street serves fewer than three families per mile. This bill was incorporated into HB 1543.

Patron - Abbitt

HB810 Funds involving construction, reconstruction, and improvement of the "Smart Road." Provides that if allocations are not made in this year's budget bill to fund any future construction, reconstruction, or improvement of the "Smart Road" in the Salem Highway Construction District, the Commonwealth Transportation Commissioner shall reimburse the Salem Highway Construction District for any and all funds expended to date on the "Smart Road."

Patron - Fralin

HB876 HOV lane penalties; hiring of State Police officers to enforce HOV lane restrictions. Changes all fines imposed for HOV lane violations to civil penalties and provides for deposit of all these penalties in a special fund. Requires the State Police to calculate how many State Police officers can be paid out of this fund and to hire that number of officers and assign them solely to HOV lane enforcement.

Patron - Frederick

HB911 Urban Highway Congestion Mitigation Fund. Establishes the Urban Highway Congestion Mitigation Fund, consisting of an annual allocation by the Commonwealth Transportation Board of \$250 million from funds available for highway construction projects. The Fund would be used to make allocations and grants to cities and urban counties for the construction of highway projects that would result in substantial mitigation of local and regional highway congestion.

Patron - Oder

HB947 George P. Coleman Bridge; tolls. Requires that the tolls be removed from the George P. Coleman Bridge.

Patron - Morgan

HB989 Prohibition on transportation of hazardous materials; penalty. Bans transportation of hazardous materials on VA Rte. 674 in Fairfax County between VA Rte. 123 and VA Rte. 606.

Patron - Shannon

HB1085 Commonwealth Mass Transit Fund. Increases the percentage of Transportation Trust Fund revenues flowing to the Commonwealth Mass Transit Fund from 14.7 percent to 19 percent.

Patron - Scott, J.M.

HB1104 Special funds for highway improvements in localities. Expands the present revenue-sharing fund program for counties to include cities and towns as well. The annual match limit is raised to \$4 million per locality, and the total limit on state funds is raised to \$100 million. Any local contributions may take the form of proffers. Since the program now applies to all localities (not just counties), the present section embodying the program is repealed, and the new program is relocated to the article of Chapter 1 of Title 33.1 dealing with overall allocations of highway improvement funds.

Patron - Athey

HB1127 Rail Enhancement Fund. Requires that 50 percent of expenditures from the Rail Enhancement Fund in any calendar year be for intermodal rail projects.

Patron - Cline

HB1195 Statewide Transportation Plan; inadequacy of local or regional system. Requires the Commonwealth Transportation Board to establish and apply an impact fee in any locality or region where pursuant to a comprehensive review, it determines that transportation needs are not being adequately met. The bill requires the Board to collect a fee from the builder of each new residential or commercial unit constructed in the locality or region until it determines that the transportation needs in the locality or region are being adequately met and are likely to remain so for at least the next five years. The fee shall be based on standards and criteria established by the Board, including but not limited to (i) average levels of traffic congestion and vehicle miles traveled by residents in such locality or region, (ii) the pro-rata impact of each residential or commercial unit on the existing transportation network, and (iii) the pro-rata impact of each additional residential or commercial unit on the costs of improving, expanding or developing new transportation systems in order to adequately meet the needs of such new development. The Board shall allocate all fees collected under these provisions to a special account within the Transportation Trust Fund on behalf of the locality or localities subject to the fee requirement. The Board shall make disbursements from such account for the improvement, maintenance or expansion of the transportation system in such locality or region. Upon a determination by the Board that the local or regional transportation system is adequate and is likely to remain adequate for at least the next five years, the Board shall release to the locality or localities all funds that may remain in the Transportation Trust Fund on their behalf.

Patron - Marshall, R.G.

HB1257 Transportation funding for Northern Virginia and Hampton Roads. Provides funding for transportation projects in Northern Virginia (i.e. the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park, and the Counties of Arlington, Fairfax, Loudoun, and Prince William, and Hampton Roads (i.e. the Cities of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg, and the Counties

of Gloucester, Isle of Wight, James City, Southampton, and Surry) as follows: (i) dedicates a pro-rata portion of one-third of all insurance license tax revenues, based on population, to Northern Virginia and to Hampton Roads, and (ii) dedicates \$20 million in FY 07 and \$25 million annually thereafter in state recordation tax revenues to Northern Virginia, and dedicates \$10 million in FY 07 and \$15 million annually thereafter to Hampton Roads. The funds for each region are deposited into separate, newly created special funds, and are dedicated solely for transportation projects in each region. Bonds are authorized to be issued annually with a face value up to two-thirds of the amount estimated to be deposited into each fund for each respective fiscal year, with the proceeds to be used for transportation projects in each region. The transportation projects to be funded in Hampton Roads shall be determined by the Hampton Roads Metropolitan Planning Organization with the advice and consent of the members of the House Appropriations and Senate Finance Committee members residing in Planning District 23.

Patron - Hugo

[F]HB1395 Tolls; motorcycles. Allows motorcycles toll-free use of VDOT-controlled toll facilities.

Patron - Gear

[F]HB1397 Department of Rail and Public Transportation. Requires the Department of Rail and Public Transportation to provide sufficient state matching funds for the federal FTA Section 5311 Rural Public Transportation program to guarantee that the local match required by the program does not exceed 25 percent.

Patron - Wittman

[F]HB1466 Plan for use of HOT lanes by bus rapid transit operators in the Washington-Fredericksburg Corridor. Requires the Virginia Department of Rail and Public Transit, in cooperation with the Virginia Department of Transportation and in consultation with local providers of bus rapid transit services in the Washington-Fredericksburg Corridor, to develop and implement a plan that allows bus rapid transit service providers to take maximum advantage of HOT lanes.

Patron - Eisenberg

[F]HB1479 Transportation; Smart Tag and EZ Pass discount. Requires that Smart Tag and EZ Pass users be given a 10 percent discount when using such devices to pay for roadway tolls.

Patron - Marshall, R.G.

[F]HB1515 Rural Addition Program. Provides that neither the Commonwealth Transportation Board nor the Commonwealth Transportation Commissioner shall promulgate regulations diminishing funds allocated or allocable to any county with a population of less than 40,000 for use under the Rural Addition Program by reason of not having met subdivision ordinance requirements. This bill was incorporated into HB 1543.

Patron - Kilgore

[F]HB1580 Interstate Route 81 improvements. Requires the Virginia Department of Transportation (VDOT) forthwith to halt all negotiations with STAR Solutions under the Public-Private Transportation Act of 1995 for the construction of improvements to Interstate Route 81 in Virginia. The bill also requires VDOT to identify those areas along the Interstate Route 81 Corridor that have higher traffic volumes and congestion levels and solicit proposals from private entities to plan for and construct improvements accordingly.

Patron - Cline

[F]HB1613 Insurance license tax revenue; dedication to mass transit. Dedicates an amount equal to the difference between one-third of the estimated revenue to be collected for all insurance license taxes for each fiscal year and the estimated revenue from the motor vehicle insurance license tax; and increases the motor vehicle insurance license tax from two and one-fourth percent to four and one-half percent.

Patron - Ebbin

[F]SB3 Commonwealth Transportation Commissioner. Provides for election of the Commonwealth Transportation Commissioner by the Commonwealth Transportation Board with the consent of the Governor for a term of four years. In the event of a vacancy, an Acting Commissioner would be appointed by the Governor until the vacancy is filled by the Commonwealth Transportation Board. The salary of the Commonwealth Transportation Commissioner would be fixed by the Commonwealth Transportation Board. This bill has been referred for study under SJR 60.

Patron - Williams

[F]SB10 Secondary highway system; rural additions. Allows any road in Wythe County to be taken into the secondary system as a rural addition if such road was recorded in the Wythe County Circuit Court Clerk's Office prior to November 1, 1999.

Patron - Reynolds

[F]SB11 Highway ingress and egress. Requires the Commonwealth Transportation Commissioner to permit the construction and maintenance of ingress and egress to and from highways to intersecting private roads and adjoining private property.

Patron - Reynolds

[F]SB14 HOV lanes. Prohibits imposition and collection of tolls for use of HOV lanes by vehicles having the required number of occupants.

Patron - Puller

[F]SB103 Industrial access grants. Extends the terms of an October 9, 2001, access grant made by VDOT to Floyd County until March 30, 2007.

Patron - Reynolds

[F]SB124 Primary and secondary highway construction funds allocations. Revises the formulas used to allocate primary and secondary highway construction funds so that such funds are allocated on the basis of population.

Patron - O'Brien

[F]SB126 Highway maintenance and construction by state employees. Increases the limit on the value of highway maintenance and construction projects that may be carried out by state employees from \$300,000 to \$1 million. This bill was incorporated into SB 196.

Patron - O'Brien

[F]SB163 George P. Coleman Bridge; tolls. Requires that the tolls be removed from the George P. Coleman Bridge.

Patron - Norment

[F]SB192 Hampton Roads Bridge and Tunnel. Establishes the Hampton Roads Bridge and Tunnel Authority and transfers from VDOT to the Authority control of and responsibility for seven facilities in Hampton Roads. The bill allows the Authority to impose and collect tolls for the use of these facilities and provides for the eventual transfer to the Authority

control of and responsibility for the Chesapeake Bay Bridge-Tunnel as well.

Patron - Williams

[F]SB297 Environmental impact study; Woodrow Wilson Bridge. Requires the Secretaries of Transportation and Natural Resources to conduct an environmental impact study including an analysis of the impact of HOT lanes and any other strategies used to expedite the movement of traffic between the Springfield Interchange and the Woodrow Wilson Bridge.

Patron - Cuccinelli

[F]SB307 Urban Highway Congestion Mitigation Fund. Establishes the Urban Highway Congestion Mitigation Fund, consisting of an annual allocation by the Commonwealth Transportation Board of \$250 million from funds available for highway construction projects. The Fund would be used to make allocations and grants to cities and urban counties for the construction of highway projects that would result in substantial mitigation of local and regional highway congestion. This bill has been referred for study under SJR 60.

Patron - Williams

[F]SB329 Transportation construction and maintenance. Revises Virginia's transportation construction and maintenance allocation system in accordance with recommendations made by the Joint Legislative Audit and Review Commission to the 2002 Session of the General Assembly. This bill has been referred for study under SJR 60.

Patron - Wagner

[F]SB397 Interstate Route 81 improvements. Directs the Virginia Department of Transportation to immediately halt all negotiations with STAR Solutions under the Public-Private Transportation Act for the construction of improvements to Interstate Route 81 in Virginia. This bill contains an emergency clause.

Patron - Hanger

[F]SB423 Highway construction districts. Replaces VDOT's current nine highway construction districts with seven and specifies the territory embraced within each district. The size of the Commonwealth Transportation Board is also reduced by two to accommodate the reduction in the number of Board members appointed on a district-residence basis. This bill has been referred for study under SJR 60.

Patron - Williams

[F]SB437 Commonwealth Transportation Board; election of certain members by legislative appointing authorities. Provides for the appointment of the five at-large citizen members of the Commonwealth Transportation Board by the Speaker of the House of Delegates, who shall appoint three of the five members, and the Senate Committee on Rules, which shall appoint the other two members. The Governor shall continue to appoint the remaining citizen members who must be residents of the nine construction districts. The bill will take effect only upon approval of the voters of a constitutional amendment to provide a six-year term for the Governor. This bill is a recommendation of the Joint Subcommittee to Study the Balance of Powers Between the Legislative and Executive Branches pursuant to HJR 707 (2005). This bill was incorporated into SB 304.

Patron - Devolites Davis

[F]SB476 Local road indebtedness; state funds. Requires the Commonwealth to match dollars generated by a local transportation referendum. However, such state funds may not be used by the locality for debt service, nor shall the

funds be deemed to constitute the full faith and credit of the Commonwealth.

Patron - Colgan

[F]SB512 Low-water bridge in Pound. Requires the Virginia Department of Transportation to reimburse Dickenson County for expenses incurred in reconstructing the low-water bridge in the Town of Pound.

Patron - Puckett

[F]SB555 Commonwealth Transportation Safety Fund; court-ordered payments for certain offenses related to the operation of motor vehicles. Establishes the Commonwealth Transportation Safety Fund, to be used to fund capital projects and operations necessary to improve the safety of the Commonwealth's roads, and to provide for increased law-enforcement on Virginia's interstates and roads through the Highway Safety Corridor Program. Upon conviction of certain dangerous driving offenses and traffic infractions for which the Department of Motor Vehicles assigns 6 demerit points, a court shall order the offender to make a payment into the Fund. The court shall collect the payments on behalf of the Commonwealth, and remit the payments to the Fund. This bill was incorporated into SB 393.

Patron - Stolle

[F]SB606 Commonwealth Transportation Board; election of certain members by General Assembly. Provides for election of the non-at-large members of the Commonwealth Transportation Board by the General Assembly. This bill was incorporated into SB 304.

Patron - Stolle

[F]SB642 Route 610 bridge over the Norfolk Southern Railway right-of-way in Wythe County. Requires the Norfolk Southern Railway to repair and maintain the Virginia Route 610 bridge over the Norfolk Southern Railway right-of-way 2.25 miles east of Virginia Route 712 and 1.6 miles west of the intersection of Virginia Route 613 in Wythe County so as to allow the structure to be posted by the Department of Transportation for a 16-ton weight limit.

Patron - Puckett

[F]SB671 Department of Rail and Public Transportation. Requires the Department of Rail and Public Transportation to provide sufficient state matching funds for the federal FTA Section 5311 Rural Public Transportation program to guarantee that the local match required by the program does not exceed 25 percent.

Patron - Rerras

[F]SB686 Transportation Future Fund. Establishes the Transportation Future Fund (the Fund) to support the design and construction of surface transportation infrastructure of long-term statewide significance. Fund investments include: design and construction of the Third Crossing of Hampton Roads; construction of the Southeastern Parkway and improvements to U.S. Route 460 and Interstate Route 64 in Hampton Roads; expansion of Metrorail service to Tyson's Corner; completion of environmental impact studies associated with the Eastern and Western Bypasses in the Virginia suburbs of Washington, D.C.; completion of location studies and reservation of rights-of-way in connection with a Potomac River bridge between the American Legion Bridge (Interstate Route 495) and the U.S. Route 15 bridge; establishment of high-occupancy toll lanes on Interstate Routes 95, 395, and 495 in the Virginia suburbs of Washington, D.C., in the Fredericksburg-Washington corridor; expansion of Interstate Route 66 both within and outside the Capital Beltway; and completion of environmental impact studies associated with improvements to rail service,

additional truck lanes, and improvements to choke points and dangerous locations in the Interstate Route 81 corridor. The Fund is to be financed through a \$0.01 cent increase in the sales and use tax and through establishment of toll roads. This bill was incorporated into SB 708.

Patron - Potts

[F]SB725 Insurance license tax revenue; dedication to mass transit. Dedicates an amount equal to the difference between one-third of the estimated revenue to be collected for all insurance license taxes for each fiscal year and the estimated revenue from the motor vehicle insurance license tax; and increases the motor vehicle insurance license tax from two and one-fourth percent to four and one-half percent. This bill was incorporated into SB 708.

Patron - Colgan

[F]SJ165 Interstate Route 81 improvements. Requests the Virginia Department of Transportation to address urgently needed improvements to the Interstate Route 81 Corridor. In so doing, the Department of Transportation shall expeditiously take the following actions: (i) subject to federal law and regulation, plan for and construct additional capacity as needed to accommodate increasing traffic and address safety concerns; (ii) direct federal highway construction aid that may be available or may become available for Interstate Route 81 in Virginia under the recently passed SAFETEA-LU and other federal legislation, to critical safety and capacity improvements including, where appropriate, additional lanes to assist trucks in climbing steep grades; and (iii) plan and develop, with the cooperation of the Virginia Department of Rail and Public Transportation and private rail companies, an east-west rail project that will have the effect of reducing the number of trucks traveling the Interstate Route 81 Corridor.

Patron - Hanger

Carried Over

[C]HB662 Chesapeake Bay Bridge-Tunnel. Requires the Chesapeake Bay Bridge and Tunnel Commission to obtain authorization from the General Assembly before undertaking the construction and operation of any tunnel paralleling an existing tunnel or making provision for the financing of any such project.

Patron - Wardrup

[C]HB767 Transportation Trust Fund; dedication of certain surplus revenue. Dedicates to the Transportation Trust Fund 75 percent of any annual general fund surplus revenues remaining after any required deposits to the Revenue Stabilization Fund and to the Virginia Water Quality Improvement Fund.

Patron - Sickles

[C]HB841 Local Partnership Programs. Requires the Department of Transportation and localities to agree upon a payment schedule for reimbursement of funds to the locality for moneys expended on projects under any Local Partnership Program.

Patron - Frederick

[C]HB1184 Commonwealth Transportation Board; election of certain members by legislative appointing authorities. Provides for the appointment of the five at-large citizen members of the Commonwealth Transportation Board by the Speaker of the House of Delegates, who shall appoint three of the five members, and the Senate Committee on Rules, which shall appoint the other two members. The Governor shall continue to appoint the remaining citizen members who

must be residents of the nine construction districts. The bill will take effect only upon approval of the voters of a constitutional amendment to provide a six-year term for the Governor. This bill is a recommendation of the Joint Subcommittee to Study the Balance of Powers Between the Legislative and Executive Branches pursuant to HJR 707 (2005).

Patron - Purkey

[C]HB1254 Outdoor advertising. Provides for adjustment or relocation of certain outdoor advertising structures in lieu of payment of just compensation in certain condemnation actions.

Patron - Hugo

[C]HB1287 Rural Rustic Road Program. Limits the discretion of the Department of Transportation in paving roads as part of the Rural Rustic Road Program when such paving is requested by a local governing body.

Patron - Saxman

[C]HB1481 Secondary highway system; rural additions. Allows any road in Wythe County to be taken into the secondary system as a rural addition if such road was recorded in the Wythe County Circuit Court Clerk's Office prior to November 1, 1999.

Patron - Crockett-Stark

[C]HB1574 Integrated Directional Sign Program. Allows localities, upon written request to the Commonwealth Transportation Commissioner, to opt out of the Integrated Directional Sign Program administered by the Department of Transportation.

Patron - Barlow

[C]SB4 Outdoor advertising. Provides for adjustment or relocation of certain outdoor advertising structures in lieu of payment of just compensation in certain condemnation actions.

Patron - Williams

[C]SB148 Integrated Directional Signing Program. Requires VDOT to provide by regulation that businesses that do not provide public restroom facilities, food, lodging, fuel, or destination recreational opportunities will be included as eligible for signage under the Integrated Directional Signing Program.

Patron - Deeds

[C]SB222 Integrated Directional Signing Program. Requires the Virginia Department of Transportation, to the maximum extent not inconsistent with federal law, to provide for signage under the Integrated Directional Signing Program directing motorists traveling on Interstate Route 264 to the Virginia Sports Hall of Fame and the Children's Museum of Virginia.

Patron - Quayle

[C]SB285 Highway construction districts; Gloucester County. Transfers Gloucester County from the Fredericksburg highway construction district to the Hampton Roads highway construction district.

Patron - Norment

[C]SB346 Highway maintenance, construction, or reconstruction payments to Town of Broadway. Requires the Commonwealth Transportation Commissioner, subject to the approval of the Commonwealth Transportation Board, to make payments for maintenance, construction, or reconstruction of highways to the Town of Broadway.

Patron - Obenshain

[C]SB431 Prohibition on transportation of hazardous materials; penalty. Bans transportation of hazardous materials on VA Rte. 674 in Fairfax County between VA Rte. 123 and VA Rte. 606.

Patron - Devolites Davis

Homestead and Other Exemptions

Failed

[F]HB39 Homestead exemption. Increases the current homestead exemption to \$10,000 from \$5,000 and the exemption for dependents under homestead to \$1,000 from \$500.

Patron - Tata

[F]HB192 Exemption of certain retirement benefits from creditor process. Conforms the state exemption of retirement benefits to that allowed under new federal bankruptcy law.

Patron - Kilgore

Hotels, Restaurants, Summer Camps and Campgrounds

Failed

[F]HB689 Farmers markets exempt from restaurant requirements. Exempts local retail farmers markets that have been established by any locality from the Board of Health's requirements for licensure of restaurants and other food services.

Patron - Abbitt

Housing

Passed

[P]HB699 Housing Authorities Law. Makes various changes to the Housing Authorities Law to update its provisions. The bill adds several definitions including "blighted area," "blighted property," "conservation area," "redevelopment area," and "spot blight abatement plan." The bill also reconfirms that the elimination of blight in a redevelopment area, the prevention of blight in a conservation area, and the designation of individual properties as blighted pursuant to a spot blight abatement plan are public uses and purposes. In addition, the bill (i) updates referendum provisions; (ii) clarifies that written notice sent by certified mail is required to all record owners at their last known address as indicated in the records of the treasurer, current real estate tax records, or the records of any other officer responsible for collecting taxes prior to the use of eminent domain and spot blight abatement proceedings is required; (iii) clarifies that an owner in a proposed redevelopment or conservation area has the right to present testimony before the local governing body objecting to the designation of an area as a redevelopment or conservation area, and to acquisition of their property by negotiated purchase or the use of eminent domain; and (iv) clarifies that farm

structures are generally exempt from the Housing Authorities Law and that the right to establish redevelopment or conservation areas and use the process of spot blight abatement shall not abrogate the right to farm as protected in § 3.1-22.28. The bill includes various technical amendments.

Patron - Suit

[P]HB744 Uniform Statewide Building Code; enforcement actions; transfer of ownership. Provides that when the local building official has initiated an enforcement action against the owner of a building or structure and the owner subsequently transfers ownership to an entity in which the owner holds more than 50 percent of the ownership interest, the pending enforcement action shall continue to be enforced against the owner.

Patron - Marshall, D.W.

[P]SB46 Local rehabilitation zones. Authorizes localities to designate housing rehabilitation zones for the establishment of incentives to rehabilitate housing stock in the zone and to perform general improvement of the neighborhood. Incentives include reduced user fees, special tax incentives, special zoning, expedited permitting, and the waiver of tax liens under certain circumstances. In addition, the locality is authorized to establish a special service district to expand or improve the public infrastructure in the zone.

Patron - Locke

[P]SB184 Housing programs for ex-offenders. Directs the Director of the Department of Housing and Community Development to develop a strategy, in consultation with the Virginia Housing Development Authority, for the creation and implementation of housing programs and community development for the purpose of meeting the housing needs of persons who have been released from federal, state, and local correctional facilities into communities. This bill is a recommendation of the Joint Subcommittee Studying the Commonwealth's Program for Prisoner Reentry to Society (2005).

Patron - Puller

[P]SB450 Abatement of lead hazards; disclosure of lead risks or the identification of a child as having an elevated blood-lead level; retaliation deemed noncompliance; civil penalty. Establishes the two essential lead program elements relating to lead poisoning prevention that are lacking in Virginia but are required by federal agencies for the 2006 grant cycle. The bill provides an enforcement mechanism for control of lead hazards and protections from termination of the rental agreement or other retaliatory action after written notification of (i) a lead hazard in the dwelling unit or (ii) that a child of the tenant, who is an authorized occupant in the dwelling unit, has an elevated blood lead level. The bill also requires the landlord to maintain the painted surfaces of the dwelling unit in compliance with the Property Maintenance Code and the Uniform Statewide Building Code and provides that the failure to do so will entitle the tenant to terminate the rental agreement. This bill is a recommendation of the Joint Subcommittee to Study Lead Poisoning Prevention (SJR 380), 2005.

Patron - Lambert

Failed

[F]HB217 Spot blight abatement; costs for repair or disposal of property. Authorizes a locality exercising the power to acquire or repair blighted property to assess against the owner the anticipated costs of any repair or disposal of the property. The costs that are assessed will be a lien on the property.

Patron - Jones, D.C.

[F]HB748 Spot blight abatement; eminent domain. Provides that for purposes of determining just compensation for property condemned pursuant to spot blight abatement provisions, the value of the property condemned shall be determined as follows: (i) 50 percent of compensation to be based on the fair market value of the property at the time of condemnation, (ii) 25 percent of compensation to be based on projected fair market value of the land one year after completion of the redevelopment project, and (iii) 25 percent of compensation to be based on projected value of the land three years after completion of the redevelopment project. This bill was incorporated into HB 699.

Patron - Purkey

[F]HB1196 Building permit; impact fees. Allows localities to adopt provisions for the assessment of impact fees prior to issuance of a building permit. The impact fees may be assessed in relation to the adequacy of education, transportation, parks, or public safety needs. Such fees shall be a pro rata share of the costs of reasonable and necessary capital improvements attributable to the proposed development. Prior to any impact fee assessment, the locality must identify the particular public facility needs in its comprehensive plan, and must have in place a capital improvement program that provides a reasonable basis for determining the extent or level of inadequacy of such facilities in the area of the proposed development. If the locality does not apply impact fees paid by a developer to the capital project that served as the basis for such assessment within six years of collection, then the developer may seek a writ of mandamus to compel the locality to do so.

Patron - Marshall, R.G.

[F]HB1419 Housing authorities; public hearings. Requires housing authorities to hold at least one public hearing to receive the views of citizens within the area of operation of the housing authority before giving final approval to its budget for submission to the governing body. This bill was incorporated into HB 699.

Patron - Alexander

[F]HB1552 Fair Housing Law; unlawful discrimination; sexual orientation. Adds sexual orientation as an unlawful discriminatory housing practice.

Patron - Scott, J.M.

[F]SB294 Powers of regional and consolidated housing authorities. Prohibits any regional housing authority or consolidated housing authority from acquiring property through the exercise of the power of eminent domain. This bill, which amends the article relating to regional housing authorities, applies to consolidated housing authorities because the provisions of the chapter applicable to regional housing authorities are applicable, by statutory reference, to consolidated housing authorities. Currently, regional housing authorities and consolidated housing authorities enjoy the same power of eminent domain that is statutorily afforded to housing authorities created for cities and counties.

Patron - Cuccinelli

[F]SB356 Powers of regional and consolidated housing authorities. Prohibits any regional housing authority or consolidated housing authority from acquiring property through the exercise of the power of eminent domain. This bill, which amends the article relating to regional housing authorities, applies to consolidated housing authorities because the provisions of the chapter applicable to regional housing authorities are applicable, by statutory reference, to consolidated housing authorities. Currently, regional housing authorities and consolidated housing authorities enjoy the same power of emi-

nent domain that is statutorily afforded to housing authorities created for cities and counties.

Patron - Cuccinelli

Carried Over

[C]HB92 Virginia Housing Partnership Trust Fund; dedicating recordation tax revenues. Changes the name of the Virginia Housing Partnership Trust Fund to the Virginia Housing Trust Fund. The bill provides for 50 percent the annual revenue collections from taxes and fees imposed pursuant to the Virginia Recordation Tax Act (§ 58.1-800 et seq.) that are in excess of the official estimates in the general appropriation act to be transferred to the Fund. The bill also provides that a portion of the fund shall be used to provide matching funds to localities that have both established a local housing fund and appropriated local moneys to the fund. Under the bill, the Department of Housing and Community Development is required to establish criteria for the allocation of the matching funds to eligible localities and to annually report on the allocation of matching funds. In addition, the bill authorizes grants to be made from the Fund to support innovative housing projects and low and moderate income housing projects that are located in areas experiencing extreme shortages of such housing.

Patron - Suit

[C]HB184 Spot blight abatement; condemnation. Provides that any property acquired by eminent domain pursuant to spot blight abatement provisions shall not be rezoned by a locality to a more intensive use than that which existed at the time of the condemnation.

Patron - Marshall, R.G.

[C]HB1174 Community Housing Tax Credit. Establishes a tax credit that would replace the current low-income housing tax credit. Any developer or investor who builds or substantially rehabilitates a multifamily housing project that qualifies for the federal low-income housing tax credit would be eligible for a tax credit equal to 50 percent of the cost to acquire the land for the multifamily housing project. However, the credit would not exceed an amount equal to \$5,000 multiplied by the number of low-income housing units placed in service as a result of the project. The developer or investor would not be able to claim more than \$500,000 in tax credit in any taxable year. The credit would have a five-year carryover period. Any unused credit could be transferred to another taxpayer for use on a Virginia income tax return. The Board of Housing and Community Development would be required to promulgate guidelines for the credit.

Patron - Rapp

[C]HB1451 Uniform Statewide Building Code; violations; penalty. Provides that where the violation is of the Maintenance Code relating to occupancy limitations on dwelling and efficiency units in a locality where the local governing body has taken official action to enforce the Maintenance Code, any owner or other person, firm, or corporation convicted of such a violation may also be punished by confinement in jail for not more than 12 months. Currently, any violation of the Building Code is punishable by a fine of not more than \$2,500.

Patron - Hull

[C]SB102 The Board of Housing and Community Development; definition of combustible fibers. Requires the Board of Housing and Community Development to promulgate regulations to exclude waste paper products from the definition of "combustible fibers."

Patron - Blevins

CSB277 Virginia Housing Partnership Trust Fund; dedicating recordation tax revenues. Changes the name of the Virginia Housing Partnership Trust Fund to the Virginia Housing Trust Fund. The bill provides for \$0.02 of the recordation tax to be transferred to the Fund. The bill also provides that a portion of the fund shall be used to provide matching funds to localities that have both established a local housing fund and appropriated local moneys to the fund. Under the bill, the Department of Housing and Community Development is required to establish criteria for the allocation of the matching funds to eligible localities and to annually report on the allocation of matching funds. In addition, the bill authorizes grants to be made from the Fund to support innovative housing projects and low and moderate income housing projects that are located in areas experiencing extreme shortages of such housing.

Patron - Whipple

CSB311 Housing authority law; spot blight abatement; interest on liens. Gives a locality a lien on property declared a nuisance when the locality, and not the owner, abates or removes the nuisance at its expense. The bill provides that this lien shall bear interest at the legal rate of interest established in § 6.1-330.53, beginning on the date the removal or abatement is completed through the date on which the lien is paid. The bill also provides for the same interest rate for liens on property declared to be blighted.

Patron - Cuccinelli

CSB667 Carbon monoxide detectors; required in certain rental dwelling units in the Commonwealth. Amends the Virginia Residential Landlord and Tenant Act and other sections on landlord and tenant law to require landlords to install and maintain carbon monoxide detectors in all rental dwelling units that contain or are serviced by a carbon-based-fueled appliance or device that produces by-products of combustion, have an attached garage or carport, or are adjacent to a parking space. The bill also imposes an obligation on the tenant to not remove or tamper with a carbon monoxide detector.

Patron - Ruff

Institutions for the Mentally Ill; Mental Health Generally

Passed

P HB774 Community services boards and behavioral health authorities; joint agreements. Allows for joint agreements between two or more community services boards or behavioral health authorities for the purpose of (i) providing treatment, habilitation, or support services for consumers with specialized and complex service needs and associated managerial, operational, and administrative services and support, and (ii) promoting clinical, programmatic, or administrative effectiveness. The bill also allows for an administrator or management body to coordinate the activities of the joint agreement, and gives this administrator or body various powers and duties, including accepting funds from various public and private sources, hiring staff, and entering into service contracts on behalf of the community services boards and behavioral health authorities subject to the agreement.

Patron - Nixon

P HB1037 Sexually violent predators. Establishes within the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Office of Sexually Violent

Predator Services to administer provisions relating to the civil commitment of sexually violent predators.

Patron - Hamilton

P HB1038 Civil commitment of sexually violent predators. Adds to the list of offenses that qualify as sexually violent offenses: abduction with intent to defile, abduction of a child under 16 years of age for the purpose of prostitution, carnal knowledge of a child between 13 and 15 years of age, and carnal knowledge of minors in custody of the court or state. The requirement that the complaining witness be under 13 years of age for aggravated sexual battery to qualify is removed. A felony conviction for conspiracy to commit or attempt to commit any of the qualified offenses is added as a qualifying offense. Incompetent defendants will be reviewed by the Commitment Review Committee. The bill provides that the Static-99 will be used to identify prisoners who will be forwarded to the Commitment Review Committee (CRC) for assessment and that if the Director of the Department of Corrections and the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services agree that no specific scientifically validated instrument exists to measure the risk assessment of a prisoner, the prisoner may be evaluated by a psychiatrist or psychologist to determine if he should be forwarded to the CRC. The bill provides factors for a court to consider in deciding whether to release a person on conditional release, such as living arrangements, availability of supervision, and access to treatment. A person on conditional release will be subject to mandatory GPS monitoring. The bill also adds abduction with intent to extort money or for immoral purposes to the felonies for which a presentence report is required. The provisions regarding qualifying offenses will be effective January 1, 2007, the remainder of the bill will be effective July 1, 2006.

Patron - Griffith

P HB1359 Sexually violent predators. Authorizes the Department of Mental Health, Mental Retardation and Substance Abuse Services to contract with the Department of Corrections to provide services for the monitoring and supervision of civilly committed sexually violent predators who are on conditional release. The bill also states that if the judge places a civilly committed sexually violent predator on conditional release, the person shall be subject to electronic monitoring of his location by a GPS (Global Positioning System) tracking device. This bill has an emergency clause and is identical to SB 318.

Patron - Bell

P HB1583 Protecting incapacitated people from identity theft. Protects the identity of incapacitated individuals from identity theft by requiring the sealed filing of the social security number in any petition to a Circuit Court for the appointment of a guardian and conservator.

Patron - Eisenberg

P SB318 Sexually violent predators. Authorizes the Department of Mental Health, Mental Retardation and Substance Abuse Services to contract with the Department of Corrections to provide services for the monitoring and supervision of civilly committed sexually violent predators who are on conditional release. The bill also states that if the judge places a civilly committed sexually violent predator on conditional release, the person shall be subject to electronic monitoring of his location by a GPS (Global Positioning System) tracking device. This bill has an emergency clause and is identical to HB 1359.

Patron - Howell

[P]SB353 Mental health; appeal of an involuntary admission or certification order. Grants the circuit court discretion to rely on the existing psychological evaluation from the commitment hearing which is being appealed, or to request a new evaluation.

Patron - Howell

[P]SB400 Economic Development for Virginians with Disabilities Grant Program. Creates a grant fund to be distributed to nonprofit organizations that sell donated goods and spend at least 75 percent of their revenues employing or training people with disabilities or people with a workplace disadvantage. The term "people with a workplace disadvantage" is defined as people who have had felony convictions or past alcohol or substance abuse problems.

The grant funds are to assist with capital costs associated with construction of retail stores and other employment facilities. The program shall be administered by the Secretary of Health and Human Resources. This bill is contingent upon the appropriation of funds.

Patron - Hanger

Failed

[F]HB43 Mental health; outpatient treatment orders. Changes the criteria for ordering outpatient mental health treatment rather than involuntary inpatient treatment. Strikes the requirement that a person be found to be a danger to himself or others and instead requires a finding that assisted outpatient treatment will be sufficient to prevent him from harming himself or others.

Patron - Albo

[F]HB352 Mental health; emergency custody and temporary detention orders. Extends the maximum emergency custody period to six hours and allows the community services board to determine the facility for temporary detention after the order has been issued.

Patron - Hamilton

[F]HB353 Mental health; transportation of individuals to be admitted. Requires that any individual certified for admission to a mental health facility, or being transported due to an emergency custody order or a temporary detention order, be transported by the sheriff's office of the appropriate jurisdiction. Repeals section allowing any judge or special justice to order a person admitted to a mental health facility to be placed in the custody of any responsible person, including a representative of the facility in which the person is temporarily placed during the temporary detention period, for the sole purpose of transporting the person to the proper facility.

Patron - Hamilton

[F]HB899 Temporary detention process; transportation by sheriffs. Specifies that temporary detention orders shall require the sheriff of the appropriate jurisdiction to execute the order and transport the person subject to the order. However, the order may request the assistance of other law-enforcement agencies if the sheriff is unable to execute the order or provide transportation.

Patron - Gear

[F]SB319 Sexually violent predators. Establishes within the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Office of Sexually Violent Predator Services to administer provisions relating to the civil

commitment of sexually violent predators. This bill was incorporated into SB 559.

Patron - Howell

[F]SB352 Psychiatric Inpatient Commitment of Minors Act; special justices. Makes it clear that retired judges, substitute judges, and special justices are authorized to perform hearings under the Act and to receive compensation therefor. This bill was incorporated into SB 290.

Patron - Howell

[F]SB602 Background checks; providers licensed by DMHMRSAS. Allows a provider licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services to hire for compensation a person who has been convicted of not more than one offense of assault and battery of a police officer under § 18.2-57, or an equivalent offense in another state, if (i) more than five years have elapsed since the conviction and (ii) the hiring provider determines, based upon a screening assessment, that the criminal behavior was substantially related to the applicant's substance abuse and that the person has been successfully rehabilitated and is not a risk to consumers based on his criminal history background and his substance abuse history.

Patron - Reynolds

Carried Over

[C]SB18 Mental health; mandatory outpatient treatment. Establishes a program of mandatory outpatient treatment in those jurisdictions served by a community services board that the Commissioner designates as having adequate and appropriate resources for the provision of mandatory outpatient treatment. The bill authorizes mandatory outpatient treatment only for persons previously hospitalized due to noncompliance with prescribed psychiatric treatment. The bill requires that a specific written treatment plan be prepared by the community services board that gives consideration to the treatment preferences of the individual and explicitly bars the forcible administration of medication. The bill also authorizes law-enforcement personnel to transport the individual to a treatment facility for persuasion and evaluation by a treatment provider only when the individual has substantially failed to comply with the treatment plan without good cause, and only for a three-hour period, including transportation time. The bill limits the duration of the court order to 180 days or less, and provides the person with procedural protections, including the right to an adversary hearing, the right to counsel, the right to an appeal, and the right to a jury trial on appeal.

Patron - Marsh

[C]SB309 Mental health; outpatient treatment orders. Changes the criteria for ordering outpatient mental health treatment rather than involuntary inpatient treatment. Strikes the requirement that a person be found to be a danger to himself or others and instead requires a finding that assisted outpatient treatment will be sufficient to prevent him from harming himself or others.

Patron - Cuccinelli

Insurance

Passed

[P]HB261 Insurance agents; compliance with continuing education requirements. Allows an insurance agent who

obtained the required continuing education course credits but failed to submit proof of compliance within the permitted time to submit proof of compliance after the State Corporation Commission has issued a notice of impending termination of the agent's license. To make such a late submission of proof of compliance, the agent is required to submit the proof of compliance and pay filing fees and a \$500 penalty within the 30-day period following the Commission's issuance of notice of impending termination of the license. An agent who has had multiple licenses terminated will be able to apply for new licenses within the 90-day period after termination upon payment of one administrative penalty of \$1,000, regardless of the number of licenses for which he applies.

Patron - Hargrove

[P]HB323 Health insurance; provider panel contracts. Requires any carrier that rents or leases its provider panel to unaffiliated carriers to make available a list of those unaffiliated carriers to its providers, upon request. The list shall be updated monthly if it is available in electronic format.

Patron - Morgan

[P]HB383 Home service contract providers. Establishes requirements for the business of providing home service contracts, which are agreements to perform the repair, replacement or maintenance of property, or indemnification therefor, with regard to components, parts, appliances, or systems of a covered residential dwelling. Providers are required to be licensed by the State Corporation Commission, to either insure its obligations to contract holders or maintain a funded reserve account, and to make certain disclosures to contract purchasers. Providers are subject to premium tax at a rate of 2.25 percent of their provider fees.

Patron - Suit

[P]HB573 Burial insurance; agent licensing. Increases the maximum amount of burial association group life insurance certificate that may be solicited with respect to members of such an association, pursuant to a limited burial insurance authority, to \$10,000. Currently the maximum is \$7,500.

Patron - Nixon

[P]HB761 Small employer health group pooling. Authorizes the establishment of cooperatives for the purpose of offering, providing or facilitating the provision of coverage for health care services to participating small employers. Membership in health group cooperatives is limited to employers with not more than 50 eligible employees. A small employer health group cooperative is deemed to be a single entity for purposes of negotiating the terms, including premium rates of coverage. Cooperatives shall elect to either be the policyholder of a group policy covering employer-members or a sponsoring entity that facilitates the provision of separate policies for each of its employer-members. If a cooperative elects to be the group policyholder, the agreement shall address the collection of funds from employer-members when one employer-member fails to remit its share of the premium.

Patron - Hamilton

[P]HB1001 Liability insurance policies; notices. Limits the circumstances pursuant to which insurers are required to provide notice of reduction in coverage or increase in premiums. Such notices are not required if the policy is issued to a large commercial risk, the policy is retrospectively rated, or a renewal offer or policy is sent to the insured not less than 45 days prior to its effective date, or 90 days prior if it is a medical malpractice policy. Insureds shall be advised of the specific reasons for the increase and the amount of the increase, or reasons for a reduction in coverage, or that the information may be obtained from the agent or insurer. The

requirement that certain insured persons receive 45 days' notice of a liability insurance premium increase, or 90 days' notice of a medical malpractice insurance premium increase, will apply only to insurer-initiated premium increases, which excludes increases resulting from requested changes in coverage or policy limits requested by the insured and changes in the insured's operations and rating exposures.

Patron - Rust

[P]HB1041 Health maintenance organizations; Medicaid coverage. Exempts health maintenance organization contracts that provide coverage to Medicaid enrollees under plans administered by the Department of Medical Assistance Services (DMAS) from certain measures providing for regulatory oversight by the Bureau of Insurance. Measures from which such contracts are exempted include evidence of coverage, schedules of charges for enrollee coverage for health care services, and certain disclosure requirements. The measure specifically does not limit the Bureau's authority to consult with DMAS prior to taking action against any person providing Medicaid benefits.

Patron - Kilgore

[P]HB1044 Health maintenance organizations. Exempts health maintenance organizations that report a capital and surplus amount of at least \$4,500,000 from the obligation to file statements of covered and uncovered expenses with the State Corporation Commission. The measure also provides that identification cards issued to a subscriber do not constitute evidence of coverage under a certificate, agreement, or contract.

Patron - Kilgore

[P]HB1275 Insurance coverage; recovery of attorney's fees in action on surety bond. Eliminates the ability of an individual to recover his costs and attorney's fees in a civil action to determine what coverage exists under a surety bond. The ability to recover such costs and fees in an action to determine coverage under a fidelity bond is not affected.

Patron - Janis

[P]HB1429 Credit life insurance; interest on proceeds. Exempts credit life insurance that is payable in whole or in part to a creditor that is an affiliate of the insurer and that does not charge postdeath interest on the indebtedness, from requirements that insurers pay interest on the proceeds of a life insurance policy.

Patron - Purkey

[P]SB255 CRESPA; confidentiality of documents. Establishes protections for the confidentiality of documents and other materials obtained by the State Corporation Commission pursuant to an investigation of a title insurance company or agent in the course of an investigation under the Consumer Real Estate Settlement Protection Act.

Patron - Wagner

[P]SB474 Insurance; actuarial statements. Requires insurers to submit an actuarial opinion summary, written by the insurer's appointed actuary, to the State Corporation Commission if they are required to submit an actuarial opinion. Currently, the actuarial opinion is referred to as a "summary of opinion or issues."

Patron - Colgan

[P]SB498 Fire Programs Fund. Authorizes the Virginia Fire Services Board to revise allocations to eligible localities.

Patron - Puckett

[P]SB546 Insurance companies; dividends and distributions. Prohibits a domestic insurer from declaring or paying

a dividend or other distribution from any source other than earned surplus without the State Corporation Commission's prior approval. The measure defines an extraordinary dividend or distribution, and provides that insurers may declare an extraordinary dividend or distribution conditioned upon the Commission's approval. The Commission is authorized to limit or disallow the payment of ordinary dividends by insurers that are financially distressed or troubled. The bill also (i) prohibits domestic insurers from entering into transactions with persons within an insurance company holding system if their purpose is to avoid the review that is required of material transactions between insurers that are members of an insurance company holding system and their affiliates; (ii) requires the quality of an insurer's earnings and the extent to which the earnings include extraordinary items to be considered in determining whether an insurer's surplus to policyholders is reasonable in relation to its outstanding liabilities; and (iii) requires insurers that are members of an insurance company holding system to report dividends and other distributions to the Commission within five business days following their declaration and at least 30 days prior to their payment; currently, such distributions must be reported within two days following their declaration.

Patron - Stosch

[P]SB586 Insurers; change of domicile. Removes the requirement that insurers file copies of amendments to their bylaws with the State Corporation Commission when they change their state of domicile.

Patron - Miller

[P]SB593 Licenses of reinsurance intermediaries and managing general agents. Authorizes the State Corporation Commission to place on probation, suspend, revoke, or refuse to issue or renew the license of a reinsurance intermediary or managing general agent that has had its corporate existence or certificate of organization, trust, partnership, authority, or registration terminated, cancelled, surrendered, or revoked.

Patron - Watkins

[P]SB610 Medical malpractice insurance. Extends from July 1, 2006 to July 1, 2008 the effective date of the state-operated risk management plan allowing certain qualifying physicians and sole community hospitals to purchase insurance from a risk management plan to be administered by the Department of Treasury. The introduced bill was a recommendation of the Joint Subcommittee Studying Risk Management Plans for Physicians and Hospitals. The plan will not be established unless appropriate funding for it is provided in the 2008 budget bill.

Patron - Newman

[P]SB632 Virginia Birth-Related Neurological Injury Compensation Act; redetermination of claim. Allows for an opportunity for a second review by the Commission in the case of any child born between January 1, 1988, and July 1, 1993, if such application for review is filed by July 1, 2007. The review may only occur in those cases where (i) the claim was timely filed and dismissed on the basis of the injury not being caused by a deprivation of oxygen or mechanical injury and (ii) the panel reported in the hearing that the injuries did not meet the definition of a birth-related neurological injury.

Patron - Edwards

Failed

[F]HB222 Identity theft; security freezes; penalty. Authorizes any consumer to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a con-

sumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which a consumer can release his report, permanently, temporarily, or to a specific third party. Consumer reporting agencies may charge a consumer no more than \$20 for each freeze, removal of the freeze, or temporary lift of the freeze. Violations are punishable as a Class 1 misdemeanor. A person violating the requirements is liable to an injured person for the greater of actual damages or \$1,000, and reasonable costs and attorney fees.

Patron - Jones, D.C.

[F]HB258 Health Care Funding Act; penalties. Requires every employer with more than 10,000 employees to report annually to the Commissioner of Labor and Industry the amount spent, and the percentage of its payroll that was spent, on health insurance costs for its employees. If the percentage of payroll spent on health insurance costs is less than the statewide average of the percent of wages that was spent on employee health insurance costs by all employers in the Commonwealth with more than 250 employees, the employer is required to pay an amount equal to the difference between what the covered employer spends for health insurance costs and an amount equal to the required percent of the total wages it paid to its employees. The revenue from the assessment is paid in to the Virginia Family Access to Medical Insurance Security Plan Trust Fund. Violations are subject to civil penalties.

Patron - Ward

[F]HB359 Credit life insurance; age restrictions. Eliminates the authorization for credit life insurance policies to be issued that cease or reduce coverage for debtors age 70 or older.

Patron - Kilgore

[F]HB403 Virginia Health Insurance Risk Pool. Establishes the Virginia Health Insurance Risk Pool. The pool is designed to operate a program offering health insurance coverage for individuals who are otherwise denied health insurance. The initial pool rate may not be less than 125 percent and may not exceed 150 percent of rates established as applicable for individual standard rates. Coverages available under the Virginia Health Insurance Risk Pool shall be made available not later than January 1, 2007. This bill was incorporated into HB 761.

Patron - Dance

[F]HB478 Small employer health insurance pooling. Authorizes employers with no more than 100 eligible employees to enter into pooling agreements under which a designated attorney-in-fact contracts on their behalf for group health insurance coverage for their employees. The small employers that are party to such an agreement constitute a single employer for purposes of pricing and other terms of the coverage under a group health benefit plan. This bill was incorporated into HB 761.

Patron - Frederick

[F]HB623 Health insurance; mandated coverage for treatment of malignant brain tumors. Requires health insurers, health maintenance organizations, and corporations providing healthcare coverage subscription contracts to provide coverage for treatment of a malignant brain tumor otherwise covered by the policy, contract, or plan that the covered patient elects to have performed at a National Cancer Institute center of excellence located within 300 miles of the patient's residence.

Patron - O'Bannon

[F]HB624 Health insurance; mandated coverage for treatment of morbid obesity. Requires health insurers, health maintenance organizations, and corporations providing health-care coverage subscription contracts, to provide coverage for the treatment of morbid obesity through recognized surgical procedures designed to produce weight loss in patients with morbid obesity if performed at a Bariatric Surgery Center of Excellence. Currently, these entities are required to offer and make available coverage for treatment of morbid obesity.

Patron - O'Bannon

[F]HB832 Office of Managed Care Ombudsman. Requires the Office of the Managed Care Ombudsman, upon reviewing the insurance and health records of a covered person, to present a recommendation regarding whether health care services or benefits for the covered person are covered under the managed care health insurance plan. If the Office recommends that the plan covers such services or benefits and the carrier continues to deny coverage for such services or benefits, the denial may be considered by a court as evidence of bad faith.

Patron - Welch

[F]HB894 Health insurance; mandated coverage for treatment of inborn errors of metabolism. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for treatment of inborn errors of metabolism that involve amino acid, carbohydrate, and fat metabolism and for which medically standard methods of diagnosis, treatment, and monitoring exist.

Patron - Gear

[F]HB1167 Victims of domestic violence; use of alternative contact information by health care providers and insurers. Requires any health plan, health care clearinghouse, or health care provider that is a covered entity under the federal Health Insurance Portability and Accountability Act of 1996 to use alternative contact information when requested by a victim of domestic violence.

Patron - Eisenberg

[F]HB1324 Plan for increased health insurance competition. Directs the Commissioner of Insurance to develop, by July 1, 2008, a plan to double health insurance provider competition in rural areas of the Commonwealth.

Patron - Nutter

[F]HB1405 Health insurance; mandated coverage for treatment by intensity modulated radiation therapy. Requires health insurers, health maintenance organizations, and corporations providing healthcare coverage subscription contracts to provide coverage for the treatment by intensity modulated radiation therapy (IMRT), including solid compensator-based IMRT, of tumors in situations in which extremely high precision is required in order to spare essential surrounding normal tissue, when such treatment is performed pursuant to protocol dose volume constraints approved by the institutional review board of any United States medical teaching college or the National Cancer Institute.

Patron - Wittman

[F]HB1437 Small employer health insurance associations. Authorizes employers with no more than 100 eligible employees to form associations to obtain group health insurance coverage for their employees. The small employers that are members of such an association shall be deemed to constitute a single entity for purposes of premium rates and issuance

and renewal of coverage. This bill was incorporated into HB 761.

Patron - Melvin

[F]HB1558 Workers' compensation; subrogation. Provides that an employer's workers' compensation premium shall not be adversely affected by a settlement between the insurance carrier and the injured employee in which the insurance carrier has agreed to waive its right of subrogation as to any amount that could have otherwise been recovered.

Patron - Bell

[F]SB161 Health insurance; assignment of benefits to emergency room physicians. Requires health insurers to pay health care benefits directly to a physician who has rendered medical screening and stabilization services under the Federal Emergency Medical Treatment and Active Labor Act, if the insured specifically authorizes such an assignment of payment of the benefits. Insurance contracts shall not prohibit the payment of benefits directly to physicians for care provided pursuant to the federal law.

Patron - Norment

[F]SB638 Victims of domestic violence; use of alternative contact information by health care providers and insurers. Requires any health plan, health care clearinghouse, or health care provider that is a covered entity under the federal Health Insurance Portability and Accountability Act of 1996 to use alternative contact information when requested by a victim of domestic violence.

Patron - Ticer

Carried Over

[C]HB253 Health insurance; refusal to accept assignments prohibited. Prohibits health insurers from refusing to accept an assignment of benefits made by a patient to a physician.

Patron - Cosgrove

[C]HB322 Health insurance; carrier business practices. Prohibits a health insurance carrier from establishing or implementing a policy or procedure that allows the carrier to deny payment of a claim solely because the covered subscriber or dependent has not responded to an inquiry regarding the existence of other health insurance coverage. The measure also requires carriers to pay clear claims submitted electronically within 14 days following receipt. Currently, all clear claims must be paid within 40 days, regardless of the medium by which the claim is submitted.

Patron - Morgan

[C]HB657 Health insurance; mandated coverage for habilitative services for children. Requires health insurers, health maintenance organizations, and corporations providing health care coverage subscription contracts to provide coverage for medically necessary habilitative services for persons younger than 19 years.

Patron - Plum

[C]HB890 Motor vehicle insurance policies; access to recorded data; civil penalties. Prohibits motor vehicle insurers from including in policies any provision that authorizes the insurer to obtain access to data that is electronically stored in an electronic data recording device in the motor vehicle.

Patron - Gear

[C]HB945 Pharmacy benefits managers. Establishes requirements for the regulation and registration of pharmacy

benefits managers, which are entities that administer or manage prescription drug benefits and whose services include the procurement of prescription drugs at a negotiated rate for dispensation within the Commonwealth, processing prescription drug claims, administering payments related to prescription drug claims, and negotiating contractual arrangements with pharmacy providers. The measure also establishes requirements for disclosures and other contractual provisions in agreements between pharmacy benefits managers and pharmacy providers. The measure also prohibits health insurers, corporations providing preferred provider subscription contracts, and health maintenance organizations from imposing upon any person receiving pharmaceutical benefits furnished under a policy, plan, or contract a different copayment, fee, or condition for persons that have prescriptions filled at a participating pharmacy other than a mail order pharmacy, regardless of the number of months for which the prescription is written.

Patron - Morgan

[C]HB946 Health insurance; assignment of benefits to emergency room physicians. Requires health insurers to pay health care benefits directly to a physician who has rendered medical screening and stabilization services under the Federal Emergency Medical Treatment and Active Labor Act, if the insured specifically authorizes such an assignment of payment of the benefits. Insurance contracts shall not prohibit the payment of benefits directly to physicians for care provided pursuant to the federal law. A similar provision is applicable to the state employees' health insurance plan.

Patron - Morgan

[C]HB1302 Life insurance; payment of benefits to designee of beneficiary. Authorizes the named beneficiary of record of an individual life insurance policy to designate one or more persons to receive all or a portion of the proceeds of the policy to which the beneficiary is entitled, unless otherwise prohibited by law. The insurer shall honor such designation if it is in writing, signed by the beneficiary, attested by a notary public, and received by the insurer prior to paying the proceeds to the beneficiary.

Patron - Alexander

[C]SB144 Health care services billing information. Requires providers of healthcare services to give patients, upon request, statements that identify each service provided, the charge for the service, and the amount of each charge that is not reimbursed and will be billed to the patient.

Patron - Deeds

[C]SB160 Health insurance; payment for services rendered by non-participating providers. Requires that the notice sent by health insurers, health services plans, and health maintenance organizations to insureds, subscribers, and enrollees with the payment for services of a nonparticipating physician or osteopath include a statement that the nonparticipating provider has the right to recover \$250 or three times the amount of the payment, whichever is less, if the payment is not made within 30 days of receipt of the payment from the insurer.

Patron - Norment

[C]SB525 Health maintenance organizations. Allows any insurance company or health services plan that organizes and operates a health maintenance organization to also be licensed as a health maintenance organization.

Patron - Newman

Juvenile Justice

Carried Over

[C]HB548 Department of Juvenile Justice; education costs. Requires the Department of Juvenile Justice to pay the education expenses for any juvenile who is placed in a correctional residential facility and is educated by the local schools of a district other than his original district.

Patron - Saxman

Labor and Employment

Failed

[F]HB539 Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective July 1, 2006; to \$7.15 per hour effective July 1, 2007; and to \$8.15 per hour effective July 1, 2008. For subsequent years, the minimum wage will be adjusted annually on July 1 to reflect changes in the Consumer Price Index for the preceding calendar year, as determined by the Commissioner of Labor and Industry.

Patron - Callahan

[F]HB1363 Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective January 1, 2007, to \$7.15 per hour effective January 1, 2008, and to \$8.15 per hour effective January 1, 2009, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patron - Toscano

[F]SB480 Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective July 1, 2006; to \$7.15 per hour effective July 1, 2007; and to \$8.15 per hour effective July 1, 2008. For subsequent years, the minimum wage will be adjusted annually on July 1 to reflect changes in the Consumer Price Index for the preceding calendar year, as determined by the Commissioner of Labor and Industry.

Patron - Colgan

Carried Over

[C]HB566 Payment of wages and salaries; wage payments. Authorizes employers to pay wages and salaries by credit to a prepaid debit card or card account, without the employee's affirmative consent, if the employee fails to designate a financial institution to which payment could be made by electronic automated fund transfer. An employer making payment by prepaid debit card or card account shall use a financial institution with locations reasonably available to its employees and shall arrange to allow an employee at least one free withdrawal per pay period. Currently, payment via prepaid debit card or card account requires the affirmative consent of the employee, though such consent is not required if the employee has not designated a financial institution to which payment by electronic automated fund transfer could be made and the employee is employed at an amusement park.

Patron - Nixon

[C]HB943 Child labor; hour limits. Limits the number of hours a child age 16 or 17 who has not graduated from high

school or equivalent can work to 45 hours per week and 9 hours per day. Currently, there is no limit on the number of hours such children are allowed to work. The measure also codifies the rules limit on hours of work applicable to children age 14 and 15, which are 40 hours per week and 8 hours per day.

Patron - Morgan

[C]HB1048 Document verification for employment of illegal immigrants; penalty. Requires employers to obtain employment eligibility verification documentation as specified in Form I-9 indicating that a prospective employee is legally eligible for employment in the United States. Employers are required to retain such Form I-9 documentation of eligibility for employment on each of their employees for the same period they are required to keep such records under federal law. Violations involving the knowing employment of persons not legally eligible for employment in the United States, in addition to being Class 1 misdemeanors, are punishable by a fine of \$10,000. The Department of Labor and Industry is required to provide access to a computer database to assist employers in determining whether prospective employees are legally eligible for employment. An employer that hires persons not legally eligible for employment in the United States will be ineligible to participate in foreign labor certification programs for a period of three years following conviction.

Patron - Reid

[C]HB1051 Employment service centers; penalty. Prohibits public funding of employment services unless the provider of the services verifies that the persons receiving services are legally eligible for employment in the United States. The service providers are required to maintain a database that identifies each applicant for employment services and contains confirmation of the applicant's legal eligibility for employment in the United States. The measure is subject to enforcement by the Commissioner of Labor and Industry.

Patron - Reid

[C]HB1569 Contracting for the provision of foreign employment services. Prohibits any corporation, limited liability company, business trust, or partnership from contracting for the provision of foreign employment services unless the services provider delivers to the client company documentation verifying that the services provider has filed all reports and paid all federal and state taxes and maintained workers' compensation insurance required of an employer in the Commonwealth with respect to all of the services provider's employees who are aliens with an H-1B or L-1 temporary worker visa and who work at a facility owned or operated by the client company, or pursuant to an arrangement that provides that the individuals are subject to the direction and control of the client company. The client company is required to maintain records documenting that the employment services provider provided the client company with the required documentation. A violation is a Class 1 misdemeanor. Violations are also subject to a civil penalty of not more than \$10,000.

Patron - Reid

Libraries

Passed

[P]HB209 Public Records Act; electronic records. Updates the Public Records Act to include provisions relating to the management and archiving of electronic records. The bill creates new definitions for electronic records, lifecycle,

metadata, conversion, and migration, and amends the powers and duties of the Library Board to be medium-neutral and to allow the Library to issue regulations and guidelines related to the lifecycle of records, generally. The bill requires the custodians of records to convert and migrate electronic data as necessary to maintain access to these records. Finally, the bill allows the Library to conduct audits of the record keeping practices of agencies subject to the act, and to file the audit reports with the Governor and the General Assembly. The bill also includes numerous technical amendments. This bill is a recommendation of the HJR 6 study (2004).

Patron - Cox

[P]HB210 State Publications Depository Program. Amends the State Publications Depository Program to include electronic publications, and clarifies that the requirements of the Program apply to all state agencies in any branch of government. The bill allows The Library of Virginia to authorize agencies to send certain publication information to the Library, instead of the publications themselves, to facilitate the collection and dissemination of state publications in electronic form. The bill creates a new reporting requirement for The Library of Virginia to annually report to the Governor and the chairmen of the House and Senate Committees on General Laws, the House Appropriations Committee, and the Senate Finance Committee which agencies do not send The Library of Virginia the publications required under the Depository Program. The bill creates a new chapter for the Depository Program, and includes a policy statement. The bill also repeals a current provision requiring The Library of Virginia to annually compile a listing of publications printed by each state agency during the previous fiscal year, which it must currently do in addition to the statutory requirement that it annually compile a catalog of all publications currently available at each agency. This bill is a recommendation of the HJR 6 study (2004).

Patron - Cox

[P]HB382 Professional librarians; qualifications. Provides that public libraries serving a political subdivision or subdivisions having a population greater than 13,000 and libraries operated by the Commonwealth or under its authority shall not employ, in the position of librarian or in any other full-time professional librarian position, a person who does not meet the qualifications established by the State Library Board. Currently such public libraries cannot use funds derived from any state aid to employ a professional librarian who does not meet the qualifications established by the State Library Board. The bill provides that it applies to any person employed on or after July 1, 2006.

Patron - Suit

[P]SB461 Virginia Public Records Act; timely destruction of records. Provides that each agency shall ensure that records created after July 1, 2006 and authorized to be destroyed or discarded under the Virginia Public Records Act, are destroyed or discarded within six months of the expiration of the record's retention period in accordance with the provisions of the Virginia Public Records Act. The bill also provides that all records previously authorized to be destroyed must be destroyed in a timely manner.

Patron - Devolites Davis

Failed

[F]HB570 Technology protection measures; public libraries. Requires the library board or governing body of a library that receives state funding for any purpose to include in its acceptable use policy for the Internet provisions on selecting and installing on those computers that have Internet access

a technology protection measure to filter or block Internet access through such computers to child pornography as set out in § 18.2-374.1:1, obscenity as defined in § 18.2-372 and, with respect to minors, materials deemed harmful to juveniles as defined in § 18.2-390. The bill also requires the policy to include a provision for disabling the technology protection measure at the request of a patron in instances of bona fide research or other lawful purposes.

Patron - Nixon

[F]HB959 Virginia Public Records Act; timely destruction of records. Provides that each agency shall ensure that records authorized to be destroyed or discarded under the Virginia Public Records Act, are destroyed or discarded in a timely manner in accordance with the provisions of the Virginia Public Records Act.

Patron - Cox

[F]SB176 Public Library Internet Protection Fund; established; purposes. Establishes the Public Library Internet Protection Fund. The bill permits grants from the Fund to be made to reimburse free public libraries and library systems for the initial purchase and subsequent renewal of technology protection measures for computers that have access to the Internet. The bill limits the grant amount for any given fiscal year depending on the type of grant. The Fund would be administered by the Board of the Library of Virginia. This bill incorporates SB 334.

Patron - Wampler

[F]SB334 Technology; required protection measures; public libraries; exception. Requires the library board or governing body of a library that receives state funding for any purpose to include in its acceptable use policy for the Internet provisions requiring the selection, installation, and activation on those computers that have Internet access a technology protection measure, as selected by the Library of Virginia, to filter or block Internet access through such computers to child pornography as set out in § 18.2-374.1:1, obscenity as defined in § 18.2-372, and, with respect to minors, materials deemed harmful to juveniles as defined in § 18.2-390. The bill also requires the library board or governing body to actually select, install, and activate the technology protection measure. The bill provides an exception which allows a person authorized by the library to disable the technology protection measure at the request of the patron for bona fide research or other lawful purpose.

Patron - Obenshain

Carried Over

[C]HB1544 Houdon statue. Provides that the Librarian of Virginia ensure the care of molds, patterns, or other means of three-dimensional replications of Houdon's statue of Washington; establishes a procedure for authorizing future uses of molds, patterns, and other means of three-dimensional replications of the statue with royalties payable to the Virginia Capitol Preservation Foundation; and makes unauthorized uses subject to the penalties for damaging library property under § 42.1-72.

Patron - Howell, W.J.

Military and Emergency Laws

Passed

[P]HB33 Military laws; leaves of absence for employees of the Commonwealth. Provides that whenever an employee returns from federally funded military duty and the required eight-hour rest period overlaps such employee's scheduled work shift, the employee must receive paid military leave to the extent of the overlap.

Patron - Tata

[P]HB628 Virginia Military Family Relief Fund; contribution of tax refund; report. Establishes the Virginia Military Family Relief Fund, a special nonreverting fund to assist Virginia members of the armed services who have been called to active duty and to assist their families with living expenses. The Fund will be administered by the Office of The Adjutant General. The Adjutant General will report annually to the Governor and the chairmen of the House Appropriations and Senate Finance Committees. The bill also includes the Fund on the list of entities eligible to appear on the Virginia tax return for voluntary tax refund contributions.

Patron - Johnson

[P]HB922 Officers of militia; Fishburne Military School. Adds the officers of the Fishburne Military School in Waynesboro, Virginia, to the list of those officers recognized as commissioned officers of the unorganized Virginia militia.

Patron - Landes

[P]HB1170 Local emergency management; emergency coordinators. Requires each locality to maintain an agency of emergency management and to appoint a coordinator of emergency management. Currently, the authority to establish such an agency and appoint a coordinator is discretionary.

Patron - Rapp

[P]HB1180 Powers of Governor during emergency; public safety employee hardship. Allows the Governor, in his discretion, to provide up to \$2,500 per month for up to three months to a public safety employee responding to a natural or man-made disaster who has suffered an extreme personal or family hardship in the affected area. This bill incorporates HB 1402.

Patron - Carrico

[P]HB1265 Emergency services and disasters; constitutional rights. Provides that nothing in Chapter 3.2 of Title 44 relating to emergency services and disaster laws should be interpreted as allowing the Governor or any other governmental authority to limit the right to keep and bear arms pursuant to the Constitutions of Virginia and of the United States. These rights include the lawful possession, sale, and transfer of firearms. These rights are not extended to places designated as emergency shelters. This bill incorporates HB 1024.

Patron - Janis

Failed

[F]HB256 Pay of National Guard; active state duty. Requires that officers and enlisted members of the National Guard receive the same pay when called into active state or federal duty.

Patron - Cosgrove

[F]HB257 Virginia National Guard; retirement payments. Provides that any member of the Virginia National Guard who retires from the Virginia National Guard after serving at least 10 consecutive years in the Virginia National Guard immediately preceding retirement, and who has at least 20 years of creditable service with the United States Armed Forces, including National Guard service, reserve service, or active duty service, shall receive \$100 per month for the same number of years that the member was in service in the Virginia National Guard.

Patron - Cosgrove

[F]HB639 Local emergency directors and coordinators; emergency response training. Requires local emergency directors and coordinators to be certified in emergency management, pursuant to guidelines and standards promulgated by the Department of Emergency Management.

Patron - Phillips

[F]HB1024 Emergency services and disasters; constitutional rights. Provides that nothing in Chapter 3.2 of Title 44 relating to emergency services and disaster laws should be interpreted as allowing the Governor or any other governmental authority to limit the right to keep and bear arms pursuant to the Constitutions of Virginia and of the United States. This bill was incorporated into HB 1265.

Patron - Hurt

[F]HB1271 Adjutant General; qualifications. Eliminates the requirement that the Adjutant General be required to have at least ten years' commissioned service in the Virginia National Guard in at least field grade in order to be eligible for the position.

Patron - Janis

[F]HB1402 Powers of Governor during emergency; public safety employee hardship. Allows the Governor, in his discretion, to provide up to \$2,500 per month for up to three months to a public safety employee responding to a natural or man-made disaster who has suffered an extreme personal or family hardship in the affected area. This bill was incorporated into HB 1180.

Patron - Sickles

Carried Over

[C]HB1348 Virginia Search and Rescue Training and Response Program. Creates the Virginia Search and Rescue Training and Response Program within the Department of Emergency Management to coordinate search and rescue training and response in the Commonwealth.

Patron - Bell

[C]SB377 Reservists called to active duty; health insurance. Requires the Commonwealth and political subdivisions of the Commonwealth to continue to provide health insurance benefits to any employee who is a reservist or member of the National Guard and is called to active duty, as well as to any dependents covered under the employee's health insurance plan prior to the employee's being called to duty. In addition, if such employee is killed while on active duty, the employee's dependents shall be allowed to continue the health insurance benefits for a period of 12 months after the employee's death.

Patron - McDougale

Mines and Mining

Passed

[P]HB680 Biofuels Production Fund and Grant Incentive Program; established. Establishes the Biofuels Production Fund (the Fund) and the Biofuels Production Grant Incentive Program (the Program) to administer the Fund. The Program offers grants to producers of neat biofuels, which are defined as either biodiesel fuels or ethanol fuels that are not mixed with traditional fuels such as gasoline or diesel fuel. To be eligible for a grant the producer must produce in excess of 10 million gallons of neat biofuels within the Commonwealth in a calendar year using feedstock originating domestically within the United States. The producer must commence eligible sales on or after January 1, 2007, and pre-existing producers are only eligible if their production increases over prior calendar year levels by at least 10 million gallons of neat biofuels. Producers that qualify for a grant under the program may be granted \$0.10 per gallon for neat biofuels produced in the given calendar year. If moneys in the fund are not sufficient to pay all qualified applicants, disbursements from the Fund shall be made on a pro-rata basis. The Program and Fund would expire on December 31, 2016. The payment of grants is subject to an appropriation to the fund.

Patron - Wittman

[P]HB1443 Wireless communication in underground coal mines. Requires that the emergency response plan prepared by operators of underground coal mines include a mine emergency communication plan. The bill authorizes the Chief of the Division of Mines to require periodic updates of the emergency response plan. The bill also specifies that anyone going underground shall have available an adequate supply of self-rescue devices. The Department of Mines, Minerals and Energy is directed to assess the effectiveness of wireless communication and mine locator systems and report its findings and recommendations to the committees of oversight. The bill contains an emergency clause.

Patron - Phillips

[P]SB513 Pooling of interests in drilling units, conflicting claims. Requires the designated operator of a drilling operation operating under a pooling order to file with the Virginia Gas and Oil Board a petition for disbursement of escrowed funds upon the discovery of the identity and location of any unknown owner, provided that the owner's claim is not contested. The petition for disbursement shall be placed on the first available Board docket. Funds shall be disbursed within 30 days after the Board's decision and receipt by the Department of all documentation is required by the Board.

Patron - Puckett

Failed

[F]HB1423 Biofuels Production Fund and Grant Incentive Program; established. Establishes the Biofuels Production Fund (the Fund) and the Biofuels Production Grant Incentive Program (the Program) to administer the Fund. The Program offers grants to producers of neat biofuels, which are defined as either biodiesel fuels or ethanol fuels that are not mixed with traditional fuels such as gasoline or diesel fuel. To be eligible for a grant the producer must produce in excess of 10 million gallons of neat biofuels within the Commonwealth in a calendar year using feedstock originating domestically within the United States. Producers that qualify for a grant under the program may be granted \$0.20 per gallon of neat bio-

fuel produced in the given calendar year at a 50 percent cost share of up to 80 million gallons. Therefore a producer meeting the maximum production limit under the program of 80 million gallons would be eligible for an \$8,000,000 grant. The Program and Fund would expire on December 31, 2016. This bill was incorporated into HB 680.

Patron - Barlow

Motor Vehicles

Passed

HB22 Vehicle safety inspection fees. Increases the maximum fee allowed for vehicle safety inspection by \$1, \$.50 of which is to be transmitted to the Department of State Police to support the Department's costs in administering the motor vehicle safety inspection program. The bill also requires written notice by the Superintendent of State Police prior to his revocation of the designation of any safety inspection station.

Patron - Abbitt

HB90 Driver's licenses; extension of expiration. Provides for extension of the validity of driver's licenses for persons serving outside Virginia in the armed forces and the diplomatic service and affords the same extensions for spouses and dependents accompanying them.

Patron - Brink

HB106 Red or red and white warning lights on certain vehicles. Allows security vehicles of NASA's Wallops Flight Facility to be equipped with red or red and white warning lights.

Patron - Lewis

HB111 Local restrictions on operations of certain all-terrain vehicles. Allows the local governing body of any county, city, or town in the Northern Virginia Planning District by ordinance to prohibit operation of any all-terrain vehicle not being used for agriculture or silviculture production on a highway or on public or private property within 500 feet of any residential district.

Patron - Albo

HB175 Overweight farm vehicles. Provides that vehicles that are registered as farm-use vehicles as provided in § 46.2-698 may operate at the extended weights authorized in § 46.2-1129 without the application for or receipt of a permit or payment of any fee therefor.

Patron - Lewis

HB250 Temporary registration of vehicles. Replaces temporary "certificates of ownership," issued by dealers, with "temporary registrations." Provision is also made for use of electronic records in connection with temporary registrations.

Patron - Cosgrove

HB259 Motor vehicle dealers' transaction fees. Allows motor vehicle dealers to carry out up to 20 "manual transactions" per month with DMV without having to pay an increased fee.

Patron - Abbitt

HB366 Mopeds, motorized scooters and skateboards. Allows localities to adopt ordinances regulating noise from mopeds and motorized scooters and skateboards. The bill also revises the definitions of "electric power-assisted bicycle,"

"moped," and "motorcycle," and defines "motorized skateboard or scooter" and "motor-driven cycle" and limits where motorized skateboards and scooters and motor-driven cycles may lawfully be operated.

Patron - Carrico

HB496 Definition of "highway." Expands the definition of "highway" in § 46.2-100 to include the entire width between the boundary lines of every way or place used for purposes of vehicular travel on any property owned, leased, or controlled by the United States government and located in the Commonwealth.

Patron - Frederick

HB646 Fees charged for release of information by the Department of Motor Vehicles (DMV). Provides that information provided by DMV on the request of any federal, state, or local governmental entity or their authorized agents, the DMV Commissioner will provide driver and vehicle record abstracts at a fee that is one-half the normal charge for an abstract. The bill further provides that on the request of any federal, state, or local law-enforcement officer, attorney for the Commonwealth, an official of any federal or state court, or authorized agent of any of the foregoing, the DMV Commissioner will supply this same information free of charge. Such information, if supplied to various non-profit and charitable entities, will be provided free of charge.

Patron - Scott, E.T.

HB650 Maximum speed limit for school buses. Allows for maximum speed limits for school buses of 45 mph on highways with posted speed limits of 55 mph or less and 55 mph on highways with posted speed limits greater than 55 mph.

Patron - Scott, E.T.

HB670 Local vehicle license fees, etc. Requires the DMV Commissioner to develop and implement standardized procedures and fees whereby the Commissioner, when so requested in writing by the treasurer or director of finance of any county, city, or town, will refuse to issue or renew any vehicle registration of persons who owe the locality any local vehicle license fees or delinquent tangible personal property tax or parking fines. This bill becomes effective January 1, 2007.

Patron - Wardrup

HB793 Issuance of temporary license plates to dealers by DMV. Allows DMV to develop a "print-on-demand" alternative to the existing temporary license plate system.

Patron - Abbitt

HB816 Recording devices in motor vehicles; ownership of recorded data; insurance policies; disclosure. Defines the vehicle owner as the owner of any data recorded on a recording device installed in a motor vehicle. Recorded data may only be accessed with the vehicle owner's consent, except under the following circumstances: (i) the vehicle owner contracts with a third party subscription service that requires access to the recorded data; (ii) a licensed new motor vehicle dealer or a technician or mechanic at a motor vehicle repair or servicing facility requires access to carry out normal and ordinary diagnostics, servicing, or repair duties; (iii) the recorded data is accessed by an emergency response provider in performing his duties; (iv) upon authority of a court of competent jurisdiction; or (v) the recorded data is accessed by law enforcement in the course of an investigation where there is probable cause to believe the recording device contains evidence relating to a violation of the laws of the Commonwealth

of the United States and such access is otherwise constitutionally permissible. The bill prohibits insurance companies from refusing to renew a motor vehicle insurance policy solely because the motor vehicle owner refuses to provide access to recorded data from a recording device. The bill also prohibits insurance companies from certain other actions affecting rates and coverage if a motor vehicle owner refuses to allow the insurer access to recorded data. All automobile manufacturers must disclose the presence of factory-installed recording devices in the owner's manual for all model year 2008 and later automobiles sold or leased in the Commonwealth. This bill is identical to SB 90.

Patron - May

HB823 Maximum speed limit signs. Authorizes maximum speed limit signs to be placed in certain residence districts in towns without the approval of the county in which the town is located.

Patron - May

HB827 License plates. Prohibits use of any bracket, holder, mounting, or frame that obscures the alpha-numeric license number, the name or abbreviated name of the state in which the vehicle is registered, or any decal, stamp, or other device indicating the month or year in which the vehicle's registration expires.

Patron - May

HB833 "United We Stand" special license plates. Eliminates the revenue-sharing component of the statute authorizing the issuance of "United We Stand" special license plates. The bill also authorizes issuance of special license plates honoring Robert E. Lee, bearing the legend "I VOTED," and for supporters of childhood cancer awareness, immediate family members of persons who have died in military service to their country and supporters of youth soccer.

Patron - Welch

HB834 Special license plates generally. Removes the option of receipt of an administrative fee of \$3,500 for development of license plates. The bill also reduces the number of days in which the 350 pre-paid applications must be received by the Commissioner from 180 to 30 days.

Patron - Welch

HB917 Fog lights. Provides that not more than two fog lights may be illuminated at any time.

Patron - Oder

HB927 Special license plates; expired authorizations. Repeals authorizations for issuance of special license plates for which the required minimum number of prepaid orders was never received, the plates affected being those for retired members of the U.S. Air Force, recipients of the National Defense Services Medal, members of the Virginia State Defense Force, members and former members of the U.S. Naval Construction Force (Seabees), members of the Virginia Division of the United Daughters of the Confederacy, supporters of the Rocky Mountain Elk Foundation, supporters of St. Jude Children's Research Hospital, members and supporters of the YMCAs of Virginia, supporters of the National D-Day Memorial Foundation, commemoration of the 30th anniversary of Secretariat's winning of horse racing's Triple Crown, children with special needs, members and supporters of the Junior League, Master Gardeners, supporters of education in the public schools of Virginia, supporters of the Salem Avalanche baseball team, members and supporters of the Mustang Club of America, 100th anniversary of the City of Galax, law-enforce-

ment chaplains, Virginia quilters, and graduates and supporters of the U.S. Merchant Marine Academy.

Patron - Landes

HB948 Disposal of abandoned vehicles. Clarifies that localities are eligible for reimbursement from the Commissioner of the Department of Motor Vehicles for the removal of inoperable abandoned motor vehicles left on property, either public or private.

Patron - Morgan

HB967 Motor vehicle dealers; salesperson. Amends the definition of "salesperson" to include any person who expects to receive a commission, fee, or any other consideration from the dealer; supervises salespersons; or negotiates with or induces a customer to enter into a security agreement. This bill also provides that any person who is an independent contractor shall not be deemed to be a salesperson and prohibits any person acting in the capacity of a salesperson, but not licensed, to be compensated in any form by a motor vehicle dealer.

Patron - Ebbin

HB1000 Failure to pay toll; penalties. Provides that the same persons who may use the Chesapeake Bay Bridge-Tunnel and toll facilities of the Richmond Metropolitan Authority without having to pay a toll may also use toll facilities operated pursuant to the Public-Private Transportation Act of 1995 toll-free. The bill also provides that if a driver fails to pay a required toll and the matter proceeds to court, he will be liable, in addition to the amount of the unpaid toll and administrative fees of the toll facility operator, for a civil penalty of \$50 for a first offense, \$100 for a second offense, \$250 for a third offense, and \$500 for a fourth or subsequent offense. The bill also provides for nonissuance and nonrenewal of vehicle registrations of persons who fail to pay tolls until all tolls, fees, and penalties have been paid. Several technical changes are also made in the manner in which offenders are to be identified and prosecuted.

Patron - Rust

HB1005 Offenses relating to registration and certificates of title; penalty. Raises the penalty, from a traffic infraction to a Class 1 misdemeanor, for using a false name or address in any application for the registration of any vehicle, for a certificate of title, or for any renewal or duplicate certificate, or knowingly making a false statement of material fact or concealing a material fact or committing a fraud in any registration application. Additionally, the bill raises the penalty for knowingly displaying any fictitious registration card, certificate of title, or license plate or decal, or for knowingly displaying any registration card, certificate of title, or license plate or decal which has been cancelled, revoked, suspended or altered, or that is currently issued for another vehicle, to a Class 2 misdemeanor. Finally, the bill also raises the penalty for failing to surrender, on demand, any certificate of title, registration card, or license plate or decal which has been suspended, cancelled, or revoked, to a Class 2 misdemeanor.

Patron - Hurt

HB1006 Notice to counties, cities, and towns whenever title to modular home or mobile home is surrendered. Requires DMV to make a record of every instance in which the title to a modular home, mobile home, or any other vehicle titled as a trailer is surrendered because it has been placed on a foundation and has ceased to be a vehicle required to be titled, and requires DMV to share this data with local governments.

Patron - Hurt

HB1034 Motor vehicle dealers; warranty obligations. Clarifies that damage that occurs to a new motor vehicle following delivery is not exempted from the provisions of the statute.

Patron - Hurt

HB1047 Traffic lights. Allows police to use wireless telecommunications devices in enforcement of traffic light signals.

Patron - Reid

HB1068 Operational requirements for contract passenger carriers. Allows contract passenger carriers to use wireless text dispatching devices in addition to trip sheets and contract orders to identify passengers who have arranged for use of the motor vehicle.

Patron - Hall

HB1119 Designation of private roads as highways for law-enforcement purposes; Warren County. Authorizes Warren County to adopt ordinances designating the private roads, within any residential development containing 50 or more lots, as highways for law-enforcement purposes.

Patron - Athey

HB1163 Unlawful sale of driver's licenses. Makes it a Class 1 misdemeanor for any person or entity other than the Department of Motor Vehicles to sell, give, or distribute, or attempt to sell, give, or distribute any document purporting to be a driver's license.

Patron - Eisenberg

HB1179 Special speed limitations on interstate highways. Allows the Commonwealth Transportation Commissioner, upon request or on his own initiative, to conduct an investigation of any interstate highway and, on the basis of his findings, set the maximum speed.

Patron - Carrico

HB1218 Arrest for traffic misdemeanor. Clarifies language in the motor vehicle code by requiring a magistrate to proceed with a probable cause determination under § 19.2-82 when an arrestee is brought before him following a traffic misdemeanor. Currently, an officer may release a suspected traffic misdemeanant on a summons unless the person refuses to appear, is likely not to appear, or is suspected of committing a felony. Current vehicle code language is not expansive enough to cover those scenarios when the suspect is arrested and taken before a magistrate.

Patron - Moran

HB1249 Household goods carriers. Allows household goods carriers to offer binding estimates and adds bank wire transfer and accepted credit card to the list of payment methods customers may use and household goods carriers must accept to relinquish possession of a customer's goods. Allows household goods carriers to offer rates lower than those specified in tariffs on file with the Department of Motor Vehicles and requires charges to be stated in dollars and cents rather than cents or dollars and cents per 100 pounds.

Patron - Hugo

HB1258 Tow trucks; towing and recovery operators; local-option regulations; regulation by Board for Towing and Recovery Operators; civil penalty. Allows a mechanic's lien for "towing, storage, and recovery" in addition to the present "keeping, supporting, and care"; increases the present three-day limit for garage keepers to obtain vehicle data from the Division of Motor Vehicles and provides written

notice to the owner of the stored vehicle to a seven-day limit; raises the so-called "junk car" threshold from the present \$5,000 to \$7,500; and increases from \$25 per day to \$50 per day the amount owed for storage if a vehicle is towed, unclaimed, and sold.

The bill also revises the procedures by which towing and storage companies may seek to recover their fees and charges for towing away and storing immobilized and abandoned vehicles.

In addition, it provides that local towing regulations can be no less restrictive than those imposed by the new Board for Towing and Recovery Operators. The measure also expands localities' ability to regulate "trespass tows" by ordinance and provides that, in the event a vehicle is towed from one locality to be stored in another, the ordinances of the locality from which the vehicle was towed shall apply.

The bill also provides for the so-called "secondary tow." When a vehicle is towed as the result of a police-towing request, the owner of the towing and recovery business, upon presentation of a written request from the owner of the vehicle and payment in full for all towing, recovery, and storage charges, shall release the vehicle for the purpose of inspecting or towing the vehicle to another location for repair, storage, or disposal. As for payment, all towing and recovery businesses shall accept cash, insurance company check, certified check, money order, at least one of two commonly used, nationally recognized credit cards, or any additional methods of payment approved by the Board.

The bill also requires that signs used to provide notice that a trespassing vehicle will be towed include at least the nonemergency telephone number of the local law-enforcement agency or the telephone number of the towing and recovery business authorized to perform the tows. The bill also prohibits local requirements that towing and recovery businesses provide service as repair facilities, body shops, or filling stations. Under this measure, localities would be authorized by ordinance to require photographic evidence to justify "trespass tows," posting of signs providing notice of where towed vehicles may be reclaimed and the name and telephone number of the local consumer affairs office, and obtaining the so-called "second signature" from the property owner agent prior to tows. The bill additionally prohibits certain relationships between towing and recovery businesses and the agents of property owners from whose property trespassing vehicles are towed. The maximum allowable hookup and initial towing fee for trespass tows of passenger cars would be increased from \$85 to \$125, unless local ordinance sets a different limit, and the amount of additional fees for late night, weekend, and holiday tows would be raised from \$10 to \$25 not to exceed \$50. The bill allows local governments, by ordinance, to (i) prohibit storage charges for periods of time when owners cannot reclaim their vehicles because the towing and recovery business is closed and (ii) place caps on the charges that these businesses may impose and requires that any such limits be subject to "periodic and timely" adjustments. Local towing and advisory boards would be required to consist of an equal number of representatives of local law-enforcement agencies and representatives of towing and recovery operators, plus one "civilian" and would have to meet at least once per year at the call of the chairman, who is to be chosen annually by a majority vote of the board.

Finally the bill establishes a new Board for Towing and Recovery Operators to license and regulate the towing and recovery industry and tow truck drivers. This bill is identical to SB 134.

Patron - Hugo

HB1284 Display of local decal. Clarifies that a locality may eliminate the local decal without violating state statute.

Patron - Johnson

HB1304 Federal Unified Carrier Registration Act of 2005. Makes technical changes in Virginia law necessary to comply with the provisions of the federal Unified Carrier Registration Act of 2005.

Patron - Marshall, D.W.

HB1312 Laser speed determination devices. Eliminates the requirement that law-enforcement officers permit motorists to observe the reading on the device.

Patron - Gilbert

HB1407 Certain fees charged by the Commissioner. Increases the fees charged by the Commissioner from \$25 to \$125 for examination, verification, or identification of the serial or identification number of any vehicle, motor vehicle, trailer, or semitrailer. Also increases fee from no more than \$25 to \$125 for the examination of repaired and rebuilt vehicles. Fees collected shall be paid into a special fund used to meet the expenses of the vehicle identification number and salvage vehicle inspection programs.

Patron - Cosgrove

HB1430 Vehicle lengths; exemption. Provides an exemption from the vehicle length limit for tractor-semitrailer combinations where the length of the semitrailer does not exceed 53 feet. Allows the Commonwealth Transportation Commissioner to restrict the operations of such tractor-semitrailer combinations from certain roads based on a safety and engineering analysis.

Patron - Marshall, D.W.

HB1546 Reckless driving. Defines reckless driving as (i) driving a motor vehicle at a speed of 20 miles per hour or more in excess of the maximum speed limit or (ii) driving in excess of 80 miles per hour regardless of the maximum speed limit.

Patron - Rapp

SB8 Offenses relating to registration, licensing, and certificates of title; penalties. This bill raises the penalty for using a false name or address in any application for the registration of any vehicle, for a certificate of title, or for any renewal or duplicate certificate, or knowingly making a false statement of material fact or concealing a material fact or committing a fraud in any registration application from a traffic infraction to a Class 1 misdemeanor.

Patron - Reynolds

SB53 Speed limit on I-85. Increases the maximum speed limit on Interstate Route 85 to 70 miles per hour.

Patron - Ruff

SB89 Recording devices in motor vehicles; notification required. Requires manufacturers of new motor vehicles equipped with a recording device and sold or leased in the Commonwealth to disclose that fact in the owner's manual for that vehicle.

Patron - Watkins

SB90 Recording devices in motor vehicles; ownership of recorded data; insurance policies; disclosure. Defines the vehicle owner as the owner of any data recorded on a recording device installed in a motor vehicle. Recorded data may only be accessed with the vehicle owner's consent, except under the following circumstances: (i) the vehicle owner contracts with a third party subscription service that requires access to the recorded data; (ii) a licensed new motor vehicle dealer or a technician or mechanic at a motor vehicle repair or servicing facility requires access to carry out normal and ordi-

nary diagnostics, servicing, or repair duties; (iii) the recorded data is accessed by an emergency response provider in performing his duties; (iv) upon authority of a court of competent jurisdiction; or (v) the recorded data is accessed by law enforcement in the course of an investigation where there is probable cause to believe the recording device contains evidence relating to a violation of the laws of the Commonwealth of the United States and such access is otherwise constitutionally permissible. The bill prohibits insurance companies from refusing to renew a motor vehicle insurance policy solely because the motor vehicle owner refuses to provide access to recorded data from a recording device. The bill also prohibits insurance companies from several other actions affecting rates and coverage if a motor vehicle owner refuses to allow the insurer access to recorded data. All automobile manufacturers must disclose the presence of factory-installed recording devices in the owner's manual for all model year 2008 and later automobiles sold or leased in the Commonwealth. This bill is identical to HB 816.

Patron - Watkins

SB134 Tow trucks; towing and recovery operators; local-option regulations; regulation by Board for Towing and Recovery Operators; civil penalty. Allows a mechanic's lien for "towing, storage, and recovery" in addition to the present "keeping, supporting, and care"; increases the present three-day limit for garage keepers to obtain vehicle data from the Division of Motor Vehicles and provides written notice to the owner of the stored vehicle to a seven-day limit; raises the so-called "junk car" threshold from the present \$5,000 to \$7,500; and increases from \$25 per day to \$50 per day the amount owed for storage if a vehicle is towed, unclaimed, and sold.

The bill also revises the procedures by which towing and storage companies may seek to recover their fees and charges for towing away and storing immobilized and abandoned vehicles. In addition, it provides that local towing regulations can be no less restrictive than those imposed by the new Board for Towing and Recovery Operators. The measure also expands localities' ability to regulate "trespass tows" by ordinance and provides that, in the event a vehicle is towed from one locality to be stored in another, the ordinances of the locality from which the vehicle was towed shall apply.

The bill also provides for the so-called "secondary tow." When a vehicle is towed as the result of a police-towing request, the owner of the towing and recovery business, upon presentation of a written request from the owner of the vehicle and payment in full for all towing, recovery, and storage charges, shall release the vehicle for the purpose of inspecting or towing the vehicle to another location for repair, storage, or disposal. As for payment, all towing and recovery businesses shall accept cash, insurance company check, certified check, money order, at least one of two commonly used, nationally recognized credit cards, or any additional methods of payment approved by the Board.

The bill also requires that signs used to provide notice that a trespassing vehicle will be towed include at least the nonemergency telephone number of the local law-enforcement agency or the telephone number of the towing and recovery business authorized to perform the tows. The bill also prohibits local requirements that towing and recovery businesses provide service as repair facilities, body shops, or filling stations. Under this measure, localities would be authorized by ordinance to require photographic evidence to justify "trespass tows," posting of signs providing notice of where towed vehicles may be reclaimed and the name and telephone number of the local consumer affairs office, and obtaining the so-called "second signature" from the property owner agent prior to tows. The bill additionally prohibits certain relationships between towing and recovery businesses and the agents of property owners from

whose property trespassing vehicles are towed. The maximum allowable hookup and initial towing fee for trespass tows of passenger cars would be increased from \$85 to \$125, unless local ordinance sets a different limit, and the amount of additional fees for late night, weekend, and holiday tows would be raised from \$10 to \$25 not to exceed \$50. The bill allows local governments, by ordinance, to (i) prohibit storage charges for periods of time when owners cannot reclaim their vehicles because the towing and recovery business is closed and (ii) place caps on the charges that these businesses may impose and requires that any such limits be subject to "periodic and timely" adjustments. Local towing and advisory boards would be required to consist of an equal number of representatives of local law-enforcement agencies and representatives of towing and recovery operators, plus one "civilian" and would have to meet at least once per year at the call of the chairman, who is to be chosen annually by a majority vote of the board.

Finally the bill establishes a new Board for Towing and Recovery Operators to license and regulate the towing and recovery industry and tow truck drivers. This bill is identical to HB 1258.

Patron - O'Brien

[P]SB152 Motor vehicle dealers; warranty obligations. Clarifies that damage that occurs to a new motor vehicle following delivery is not exempted from the provisions of the statute.

Patron - Norment

[P]SB191 All-terrain vehicles and off-road motorcycles. Requires non-dealer owners of all-terrain vehicles and off-road motorcycles powered by gasoline or diesel engines displacing more than 50 cubic centimeters and purchased as new on or after July 1, 2006, to title their vehicles with DMV.

Patron - Williams

[P]SB194 Temporary registration of vehicles. Replaces temporary "certificates of ownership," issued by dealers, with "temporary registrations." Provision is also made for use of electronic records in connection with temporary registrations.

Patron - Williams

[P]SB282 Golf carts on public highways. Allows the Town of Saxs to operate golf carts on public highways within its boundaries.

Patron - Rerras

[P]SB303 Vehicle licensing fees. Allows motor vehicle renting companies to charge a "vehicle licensing fee," provided such fee is disclosed in the company's vehicle rental agreements.

Patron - Williams

[P]SB305 Vehicle classifications and endorsements; school buses. Requires certain school bus operators to obtain a school bus endorsement.

Patron - Williams

[P]SB306 Motor vehicle dealers; bond requirements. Increases the required bond that motor vehicle dealers must carry for their first three years of operation from \$25,000 to \$50,000.

Patron - Williams

[P]SB312 Emissions inspection program; exemption. Exempts vehicles four years old or less from the emissions inspection program.

Patron - Cuccinelli

[P]SB378 Drive off from retail motor fuel establishment; court costs. Requires the payment of court costs for driving off and not paying for gasoline at a retail gas station. The penalty for violation is a civil penalty. Prosecution for larceny is not precluded. This is a recommendation of the Committee on District Courts.

Patron - McDougale

[P]SB518 Special license plates; Virginia Defense Force. Reauthorizes issuance of special license plates for members of the Virginia State Defense Force.

Patron - Puckett

[P]SB523 Vehicle lengths; exemption. Provides an exemption from the vehicle length limit for tractor-semitrailer combinations where the length of the semitrailer does not exceed 53 feet. Allows the Commonwealth Transportation Commissioner to restrict the operations of such tractor-semitrailer combinations from certain roads based on a safety and engineering analysis.

Patron - Newman

[P]SB617 Special license plates; fees. Authorizes issuance of special license plates for supporters of childhood cancer awareness, the United Service Organizations (USO), the National D-Day Memorial Foundation, United States troops, the National Multiple Sclerosis Society, the Boy Scouts of America, and youth soccer. The bill also authorizes issuance of special license plates for immediate family members of persons who have died in military service to their country, persons who are veterans of U.S. military operations in Afghanistan and Iraq, and 9-1-1 communications professionals. Finally, the bill authorizes issuance of special license plates honoring Robert E. Lee and special license plates bearing the legend "I VOTED."

Patron - Mims

[P]SB712 Mopeds, motorized scooters and skateboards, and motor-driven cycles. Regulates the operation of "motorized skateboards and scooters," bans over-the-road operation of "motor-driven cycles," and differentiates these vehicles from motorcycles and mopeds.

Patron - Marsh

Failed

[F]HB18 Safety inspections; exemption for certain trucks and vehicle combinations. Exempts from the requirement for annual state vehicle safety inspections vehicles that have gross registered weights or gross combination weight ratings of 10,001 pounds or more, provided such vehicles display valid federal certificates of inspection.

Patron - Lingamfelter

[F]HB23 Use of dealer's license plates. Allows dealer's license plates to be used on vehicles delivering or transporting other vehicles or parts of other vehicles. This bill also prohibits dealer license plates from being rented or leased to transport vehicles or portions of vehicles.

Patron - Abbitt

[F]HB26 Optional lights on motorcycles. Allows motorcycles to be equipped with low-voltage, low-intensity, steady-burning lights no larger than one-half inch in diameter, provided they are not red or blue.

Patron - Bryant

[F]HB98 Motor vehicle accident investigations. Provides that a law-enforcement officer who, in the course of duty,

investigates a motor vehicle accident shall have the authority to go upon and remain upon private property without permission of the property owner for as long as is reasonably necessary to conduct the accident investigation and, if removal of a vehicle is requested by the driver of the vehicle or the owner of the property, to provide for removal of any vehicles involved in the accident.

Patron - Cosgrove

HB109 Photo-monitoring systems to enforce traffic light signals. Allows the Counties of Arlington and Fairfax, the Cities of Alexandria, Fairfax, Falls Church, and Virginia Beach, and the Town of Vienna to establish photo-monitoring systems to enforce traffic light signals, subject to specific requirements and procedures set forth in the bill.

Patron - Purkey

HB116 Nonrepairable vehicles. Amends the definition of "nonrepairable vehicle" by providing that it is unrepairable unless the owner can repair the vehicle for less than 90 percent of the vehicle's actual cash value prior to damage.

Patron - Albo

HB136 Special license plates; Fraternal Order of Police. Authorizes the issuance of special license plates for members of the Fraternal Order of Police.

Patron - Cosgrove

HB158 Passing stopped school bus; civil penalty. Increases civil penalty for improperly passing a stopped school bus from \$250 to \$500.

Patron - Ward

HB171 Disabled parking. Eliminates the ability of localities to "opt out" of the law allowing vehicles displaying disabled parking indicia to park free for up to four hours in time-restricted or metered spaces.

Patron - Lingamfelter

HB182 Reckless driving; exceeding the speed limit. Makes it reckless driving when driving at a speed of 20 miles per hour or more in excess of the applicable maximum speed limit but maintains the "in excess of 80 miles per hour" cap, and removes the "60 miles per hour or more" requirement where the speed limit is 35 miles per hour. This bill was incorporated into HB 1546.

Patron - McEachin

HB204 Television receivers in motor vehicles. Provides that the prohibition on television receivers in motor vehicles does not extend to multifunctional devices that can display global positioning and other navigational information or information about the vehicle and its operation and can also be used to display motion pictures or similar video displays when the vehicle's gear shift is in the neutral or park position.

Patron - Marshall, R.G.

HB213 Operation of entertainment equipment. Provides that any driver or passenger shall not operate any radio, CD or tape player, or similar entertainment equipment in such a manner as to (i) impair the ability of the vehicle operator to hear sirens, bells, horns or similar warning devices; or (ii) distract other operators in the vicinity from safe and proper operation of their vehicles. This bill does not apply to lawfully organized or licensed events.

Patron - Tata

HB251 Driver's licenses issued to persons convicted of driving under the influence. Prohibits the Department of Motor Vehicles from issuing or reinstating the driver's

license of a person who has been convicted of driving under the influence or a related offense unless the person provides proof that he has in effect a motor vehicle liability insurance policy with limits of \$100,000.

Patron - Cosgrove

HB263 Uninsured motor vehicle fee. Increases the fee paid to the Commissioner of the Department of Motor Vehicles for an uninsured motor vehicle from \$500 to \$750.

Patron - Hargrove

HB287 Examination of applicants for driver's licenses. Requires that all examinations of applicants for driver's licenses be conducted exclusively in the English language. Use of interpreters in connection with driver's license examinations is prohibited.

Patron - Marshall, D.W.

HB304 Charges for information supplied by the Department of Motor Vehicles. Adds all facilities created pursuant to the Virginia Highway Corporation Act of 1988 to the list of entities that may not be charged a fee to obtain information for official use from the Department of Motor Vehicles.

Patron - Rust

HB314 Assessment of fees by Department of Motor Vehicles (DMV) on certain drivers; use of fees collected. Requires the DMV Commissioner to impose and collect fees on drivers who have accumulated more than four net driver merit points or have been convicted of reckless driving, aggressive driving, driving on a suspended or revoked license, DUI, or any other misdemeanor involving operation of a motor vehicle. Annually, minus the cost of collection, the funds shall be deposited into the state treasury and credited to the county, city, or town where the assessed person resides according to his address on record with the Department and, in consultation with the Commonwealth Transportation Board and the General Assembly, shall be used to pay for residential and secondary road improvements. This bill was incorporated into HB 527.

Patron - Albo

HB344 All-terrain vehicles and off-road motorcycles. Requires that every owner (other than a dealer) of any all-terrain vehicle or off-road motorcycle powered by a gasoline or diesel engine of more than 50 cubic centimeters displacement that is purchased as new on or after July 1, 2006, must obtain a title to the vehicle from the Department of Motor Vehicles (DMV). On and after January 1, 2009, in order to purchase or otherwise acquire an all-terrain vehicle or off-road motorcycle, the purchaser must obtain a certificate of title from DMV. The bill provides that, for purposes of motorcycle dealers, all-terrain vehicles and off-road motorcycles will be considered motorcycles. The bill also allows children under 12 years of age to operate all-terrain vehicles and off-road motorcycles powered by engines of no more than 50 cubic centimeters displacement. Three sections of the tax code are also amended so as to avoid tax consequences flowing from titling of these vehicles. Nothing in the bill requires all-terrain vehicles or off-road motorcycles to be registered or licensed.

Patron - Sherwood

HB357 Driver's license reinstatement fees. Increases the additional fee for reinstatement of a suspended or revoked driver's license from \$40 to \$80. This additional fee is to be paid to the Trauma Center Fund.

Patron - Hamilton

HB363 Overweight vehicles. Authorizes specialized mobile equipment with permits issued under § 46.2-1149.4 to operate on interstate highways.

Patron - Carrico

HB367 Contents of registration card. Provides that vehicle registration cards shall state that the vehicle registration card and license plates shall be surrendered immediately to the Department in the event that the vehicle insurance is cancelled either by the insurer or the insured for any reason.

Patron - Carrico

HB463 Passenger cars owned by local governments. Requires that passenger cars that are owned by local governments and registered under subsection A of § 46.2-750 ("local government use" license plates) be conspicuously marked with the seal, symbol, emblem, or logotype of the county, city or town. Operation of a vehicle required to be marked with a local government seal, symbol, emblem, or logotype without such marking constitutes a traffic infraction.

Patron - Ingram

HB464 Trash truck covers. Requires that the cargo areas of all commercial vehicles used to transport solid waste, whether loaded or unloaded, be covered at all times, except when loading or unloading.

Patron - Ingram

HB469 Definition of "moped" in Title 46.2. Provides that, for the purposes of Title 46.2 (Motor Vehicles) of the Code, "moped" will mean a federal Department of Transportation approved motorized conveyance that has a seat height not less than 21 inches from the ground, on which the operator must be seated during operation; has an engine displacement of 50 cubic centimeters or less; produces a maximum of two braking horsepower or less; is capable of a maximum speed of 30 miles per hour or less; and has a valid Virginia state inspection pursuant to § 46.2-1157. This bill was incorporated into HB 366.

Patron - Ingram

HB497 Special license plates; clean special fuel vehicles. Requires that, to be eligible for clean special fuel license plates, a vehicle must produce lower emissions of oxides of nitrogen, volatile organic compounds, carbon monoxide or particulates, or any combination thereof than a comparable vehicle powered by conventional gasoline or reformulated gasoline and have a fuel economy rating of not less than 50 miles per gallon.

Patron - Frederick

HB520 Vehicle registration. Prohibits over-the-road operation of unregistered vehicles and vehicles with expired registrations.

Patron - Armstrong

HB526 Titling and registration of street rods and custom vehicles. Provides the following titling and registration guidelines for street rods and custom vehicles: (i) the year that is listed on the certificate of title shall be the model year that the body of the vehicle resembles, (ii) the vehicle will not be used for general daily transport but for certain special events, (iii) the vehicle shall meet safety inspection requirements applicable to the model year shown on the title and shall be exempt from any current safety or emissions inspection, (iv) special street rod or custom vehicle registration plates shall be issued, and (v) the presence of specific equipment is not required for the operation of a street rod or custom vehicle.

Patron - Rust

HB527 Assessment of fees by Department of Motor Vehicles (DMV) on certain drivers; use of fees collected. Requires the DMV Commissioner to impose and collect fees on drivers who have accumulated more than four net driver demerit points or have been convicted of driving on a suspended or revoked license, reckless or aggressive driving, DUI, or any other misdemeanor or felony involving operation of a motor vehicle. Annually, the first \$35 million of these fees, minus cost of collection, will be directed to the special matching fund established by § 33.1-23.05; the next \$25 million will be directed to the Transportation Partnership Opportunity Fund; and the remainder will be directed to the Local Congestion Mitigation Incentive Fund.

Patron - Rust

HB547 License plates for antique motor vehicles. Allows use on antique motor vehicles of black-on-white or white-on-black license plates or year tabs bearing the year numbers 1951 and 1952.

Patron - Griffith

HB641 Overweight permits for coal and gravel haulers. Allows coal and gravel haulers to obtain, without fee, an additional gross weight extension of 6,000 pounds from the Commissioner on application therefor.

Patron - Phillips

HB645 Impoundment of a motor vehicle for eluding police. Provides that upon the arrest of a person for disregarding a signal by a law-enforcement officer to stop, or for eluding police, his motor vehicle shall be immobilized or impounded in accordance with the provisions of § 46.2-301.1 (impoundment of motor vehicle for driving on a suspended or revoked license).

Patron - Scott, E.T.

HB674 Local vehicle license fees, etc. Requires the DMV Commissioner to develop and implement standardized procedures and fees whereby the Commissioner, when so requested in writing by the treasurer or director of finance of any county, city, or town, will refuse to issue or renew any vehicle registration of persons who owe the locality any local vehicle license fees or delinquent tangible personal property tax or parking fines.

Patron - Wardrup

HB683 Assessment of fees by Department of Motor Vehicles (DMV) on certain drivers; use of fees collected. Requires the DMV Commissioner to impose and collect fees on drivers who have accumulated more than four net driver demerit points or have been convicted of reckless driving, aggressive driving, driving on a suspended or revoked license, DUI, or any other misdemeanor involving operation of a motor vehicle. Annually, the first \$40 million of these fees, minus cost of collection, will be directed to the Transportation Partnership Opportunity Fund and the remainder will be directed to the Local Congestion Mitigation Incentive Fund.

Patron - Rust

HB697 Motorcycles; insurance. Prohibits purchase or sale of a motorcycle unless purchaser presents documentary proof of liability insurance.

Patron - Hogan

HB715 Use of certain wireless communication devices by operators of motor vehicles; fine. Provides that, except in certain emergency situations, the operator of a moving motor vehicle is prohibited from using any wireless communication device unless the device is equipped for hands-free

communication and is being used as such. A driver may not be fined more than \$50 for violating this section.

Patron - McQuigg

HB717 HOT lanes. Prohibits conversion of HOV lanes designated as such prior to January 1, 2006, to HOT lanes.

Patron - McQuigg

HB718 Violation-monitoring systems to enforce traffic light signals. Allows localities in the Commonwealth to establish violation-monitoring systems to enforce traffic light signals, subject to specific requirements and procedures set forth in the bill.

Patron - McQuigg

HB736 Reckless driving; exceeding the speed limit. Makes it reckless driving when driving at a speed of 20 miles per hour or more in excess of the applicable maximum speed limit but maintains the "in excess of 80 miles per hour" cap, and removes the "60 miles per hour or more" requirement where the speed limit is 35 miles per hour. This bill was incorporated into HB 1546.

Patron - Iaquinto

HB739 Driver's licenses issued to persons convicted of driving under the influence. Prohibits the Department of Motor Vehicles from issuing or reinstating the driver's license of a person who has been convicted of driving under the influence or a related offense during the seven-year period following the conviction, unless the person provides proof that he has in effect a motor vehicle liability insurance policy with limits of \$50,000 for injury or death of one person in one accident, \$100,000 for injury or death of two or more persons in one accident, and \$40,000 for damage to property. These limits are double the minimum limits required generally for motor vehicle liability insurance policies.

Patron - Iaquinto

HB762 Exceeding speed limit on Interstate 81; penalty. Provides that any person convicted of exceeding the lawful speed limit on Interstate 81 shall be assessed a fee of \$50, which shall be forwarded to the Department of State Police to be used to defray costs of speed enforcement.

Patron - Lohr

HB800 Exhaust systems. Limits the allowable level of noise emitted from an exhaust system in a motor vehicle to 95 decibels.

Patron - Fralin

HB803 Motor vehicles; administrative impoundment of motor vehicle for certain driving while license suspended or revoked offenses. Requires the impoundment or immobilization of a motor vehicle driven by any person arrested for a second or subsequent offense of driving on a suspended or revoked license or driving without a license.

Patron - Fralin

HB825 Speed limits in residence districts. Provides for speed limits less than 25 miles per hour in residence districts whose streets do not conform to VDOT's 16-foot width criterion. The actual speed limit will be based on a tiered system, developed by VDOT, linking the maximum speed limit to the width of the street. All such maximum speed limits of less than 25 miles per hour must be indicated by conspicuously posted signs.

Patron - May

HB826 "Photo-toll" enforcement; civil penalty. Authorizes agreements between the DMV Commissioner and toll facility operators whereby persons who fail to pay tolls and penalties associated with failure to pay tolls will have their vehicles' license plates and registrations suspended. This bill was incorporated into HB 1000.

Patron - May

HB928 Special license plates; members of the Virginia General Assembly. Provides that any license plate issued to any member of the Virginia House of Delegates or the Virginia Senate shall be the same as the member's district number.

Patron - Landes

HB961 Photo-monitoring systems to enforce traffic light signals. Allows the Counties of Arlington and Fairfax, the Cities of Alexandria, Fairfax, Falls Church, and Virginia Beach, and the Town of Vienna to establish photo-monitoring systems to enforce traffic light signals, subject to specific requirements and procedures set forth in the bill.

Patron - Bulova

HB1029 Definition of "motor vehicle dealer." Amends the definition of "motor vehicle dealer" to exclude dealers who solely sell and distribute fire-fighting equipment and ambulances.

Patron - Hurt

HB1063 Applications for driver's licenses, commercial driver's licenses, and special identification cards. Allows use of adoption decrees instead of birth certificates in connection with applications for driver's licenses, commercial driver's licenses, and special identification cards.

Patron - Watts

HB1117 Optional additional penalty for certain motor vehicle violations. Provides that anybody convicted of a violation of any provision of Article 2 (Right-of-Way) of Chapter 8 or § 46.2-805 (lane direction control signals), 46.2-808 (prohibited vehicles on controlled access highways), 46.2-830 (drivers to obey signs), 46.2-835 (right turn on red), 46.2-836 (left turn on red), or 46.2-852 (reckless driving), if any such violation resulted in the death of another person or any injury involving permanent and significant physical impairment, may be sentenced to 10 to 40 hours of speaking before driver education classes or motorcycle rider safety training participants.

Patron - Athey

HB1120 Radar detectors. Repeals the prohibition on use of radar detectors.

Patron - May

HB1164 Maximum speed limits generally. Reduces the maximum speed limit on any Virginia public highway from 65 miles per hour to 60 miles per hour.

Patron - Eisenberg

HB1202 Vehicle window tinting. Allows vehicles operated by or regularly used to transport any person with a medical condition that renders him susceptible to harm or injury from exposure to sunlight or bright artificial light to be equipped with sun-shading or tinting films or applications that reduce the transmission of light into the vehicle to levels deemed necessary by a licensed physician or licensed optometrist. This bill was incorporated into HB 405.

Patron - Moran

[F]HB1209 Safety belt systems; penalty. Makes safety belt violations primary offenses.

Patron - Moran

[F]HB1211 Stopping for pedestrians. Amends the statute that presently requires motorists to yield the right-of-way to pedestrians to require that motorists stop for pedestrians.

Patron - Moran

[F]HB1216 Department of Motor Vehicles (DMV) driver records. Limits accident data contained in driver record abstracts released by DMV to insurance carriers, sureties, or representatives of insurance carriers or sureties to accidents in which the driver is found to be at fault or guilty of violating any law relating to the operation or ownership of a motor vehicle.

Patron - Barlow

[F]HB1286 Criminal background checks for licensure of taxicab operators. Authorizes localities by ordinance to require that applicants for licensure as taxicab operators be fingerprinted and submit to a criminal background check through the Federal Bureau of Investigation as authorized by federal law. Such ordinance may provide for the imposition of a fee on applicants for licensure to cover the costs of fingerprinting and criminal background checks.

Patron - Oder

[F]HB1289 Prepayment of fines for violations of speed limits. Increases the fine for speeding on highway from \$5 per mile-per-hour over the speed limit to \$10 per mile-per-hour.

Patron - Saxman

[F]HB1334 Impoundment of a motor vehicle for eluding police. Provides that upon the arrest of a person for a felony violation of disregarding a signal by a law-enforcement officer to stop, or for eluding police, his motor vehicle shall be immobilized or impounded.

Patron - Bell

[F]HB1343 Copies of driver's licenses, etc. Requires that copies of driver's licenses, temporary driver's permits, learner's permits, and special identification cards that are made in connection with any transaction must be returned when the transaction is completed.

Patron - Bell

[F]HB1357 Liquidated damages for overweight violations. Provides that liquidated damages for overweight violations will be paid to the locality if the violator was cited for violation of a local ordinance.

Patron - Bell

[F]HB1400 Motorcycles; wearing of helmets; penalty. Limits the application of the "motor cycle helmet law" to operators and passengers who are less than 21 years old.

Patron - Janis

[F]HB1453 Motor vehicle safety belts. Makes the requirement to wear a safety belt applicable to all motor vehicle occupants and makes failure to wear a motor vehicle safety belt a "primary offense." It also exempts certain law-enforcement officers, persons in their custody, drivers of and passengers in taxicabs, and persons traveling in vehicles while engaged in providing emergency medical care or first aid from the requirement to wear safety belts. The bill provides that a law-enforcement officer may not search or inspect a motor vehicle, its contents, or its occupants solely because of a safety

belt violation. Finally, it provides for the allocation of any federal funds that might become available as a consequence of passage of the bill.

Patron - Rust

[F]HB1456 Display of license plates. Removes the requirement of the license plate on the front of a motor vehicle.

Patron - Cole

[F]HB1492 Driving commercial motor vehicle while intoxicated; penalty. Provides penalty for driving commercial motor vehicle while intoxicated; subsequent offense; prior conviction.

Patron - Valentine

[F]HB1494 Provisional driver's licenses; restriction on using cellular phones and wireless devices. Places a restriction on persons with provisional driver's license from using a cellular phone or other wireless device while driving on the highways of the Commonwealth.

Patron - Miller

[F]HB1503 Special conservators of the peace; flashing lights. Authorizes special conservators of the peace to use flashing blue lights in their vehicles, like other law-enforcement vehicles. The law currently allows special conservators of the peace to use flashing red lights.

Patron - Lingamfelter

[F]HB1576 Buses used to provide transit service under the National Rural Transit Assistance Program; penalties. Allows buses used to provide transit service under the National Rural Transit Assistance Program to be equipped with warning lights that are to be activated when the bus stops to take on or discharge passengers. Motorists are required to stop for such buses as though they were school buses.

Patron - Lewis

[F]HB1614 Vehicle registration fees. Increases vehicle registration fees and dedicates the proceeds to transportation purposes.

Patron - Jones, D.C.

[F]SB1 Special license plates for immediate family members of certain persons who have died in military service; fees. Authorizes the issuance of special license plates to members of the immediate family of a member of the armed forces of the United States who lost his or her life while engaged in certain military service. Each such set of license plates, in addition to the prescribed cost of state license plates, is subject to a one-time fee of \$10. Prepaid order minimums do not apply to these plates. This bill was incorporated into SB 617.

Patron - Puller

[F]SB5 Definition of "motor vehicle dealer." Amends the definition of "motor vehicle dealer" to exclude dealers who solely sell and distribute fire-fighting equipment and ambulances.

Patron - Reynolds

[F]SB16 Handheld mobile telephones. Prohibits the use of handheld mobile telephones by operators of motor vehicles while the vehicles are in motion. Exceptions are made for emergencies and use of mobile telephones by law-enforcement and emergency service personnel. The bill does not become effective until August 1, 2006, but provides for warnings during July 2006. The bill also requires a study by the Department of Motor Vehicles on the impact of mobile telephones on traf-

fic safety and collection of related data by VCU's Crash Investigation Team.

Patron - Marsh

[F]SB43 Special license plates; supporters of youth soccer. Authorizes the issuance of special license plates for supporters of youth soccer. This bill was incorporated into SB 617.

Patron - Puller

[F]SB50 Special license plates; Robert E. Lee. Authorizes the Commissioner of the Department of Motor Vehicles to issue special license plates honoring Robert E. Lee. This bill was incorporated into SB 617.

Patron - Ruff

[F]SB125 Motor vehicle keys. Requires, on and after January 1, 2007, that manufacturers of motor vehicles manufactured for the 2007 model year or any subsequent model year provide a means whereby the owners, lessees, and representatives of owners and lessees of such motor vehicles may obtain all information required to permit the reproduction of any key required to operate the owner's or lessee's vehicle. Such information must be accessible 24 hours a day and seven days a week.

Patron - O'Brien

[F]SB128 Special license plates bearing the legend I VOTED. Authorizes the issuance of special license plates bearing the legend I VOTED to election officials and volunteer election workers with at least five years of service. This bill was incorporated into SB 617.

Patron - O'Brien

[F]SB133 Third offense driving on a suspended license; penalty. Makes the third or subsequent offense of driving on a suspended license within a 10-year period a Class 6 felony with a mandatory minimum term of confinement of one year and a mandatory two-year license suspension. It is currently a Class 1 misdemeanor. This bill was incorporated into SB 392.

Patron - O'Brien

[F]SB137 Provisional driver's licenses; use of wireless telecommunications devices. Prohibits persons under the age of 18 from using any cellular telephone or any other wireless telecommunications device, regardless of whether such device is or is not hand-held, while driving. The bill also makes a violation of this provision a primary offense.

Patron - O'Brien

[F]SB180 Proof of legal presence in the United States. Provides that a valid, unexpired driver's license from any other state in the United States shall be deemed proof of legal presence in the United States.

Patron - Locke

[F]SB212 Motor vehicle operating in emergency situations. Allows vehicles authorized by § 46.2-1024 to be equipped with red or red and white warning lights (vehicles owned by members of fire departments, volunteer fire companies, or volunteer rescue squads; ambulance drivers employed by privately owned ambulance services; and police chaplains) to also be equipped with sirens, exhaust whistles, and air horns. The bill also allows these vehicles to ignore certain traffic laws in emergency situations, subject to the same limitations as police vehicles, ambulances, and fire apparatus.

Patron - Edwards

[F]SB233 Stopping for pedestrians; penalty. Requires the driver of any vehicle traveling at a maximum speed of 35 mph to stop for pedestrians crossing the highway or street at any clearly marked crosswalk.

Patron - Ticer

[F]SB245 Regulation of parking by certain counties or towns. Allows certain counties or towns to regulate or prohibit overnight parking of certain vehicles on any public highway in any residence district.

Patron - Ticer

[F]SB293 Motor vehicle mufflers. Prohibits modification of motor vehicle exhaust systems to the extent that the exhaust systems produce more than 95 decibels of noise as measured by the Society of Automotive Engineers Standard J1169. For the purposes of this bill, motorcycles are not to be deemed motor vehicles.

Patron - Cuccinelli

[F]SB308 Crimes; failing to pay for motor fuel; penalty. Creates a rebuttable presumption that the registered owner or lessee of the vehicle was the person who failed to pay for the motor fuel. The bill also allows for the summons for a violation of the section to be executed by mailing a copy of the summons by first-class mail. This bill was incorporated into SB 378.

Patron - Williams

[F]SB453 Photo-monitoring systems to enforce traffic light signals. Allows the Counties of Arlington, Fairfax, and Loudoun, the Cities of Alexandria, Fairfax, Falls Church, and Virginia Beach, and the Town of Vienna to establish photo-monitoring systems to enforce traffic light signals, subject to specific requirements and procedures set forth in the bill.

Patron - Devolites Davis

[F]SB516 Motor vehicle operating in emergency situations. Allows vehicles authorized by § 46.2-1024 to be equipped with red or red and white warning lights (vehicles owned by members of fire departments, volunteer fire companies, or volunteer rescue squads; ambulance drivers employed by privately owned ambulance services; and police chaplains) to also be equipped with sirens, exhaust whistles, and air horns. The bill also allows these vehicles to ignore certain traffic laws in emergency situations, subject to the same limitations as police vehicles, ambulances, and fire apparatus.

Patron - Puckett

[F]SB533 Provisional driver's licenses; restriction on using cellular phones and wireless devices. Places a restriction on persons with a provisional driver's license from using a cellular phone or other wireless device while driving on the highways of the Commonwealth. The bill also removes a subsection that makes offenses in the rest of the section secondary offenses, which would make all offenses in this section primary offenses.

Patron - O'Brien

[F]SB723 Vehicle registration fees. Increases vehicle registration fees and dedicates the proceeds to transportation purposes. This bill was incorporated into SB 708.

Patron - Houck

Carried Over

[C]HB52 Special license plates; REPUBLIC OF VIETNAM. Authorizes the Commissioner of DMV to issue special license plates to supporters of the REPUBLIC OF VIETNAM.

Patron - Marshall, R.G.

HB53 Special license plates; professional auto racing. Authorizes the issuance of special license plates bearing the legend PROFESSIONAL AUTO RACING and the number 3.

Patron - Marshall, R.G.

HB72 Special license plates; supporters of United States troops; fees. Authorizes the issuance of revenue-sharing special license plates to supporters of United States troops. The annual surcharge for these plates would be \$25, instead of the standard \$10 for most other nonrevenue-sharing special license plates. For each set of plates issued (after the first 1,000 sets), \$15 will go to the United Service Organizations to support its programs and activities in Virginia and the remaining \$10 will go to the Department of Motor Vehicles.

Patron - Orrock

HB160 Motor vehicle keys. Requires, on and after January 1, 2007, that manufacturers of motor vehicles manufactured for the 2007 model year or any subsequent model year provide a means whereby the owners, lessees, and representatives of owners and lessees of such motor vehicles may obtain all information required to permit the reproduction of any key required to operate the owner's or lessee's vehicle. Such information must be accessible 24 hours a day and seven days a week.

Patron - Purkey

HB196 Special license plates; residents and supporters of the community of Bay Creek in Northampton County. Authorizes the issuance of special license plates for residents and supporters of the community of Bay Creek in Northampton County.

Patron - Lewis

HB233 Use of certain wireless communication devices by operators of motor vehicles; fine. Provides that, except in certain emergency situations, the operator of a moving motor vehicle is prohibited from using any wireless communication device unless the device is equipped for hands-free communication and is being used in that manner. A driver may not be fined more than \$50 for violating this section and no driver demerit points would be assessed.

Patron - Jones, D.C.

HB264 Motor vehicle liability insurance coverage limits. Increases the minimum liability coverage amounts from \$25,000 to \$50,000 because of bodily injury to or death of one person in any one accident and, subject to the limit for one person, \$50,000 to \$100,000 because of bodily injury to or death of two or more persons in any one accident, and \$20,000 to \$50,000 because of injury to or destruction of property of others in any one accident.

Patron - Hargrove

HB280 Licensure of motorcycle drivers. Makes passage of a motorcycle rider training course certified by the Motorcycle Safety Foundation a prerequisite for licensure to operate a motorcycle.

Patron - BaCote

HB284 Vehicles between 80,001 and 105,000 pounds. Sets the registration fee for vehicles between 80,001 and 105,000 pounds at \$39.40 for one year, and requires the Commonwealth Transportation Commissioner by regulation to supplement the provisions of § 46.2-1126 to establish gross weight and axle-spacing requirements for vehicles up to 105,000 pounds.

Patron - Marshall, D.W.

HB288 Antique motor vehicles. Corrects erroneous references to certain years for which metal tabs can be displayed on certain antique vehicles. The bill also limits use of antique vehicles to non-work-related travel and reduces the occasional pleasure-driving limit from 250 miles to 50 miles from the owner's residence. There are other technical amendments as well.

Patron - Marshall, D.W.

HB335 Special license plates; veterans of U.S. military operations since September 11, 2001, in Afghanistan and Iraq. Authorizes issuance of special license plates for veterans of U.S. military operations since September 11, 2001, in Afghanistan and Iraq.

Patron - Orrock

HB405 Vehicle window tinting. Allows vehicles operated by or regularly used to transport any person with a medical condition that renders him susceptible to harm or injury from exposure to sunlight or bright artificial light to be equipped with sun-shading or tinting films or applications that reduce the transmission of light into the vehicle to levels deemed necessary by a licensed physician or licensed optometrist.

Patron - Callahan

HB498 Special license plates; retired members of the U.S. Navy and Coast Guard; retired members of the armed forces of the United States. Authorizes issuance of special license plates to retired members of the U.S. Navy and Coast Guard and provides that no fee shall be charged for the issuance of special license plates to retired members of any of the armed forces of the United States.

Patron - Frederick

HB499 Special license plates; civilian employees of the Department of the Army. Allows civilian employees of the Department of the Army to be issued special license plates whose design incorporates a symbol of the U.S. Army.

Patron - Frederick

HB551 Motor vehicle dealers; transfer of dealerships. Affords the buyer of a motor vehicle dealership the ability to contest the failure of a manufacturer to approve transfer of the dealership.

Patron - Saxman

HB605 Special license plates; spouses and parents of certain deceased military veterans. Authorizes the DMV Commissioner to issue special license plates to the spouses and parents of military veterans who have been killed while on active duty and engaged in the performance of their official duties.

Patron - Amundson

HB611 Special license plates; National Multiple Sclerosis Society. Authorizes the issuance of revenue-sharing special license plates for supporters of the National Multiple Sclerosis Society.

Patron - O'Bannon

HB642 Special license plates; Boy Scouts of America. Authorizes the issuance of special license plates for supporters of the Boy Scouts of America.

Patron - Phillips

HB805 Littering from a motor vehicle; penalty. Adds cigarette remnants as litter.

Patron - Fralin

[C]HB891 Recording devices in motor vehicles; ownership of data. Deems data that is recorded on a device that records or transmits performance or operation information about the vehicle to be personal property of the owner of the motor vehicle and deems that such data may not be downloaded or otherwise retrieved by a person other than the owner, except (i) with the consent of the owner or (ii) in response to an order of a court of competent jurisdiction.

Patron - Gear

[C]HB920 Special license plates; childhood cancer awareness. Authorizes the issuance of special license plates to supporters of childhood cancer awareness.

Patron - Landes

[C]HB970 Special license plates; members of the Del Ray Citizens Association. Authorizes the issuance of special license plates to members of the Del Ray Citizens Association.

Patron - Ebbin

[C]HB990 Special license plates; U.S. armed forces. Authorizes issuance of special license plates for all branches of the armed forces of the United States. These plates would not be subject to minimum prepaid order requirements.

Patron - Shannon

[C]HB1246 Driver's licenses. Requires all first-time applicants for Virginia driver's licenses to prove that they have successfully completed either a driver education program approved by the State Department of Education or a course offered by a licensed driver training school.

Patron - Hugo

[C]HB1388 Special license plates; Support Our Troops. Authorizes the issuance of revenue-sharing special license plates bearing the legend: SUPPORT OUR TROOPS.

Patron - Cox

[C]HB1392 Special license plates; 9-1-1 communications professionals. Authorizes the issuance of special license plates for supporters of 9-1-1 communications professionals.

Patron - Cosgrove

[C]HB1410 Special license plates; purple heart. Provides for issuance of purple heart special license plates free of charge to persons who are members in good standing of the Department of Virginia Military Order of the Purple Heart.

Patron - Wright

[C]HB1512 Definition of "disabled veteran" for purposes of Title 46.2 (Motor Vehicles). Provides that, for purposes of Title 46.2 (Motor Vehicles), a veteran will be considered a "disabled veteran" if he is certified as being at least 50 percent disabled by the U.S. Veterans Administration.

Patron - Plum

[C]HB1586 Operation of motor vehicles by persons unable to establish legal presence; Certificate for Driving. Allows persons unable to establish legal presence in the United States who would be eligible for a Virginia driver's license to obtain a Certificate for Driving to be used for driving purposes only.

Patron - Ebbin

[C]SB24 Motor medics pilot program. Creates a motor medics pilot program in the South Hampton Roads area including the Cities of Suffolk, Portsmouth, Chesapeake, and Norfolk. The program implements the use of motorcycles as a type of emergency medical services vehicle with the objective of

reducing response time of emergency medical services personnel to emergencies.

Patron - Lucas

[C]SB153 Pre-purchase inspection notification. Provides that dealers shall notify the buyer in writing of the buyer's right to request a pre-purchase inspection. The bill also provides that the notification of the pre-purchase inspection option deems the buyer informed as to the condition of the vehicle and conclusive proof that the dealer did not refuse to allow an inspection.

Patron - Norment

[C]SB243 Vehicle registration fees; additional fee to support the Virginia Land Conservation Fund. Provides that, on and after January 1, 2008, an additional fee of \$1 per year will be imposed on motor vehicle registrations, with the proceeds to be used to support the Virginia Land Conservation Fund.

Patron - Ticer

[C]SB256 Motor vehicle dealers; transfer of dealerships. Affords the buyer of a motor vehicle dealership the ability to contest the failure of a manufacturer to approve transfer of the dealership.

Patron - Wagner

[C]SB332 Traffic offenses; additional penalties. Provides that a judge may require persons convicted of certain traffic offenses that resulted in death or permanent and significant physical impairment to speak for up to 40 hours before driver education classes in the Commonwealth, in addition to any other penalties. The Department of Education will administer the program except for motorcycle offenses, which will be administered by the Department of Motor Vehicles. A person who unreasonably fails to complete the hours ordered is guilty of a Class 1 misdemeanor with a mandatory minimum 30 days in jail and \$500 fine and will have his driver's license suspended for one year with no eligibility for a restricted license. The offenses included are: right of way violations, lane direction control signals violations, certain uses of controlled access highways, failure to obey lawfully erected signs, illegal right or left turn on steady red after stopping, and reckless driving.

Patron - Obenshain

[C]SB347 Emergency lights on motorcycles used by law enforcement. Authorizes motorcycles used by law enforcement in the course of official duties to be equipped with an emergency headlight with a built-in strobe light, approved by the federal Department of Transportation, to be used during emergency operations.

Patron - Obenshain

[C]SB392 Third offense driving on a suspended license; penalty. Makes the third or subsequent offense of driving on a revoked license a Class 6 felony. Driving on a suspended license remains a Class 1 misdemeanor.

Patron - Stolle

[C]SB452 Approaching certain stationary vehicles on highways; penalties. Adds State Police motorist assistance vehicles and VDOT Freeway Incident Response Team (FIRT) vehicles to the list of vehicles to which approaching traffic must yield the right-of-way by changing lanes.

Patron - Devolites Davis

Pensions, Benefits and Retirement

Passed

HB37 Retirement benefits; local emergency medical technicians. Adds local emergency medical technicians to the list of local employees for whom localities may provide retirement benefits equivalent to those provided to State Police officers.

Patron - Tata

HB59 Health insurance credits for retired state employees. Increases the monthly cap for health insurance credits provided to retired state employees by eliminating the cap on the number of years of service used to compute the credit. The bill is contingent on funding in the appropriation act.

Patron - Putney

HB406 Virginia Retirement System; purchase of prior service credit. Permits any member of the Virginia Retirement System to purchase prior service credit for creditable service at a private institution of higher education if the private institution is merged with a public institution of higher education and graduates of the private institution are then issued new degrees from the public institution.

Patron - Callahan

HB419 Retirement; mandatory cash-outs. Provides that if a member does not elect a direct rollover or direct payment of a mandatory cash-out greater than \$1,000, the Board of the Virginia Retirement System shall pay the cash-out amount in a direct rollover to an individual retirement plan designated by the Board.

Patron - Putney

HB420 Health insurance credits. Clarifies those employees who are eligible for a health insurance credit if the local government they retire from does not provide the credit.

Patron - Putney

HB452 Virginia Retirement System; transfer of accumulated contributions. Allows a member who has a Virginia Retirement System (VRS) member contribution account and who becomes covered under a VRS Optional Retirement Plan to transfer his accumulated contributions to the optional retirement plan.

Patron - Tata

HB453 Virginia Retirement System; optional life insurance. Makes a technical amendment to provide that the maximum amount of optional life insurance coverage that can be continued upon retirement shall be reviewed by the VRS actuary at least once every five calendar years.

Patron - Tata

HB454 Retirement benefits; suspension of payments. Provides that reemployment in a covered position for retirement purposes shall not result in the suspension of benefit payments in cases where the benefits are pursuant to an optional retirement plan and the benefit is being paid in an annuity form under a lifetime annuity contract.

Patron - Tata

HB455 Life insurance for employees. Makes a technical correction that clarifies the date when reductions in life insurance coverage begin to phase-in.

Patron - Tata

HB459 Virginia Retirement System's sickness and disability program. Clarifies that a member who is applying for disability benefits must also apply for other available benefit programs when directed to do so by the plan administrator.

Patron - Ingram

HB460 Virginia Retirement System's sickness and disability program; reporting requirements of certain insurers. Clarifies the information that insurers and administrators of the sickness and disability program must submit to the Virginia Retirement System.

Patron - Ingram

HB461 Virginia Retirement System; sickness and disability program. Clarifies the maximum period for which an employee may receive short-term disability benefits.

Patron - Ingram

HB462 Virginia sickness and disability program. Provides that employees approved for disability benefits on or after age 60 shall be eligible for up to a maximum of five years of disability before having to retire under a service retirement.

Patron - Ingram

HB468 Virginia Retirement System; sickness and disability program. Clarifies that an employee receiving disability benefits under the Virginia Sickness and Disability Program must apply for Social Security benefits, including reapplying and appealing any denials, if requested to do so by the administrator of the plan.

Patron - Ingram

HB473 Virginia Retirement System; local retirement plans not participating in the Virginia Retirement System. Deletes the requirement that the Virginia Retirement System determine if the retirement plans of localities not participating in the Virginia Retirement System are fulfilling the statutory requirement of providing a service retirement allowance to each employee who retires at age 65 or older that equals or exceeds two-thirds of the service retirement allowance to which the employee would have been entitled had the allowance been computed under the provisions of the Virginia Retirement System.

Patron - Ingram

HB957 Virginia Retirement System; vesting requirements. Clarifies the vesting requirements of public safety officers.

Patron - Joannou

HB958 Virginia Retirement System; annual reports. Specifies December 31 as the date for the Virginia Retirement System to submit its annual reports for the deferred compensation plan and benefit restoration plans.

Patron - Joannou

HB1313 Virginia Retirement System; certain Fairfax County employees. Provides certain retirement benefits for Fairfax County employees who were transferred from their employment with the Commonwealth to Fairfax County in 1995.

Patron - Amundson

[P]SB99 Virginia Retirement System; teaching in critical shortage positions. Allows persons who retired as other than a teacher to teach in a critical shortage position while continuing to receive a retirement allowance, provided the person becomes licensed by the Board of Education to serve as a local school board instructional or administrative employee. Under current law, only those retired persons who served as teachers are eligible to teach in critical shortage positions while continuing to receive a retirement allowance.

Patron - Blevins

[P]SB115 Virginia Retirement System; benefit restoration plans. Authorizes localities that provide supplemental benefits to employees covered by the Virginia Retirement System to establish benefit restoration plans.

Patron - Stosch

[P]SB364 Workforce Transition Act (WTA). Provides that certain appointees shall be covered under the Act regardless of years of service prior to appointment. Under the bill every gubernatorial appointees and other appointees who is eligible for benefits under the Act must annually sign a statement providing that such person has read and understands the benefits for which he is eligible under the Act. The Secretary for the Commonwealth would retain the statements in its records. The bill also restricts severance benefits for state employees to those specifically provided by law except officers or faculty of public institutions of higher education and a state officer or employee not eligible for transitional severance benefits under the WTA. Finally, the bill provides that it shall not be construed to prohibit payments for settlement of an employment dispute or payments in satisfaction of a judgment.

Patron - Wampler

[P]SB536 Virginia Retirement System; cash match plan for state employees. Clarifies that the participating employer pays the administrative fees.

Patron - Hawkins

Failed

[F]HB3 Health insurance credit for retired teachers. Increases the health insurance credit for retired teachers to \$4 per month for each year of creditable service with no monthly cap. Under current law, retired teachers with 15 or more years of service are allowed a health insurance credit of \$2.50 per month for each year of creditable service with a cap of \$75 per month. This bill incorporates HB 35.

Patron - Shuler

[F]HB4 Virginia Retirement System; average final compensation retirement multiplier for teachers. Increases from 1.7 to 2.0 the average final compensation retirement multiplier for teachers with 10 or more years of creditable service earned as a teacher. The bill applies to teachers first retiring on or after July 1, 2006.

Patron - Shuler

[F]HB10 Virginia Retirement System; prior service credit. Provides that a member of the Virginia Retirement System who is in service may purchase up to four years of service credit for service as a teacher or administrator with an Overseas American-Sponsored Elementary and Secondary School Assisted by the U.S. Department of State.

Patron - Wright

[F]HB35 Health insurance credits; teachers. Increases the monthly health insurance credit to retired teachers from \$2.50 to \$4 for each full year of the retired member's creditable

service. The bill is applicable to current and future retirees and is effective July 1, 2006.

Patron - Tata

[F]HB60 Law-Enforcement Officers Retirement System; emergency medical technicians. Adds full-time salaried emergency medical technicians to the list of those who may receive benefits equivalent to those provided under the State Police Officers' Retirement System.

Patron - Albo

[F]HB82 Virginia Law Officers' Retirement System (VaLORS). Adds juvenile probation and parole officers as members of VaLORS.

Patron - Spruill

[F]HB89 Virginia Retirement System; benefits. Increases monthly retirement benefits of certain future retirees by increasing the percentage of average final compensation multiplied by the amount of creditable service from 1.7 to 2.0 for years of service in excess of 25 years for most state employees, and from 2.0 to 2.3 for certain state law-enforcement officers.

Patron - Callahan

[F]HB103 Virginia Retirement System; purchase of prior service credit. Clarifies that National Guard service is one of the types of prior military service that can be purchased and removes the requirement that military service must be active duty in order to be purchased.

Patron - Lewis

[F]HB333 Virginia Retirement System; employer contribution rates. Requires the Virginia Retirement System to perform long-term planning strategies to avoid sudden, significant increases in employer contribution rates.

Patron - Toscano

[F]HB369 Retirement; state employees, state police and law-enforcement officers, and certain local law-enforcement officers. Modifies the retirement benefits of non-law-enforcement state employees by increasing from 1.7 percent to 2.0 percent the percentage of average final compensation multiplied by the years of creditable service and modifies the retirement benefits of state police and law-enforcement officers and certain local law-enforcement officers by (i) increasing from 1.7 percent to 2.7 percent the percentage of average final compensation multiplied by the years of creditable service in such positions, and by deleting the supplemental allowance currently paid to members upon retirement until their Social Security retirement age, and (ii) deleting the minimum age requirement for members with 25 or more years of service.

Patron - Carrico

[F]HB430 Virginia Law Officers' Retirement System; membership. Adds probation and parole officers employed by the Department of Juvenile Justice to membership in the Virginia Law Officers' Retirement System.

Patron - Griffith

[F]HB431 Virginia Retirement System; benefits. Increases monthly retirement benefits of future retirees by increasing the percentage of average final compensation multiplied by the amount of creditable service according to the years of service as follows:

Years of Creditable Service	Percentage of Average Final Compensation
Less than 25	1.70 percent
25 or more but less than 30	1.80 percent
30 or more but less than 35	1.90 percent
35 or more but less than 40	2.0 percent
40 or more	3.0 percent

Under current law the percentage multiplier is 1.70 percent regardless of years of service. The bill provides a higher percentage multiplier to certain members of the Virginia Law Officers' Retirement System who already have a multiplier of 2.0 percent under current law.

Patron - Griffith

[F]HB451 Virginia Retirement System; forfeiture of eligibility. Clarifies the process when a member who is terminated because of dishonesty, malfeasance, or misfeasance forfeits his eligibility for retirement benefits.

Patron - Tata

[F]HB467 Virginia Retirement System; membership. Adds to the membership of the Virginia Retirement System all full-time employees of the Virginia Municipal League and the Virginia Association of Counties.

Patron - Ingram

[F]HB471 Retirement; state and local law-enforcement officers. Modifies the retirement benefits of state and local law-enforcement officers by (i) increasing from 1.7 percent to 2.5 percent the percentage of average final compensation multiplied by the years of creditable service in such positions, and by deleting the supplemental allowance currently paid to members upon retirement until their Social Security retirement age; and (ii) deleting the minimum age requirement for retirement for members with 25 or more years of service.

Patron - Cosgrove

[F]HB502 State retiree health benefits program; judges. Permits a judge to participate in the state retiree health benefits program if he elects to do so within 31 days of the date of his retirement, without regard to the date of his termination of employment with the Commonwealth.

Patron - Armstrong

[F]HB508 Virginia Retirement System; state employees. Prohibits reduction in the net retirement benefit paid to any current or future retired state employee by any increase in health insurance premiums unless such increase results from the selection of expanded coverage by the retiree.

Patron - Armstrong

[F]HB595 Virginia Retirement System; prior service credit. Provides that a member of the Virginia Retirement System who is in service may purchase up to four years of service credit for service on the staff of a Center for Independent Living located within the Commonwealth.

Patron - McClellan

[F]HB1281 Local law-enforcement employees' retirement benefits; juvenile detention employees. Adds local employees of juvenile detention facilities who provide direct care to detainees to the group of local employees eligible for

retirement benefits equivalent to the benefits provided to State Police officers.

Patron - Johnson

[F]HB1331 Virginia Retirement System; defined contribution plan. Creates a new defined contribution plan for all employees who enter on or after July 1, 2006, into any position covered by any retirement plan administered by the Virginia Retirement System. The employee has 90 days after entering into such a position to elect to participate in the defined contribution plan or the retirement plan for which he is otherwise eligible.

Patron - Bell

[F]HB1362 Virginia Retirement System; E-911 employees. Adds local employees operating an E-911 system to the list of local law-enforcement employees eligible for retirement benefits equivalent to those provided to State Police officers.

Patron - Bell

[F]HB1433 Virginia Law Officers' Retirement System. Provides that the supplemental allowance currently paid to certain members upon retirement until age 65 shall instead be paid until Social Security retirement age.

Patron - Barlow

[F]HB1556 Virginia Retirement System; creditable service. Permits an active member to purchase creditable service for part-time service with a covered employer that occurs in addition to and simultaneously with the employee's full-time covered service. To be credited with the service the employee must pay an actuarial equivalent cost.

Patron - Bell

[F]SB158 Virginia Sickness and Disability Program; judges. Adds, as eligible employees under the Program, justices and judges of the Virginia judiciary, members of the State Corporation Commission, and members of the Virginia Workers' Compensation Commission.

Patron - Norment

[F]SB175 Virginia Retirement System; retirement allowances. Increases the retirement allowances for future state and local retirees of the Virginia Retirement System (VRS), Law Enforcement Officers' Retirement System (LEOS), State Police Officers' Retirement System (SPORS), and the Virginia Law Officers' Retirement System (VaLORS) by gradually increasing, over a six-year period, the percentage of average final compensation that is multiplied by the amount of creditable service (i) from two percent to 2.3 percent for certain members of the Virginia Law Officers' Retirement System who are not eligible for the supplemental allowance and (ii) from 1.7 percent to two percent for all other such state and local employees. The bill also increases by three percent (phased in over a six-year period) the annual retirement allowance of current retirees of VRS, LEOS, SPORS, and VaLORS. This bill was incorporated into SB 393.

Patron - Wampler

[F]SB237 Virginia Law Officers' Retirement System (VaLORS). Adds juvenile probation and parole officers as members of VaLORS.

Patron - Ticer

[F]SB393 Retirement; benefits for certain state and local public safety officers. Makes several changes to the benefits of state and local public safety officers and the funding of such benefits.

Line of Duty Act. Allows a person who falls under an eligible class of persons under the Line of Duty Act who was disabled on or after January 1, 1972, but not receiving benefits to be entitled to the continued health insurance benefit beginning July 1, 2006.

Deputy sheriffs.

All deputy sheriffs would become members of the Law Enforcement Officers' Retirement System (LEOs).

State police officers. State police officers would receive a 2.20 percent average final compensation retirement multiplier and would continue to receive the additional annual supplement.

Persons provided LEOs retirement coverage. Any member of LEOs would receive a 1.70 percent average final compensation retirement multiplier and the additional annual supplement. However, the multiplier for sheriffs shall be increased from 1.70 percent to 2.20 percent, and an employer may elect to increase the multiplier to 2.20 percent for other classes of covered employees. The employer is responsible for paying the actuarial cost of the increase.

Other provisions of the bill. For any county or city that did not provide LEOs benefits to deputy sheriffs as of January 1, 2006, such county or city shall provide such benefits to its deputy sheriffs beginning July 1, 2006. For such counties or cities, the Compensation Board would reimburse 100 percent of the county's or city's total retirement contributions for state-responsible deputy sheriffs. However, the reimbursement would be based upon the salaries of such state-responsible deputy sheriffs as fixed by the Board.

Revenue. The bill provides for revenues to be generated through the imposition of additional fees on persons who have committed certain driving-related violations.

This bill incorporates SB 636.

Patron - Stolle

SB398 Health insurance credits; teachers and other local school board employees. Increases the monthly health insurance credit for retired teachers from \$2.50 to \$4.00 for each full year of the retired member's creditable service. The bill also eliminates an overall cap to the credit, and adds retired full-time, salaried employees of local school boards as recipients of the credit. The bill is applicable for current and future retirees from positions as teachers or full-time, salaried employees of local school boards. Retired local government employees, other than teachers and employees of local school boards, with at least 15 years of creditable service shall continue to receive a monthly health insurance credit equal to \$1.50 for each full year of the retired member's creditable service.

Patron - Hanger

SB481 Virginia Law Officers' Retirement System (VaLORS). Adds juvenile probation and parole officers as members of VaLORS.

Patron - Colgan

SB495 Virginia Law Officers' Retirement System. Provides that the supplemental allowance currently paid to certain members upon retirement until age 65 shall instead be paid until Social Security retirement age.

Patron - Ruff

SB508 Retirement; state police and state and local law-enforcement officers. Modifies the retirement benefits of

state police and certain state and local law-enforcement officers by increasing from 1.7 percent to 2.5 percent the percentage of average final compensation multiplied by the years of creditable service in such positions, and by deleting the supplemental allowance currently paid to members upon retirement.

Patron - Puckett

SB520 Virginia Sickness and Disability Program; open-enrollment period. Opens the enrollment into the Virginia Sickness and Disability Program between October 1, 2006, and January 1, 2007, for eligible employees not currently participating in the program. An election to participate must be in writing, and is irrevocable.

Patron - Puckett

SB550 Law-Enforcement Officers Retirement System; emergency medical technicians. Adds full-time, salaried emergency medical technicians to the list of those who may receive benefits equivalent to those provided under the State Police Officers' Retirement System.

Patron - Blevins

SB603 Health benefits for judges who defer retirement. Provides for the continuation of health benefits for certain judges who terminate employment and defer retirement.

Patron - Reynolds

SB605 Virginia Law Officers' Retirement System (VaLORS). Adds conservation officers of the Department of Conservation and Recreation as members of VaLORS.

Patron - Puller

Carried Over

HB1369 Local retirement systems; creditable service. Prohibits any local retirement system that is not under the Virginia Retirement System to allow any employee to earn more than one year of service credit for all service rendered in any period of 12 consecutive months. All retirement plans administered by the Virginia Retirement System are under the same prohibition under current law.

Patron - Hull

Persons with Disabilities

Passed

HB743 Statewide Independent Living Council and Statewide Independent Living Fund. Authorizes the Statewide Independent Living Council to accept grants, gifts, donations, and bequests. Any moneys received shall be credited to the Statewide Independent Living Fund, created in the bill. The Fund is to be used to carry out activities enumerated in the State Plan for Independent Living, developed pursuant to the federal Rehabilitation Act of 1973 (29 U.S.C. § 796 et seq.). This bill is identical to SB 244.

Patron - Ebbin

HB849 Assistive Technology Loan Fund Authority. Provides that the Authority is under the Secretary of Health and Human Resources and specifies that the Board of Directors of the Authority is responsible for appointing an executive director who is subordinate to the Board and for ensuring that the executive director complies with all statutory, regulatory and Board directives. The bill also provides that the Board's annual report shall include a complete operating and financial

statement covering any loan fund or loan guarantee that the Authority administers or manages and requires the Auditor of Public Accounts to annually audit the Authority and its loan funds. This bill is identical to SB 558.

Patron - Albo

SB244 Statewide Independent Living Council and Statewide Independent Living Fund. Authorizes the Statewide Independent Living Council to accept grants, gifts, donations, and bequests. Any moneys received shall be credited to the Statewide Independent Living Fund, created in the bill. The Fund is to be used to carry out activities enumerated in the State Plan for Independent Living, developed pursuant to the federal Rehabilitation Act of 1973 (29 U.S.C. § 796 et seq.). This bill is identical to HB 743.

Patron - Ticer

SB558 Assistive Technology Loan Fund Authority. Provides that the Authority is under the Secretary of Health and Human Resources and specifies that the Board of Directors of the Authority is responsible for appointing an executive director who is subordinate to the Board and for ensuring that the executive director complies with all statutory, regulatory and Board directives. The bill also provides that the Board's annual report shall include a complete operating and financial statement covering any loan fund or loan guarantee that the Authority administers or manages and requires the Auditor of Public Accounts to annually audit the Authority and its loan funds. This bill is identical to HB 849.

Patron - Stolle

Police (State)

Failed

HB157 Virginia Biased-Based Policing and Traffic Statistics Reporting Act. Requires the Department of State Police to develop a statewide database for collecting, correlating, analyzing, interpreting, and reporting data and information generated related to certain traffic stops. Local police officers and police officers of the Department of State Police would be required to collect information pertaining to traffic stops, including the race, ethnicity, color, age, and gender of the alleged traffic offender, and to record the specific reason for the stop, whether the person was interrogated, charged, or arrested, and whether a written citation or warning was issued. Police officers also would be required to indicate the specific traffic violation allegedly committed. Police officers participating in the collection of such traffic data and information are granted civil immunity for acts and omissions during the performance of their official duties, absent gross negligence or willful misconduct. The Superintendent must report the findings and make recommendations annually to the Governor, the General Assembly, and the Attorney General and provide copies to each attorney for the Commonwealth. This act expires on July 1, 2010. Previously, this bill was a recommendation of the Joint Subcommittee Studying the Status and Needs of African-American Males in the Commonwealth and the House Committee on Transportation's Special Subcommittee on Racial Profiling and Pretextual Traffic Stops.

Patron - Ward

HB1205 Defense of police officers. Clarifies that the existing provision requiring the Superintendent of State Police to pay for any special counsel employed for the defense of a state police officer does not apply until the completion of the proceeding or investigation requiring the defense, at which

time the Superintendent will be required to pay for the counsel out of Department of State Police funds if it was found that the officer did not violate any law or regulation and will not be terminated. Alternatively, if the officer is found guilty or will be terminated from employment as a result of the act, the officer will be required to pay for the special counsel. The bill also requires that an officer request in writing that special counsel be employed.

Patron - Moran

Prisons and Other Methods of Correction

Passed

HB207 Community-based correctional facilities; notice. Requires the Department of Corrections to notify the locality and adjacent landowners before acquiring, constructing, or leasing a community-based correctional facility, and to hold a public hearing if requested by the locality.

Patron - Cox

HB629 Felonies by prisoners; tampering, etc., with fire protection systems; penalty. Makes it a Class 6 felony for a prisoner in a state, local, or community correctional facility to willfully tamper with, damage, destroy, or disable any fire protection or fire suppression system, equipment, or sprinklers.

Patron - Phillips

HB691 Discharge of prisoner; records required to be provided to prisoner upon release. Requires the Director of the Department of Corrections to provide each prisoner with the following documents upon discharge: (i) verification of the prisoner's work history while in custody; and (ii) verification of all educational and treatment programs completed by the prisoner while in custody. This bill is a recommendation of the Joint Subcommittee Studying the Commonwealth's Program for Prisoner Reentry to Society (2005). This bill incorporates HB 1530.

Patron - Dance

HB882 Suits against prisoners; guardian ad litem. Allows suits to be maintained against a prisoner through his committee, a guardian ad litem appointed for the prisoner pursuant to § 8.01-9, or an attorney licensed to practice law in the Commonwealth who has entered of record an appearance for such prisoner.

Patron - Griffith

HB1093 Discharge of prisoner; medical records to be provided to prisoner upon release. Requires the Department of Corrections to provide a prisoner with a copy of his medical records upon his discharge, so long as the prisoner requested a copy of the records at least 60 days prior to the expiration of his term.

Patron - Scott, J.M.

HB1261 Alternative sentences; noncompliance by offender. Allows a sheriff or jail administrator to revoke an offender's sentence to participate in a work release program or to serve his sentence on nonconsecutive days, if the offender violates the rules of the jail. The sheriff or jail administrator shall notify the court that issued the sentence of the decision to remove the offender from the work release program or to

require the offender to serve his sentence on consecutive days, indicating the specific violations that led to the decision.

Patron - Janis

[P]SB457 Sheriff; courthouse security. Provides that funds collected through the \$5 assessment in criminal and traffic cases shall only be used to fund courthouse security personnel and equipment used in connection with courthouse security.

Patron - Devolites Davis

Failed

[F]HB177 Courthouse security; assessment. Increases from \$5 to \$20 the part of the costs in each criminal or traffic case in district or circuit courts in which the defendant is convicted of a violation of any statute or ordinance that is used to provide and maintain courthouse security. This bill is identical to HB 224 and HB 378.

Patron - McEachin

[F]HB179 Number of deputy sheriffs. Requires the number of full-time deputies appointed by the sheriff of a county or city to be fixed by the Compensation Board at not less than 10 deputies. The bill also requires that a minimum of five such deputies be assigned by the sheriff to provide courtroom security.

Patron - McEachin

[F]HB191 Department of Corrections; functional literacy requirement. Requires all mentally capable inmates who are not functionally literate to participate in a literacy program established by the Department of Correctional Education.

Patron - Ward

[F]HB218 Regional jails. Allows the state to partner with a city to establish, maintain, and operate a regional jail in the same manner as a local governing body. The State Board of Corrections would serve as the participating board or authority with the addition of the city's sheriff and one other local representative.

Patron - Jones, D.C.

[F]HB221 Inmate telephone systems; Prisoner Reentry Fund. Requires the Department of Corrections to obtain debit or prepaid telephone services for inmates at the lowest available rates, allowing for the security needs of the institutions. The bill caps at 10 percent the commission to be paid to the Commonwealth by the service providers. The bill creates a prisoner reentry fund, comprised of the commissions, to be used for pre-release and post-release programs, including those supported by charitable and faith-based organizations.

Patron - Jones, D.C.

[F]HB224 Courthouse security; assessment. Increases from \$5 to \$20 the part of the costs in each criminal or traffic case in district or circuit courts in which the defendant is convicted of a violation of any statute or ordinance that is used to provide and maintain courthouse security. This bill is identical to HB 177 and HB 378.

Patron - Jones, D.C.

[F]HB235 Members of jail farm board or regional jail authority; establishment of regional board or authority by sole locality. Provides a procedure for regional jail boards and authorities to add and remove member localities and allows the City of Richmond to submit the required studies, the required community-based corrections plan and specifications, detailed cost estimates, and financing costs of any construction of a regional facility or enlargement or renovation of an existing

jail for the purpose of establishing a regional jail facility as if the City of Richmond were a participating member of a regional jail authority or jail farm board.

Patron - Jones, D.C.

[F]HB365 Regional jails. Extends the deadline for consideration of construction, enlargement, or renovation of certain local or regional jail facilities as that deadline applies to the New River Valley Regional Jail. This bill contains an emergency clause to make it effective upon passage.

Patron - Carrico

[F]HB378 Courthouse security; assessment. Increases from \$5 to \$20 the part of the costs in each criminal or traffic case in district or circuit courts in which the defendant is convicted of a violation of any statute or ordinance that is used to provide and maintain courthouse security. This bill is identical to HB 177 and HB 224.

Patron - Dance

[F]HB475 Prisoners; residential community programs. Requires the Department of Corrections to give nonviolent prisoners who have not been convicted of murder in the first degree, rape in violation of § 18.2-61, forcible sodomy, animate or inanimate object sexual penetration, aggravated sexual battery, or sentenced to one or more life terms the opportunity, where available, to participate in a residential community program, work release, or a community-based program. Current law requires that the prisoner not be convicted of any violent crime and be sentenced to at least three years. The bill also restricts the cost of keep to up to 30 percent of the prisoner's gross earnings. This bill is identical to SB 185.

Patron - Shuler

[F]HB487 Department of State Police; immigration laws. States that it is the responsibility of the Governor to enter into an agreement with federal Immigration and Customs Enforcement that would allow the Department of State Police to enforce civil immigration laws.

Patron - Frederick

[F]HB603 Treatment of prisoners; infectious disease. Requires assessment of inmates with infectious diseases to insure safety in work and housing assignments. Also requires an examination by a licensed physician within 30 days of any new work assignment.

Patron - Amundson

[F]HB635 Correctional officer; definition. Includes wardens, assistant wardens, and supervisors in the definition of a correctional officer. This would have the effect of including wardens, assistant wardens, and supervisors in the Virginia Law Officers' Retirement System. It would also include them in the Line of Duty Act, and would give them the more protected status of law officers under several criminal law statutes.

Patron - Phillips

[F]HB745 Punishment for conviction of felony; drug violations; post-release supervision; penalties. Requires that for any felony drug offense committed on or after July 1, 2006, the court impose an additional term of not less than 18 months of post-release supervision, which shall include drug testing on a regular basis.

Patron - Purkey

[F]HB1060 Parole; basis for parole denial. Provides that, for a prisoner who has served at least 20 years of the term of imprisonment imposed and has been denied parole at least three consecutive times solely because of the seriousness of the

offense, the Board shall not deny parole a fourth consecutive time solely on the basis of the serious nature of the offense.

Patron - Reid

[F]HB1255 Department of Corrections; privatization of food service. Requires the Department of Corrections to increase, by 10 percent per year for Fiscal Years 2007 through 2010, the amount contracted for private provision of food service at correctional facilities.

Patron - Hugo

[F]HB1316 Revocation of suspension of sentence and probation. Mandates the revocation of probation or sentence suspension for subsequent probation violations.

Patron - Cosgrove

[F]HB1452 Board of Corrections; membership; powers. Provides that the membership of the State Board of Corrections shall include two community leaders, two elected officials, three members of the medical profession, and two citizens with an immediate family member incarcerated within the Commonwealth of Virginia. The bill also requires the Board to report to the Governor on a quarterly basis and to the General Assembly at least once per year during the month of November, and provides that Board members with an incarcerated family member shall not be provided unlimited access to those institutions where their incarcerated family members are housed. Finally, the bill allows the Board to enter and inspect Department of Corrections facilities at any time.

Patron - Ebbin

[F]HB1530 Discharge of prisoner; records required upon release. Requires the Director of the Department of Corrections to provide each prisoner with the following documents upon discharge: (i) any identification documents received pursuant to § 53.1-10, (ii) a list of all court fines or child support owed by the prisoner along with a payment schedule to bring such accounts current, and (iii) a list of mental health resources available to the prisoner upon release. This bill was incorporated into HB 691.

Patron - BaCote

[F]SB44 Residential community programs. Requires the Department of Corrections to give nonviolent prisoners who have not been convicted of murder in the first degree, rape in violation of § 18.2-61, forcible sodomy, animate or inanimate object sexual penetration, or aggravated sexual battery, or sentenced to a term of life imprisonment or two or more life sentences the opportunity to participate in a residential community program, work release, or a community-based program. Current law requires that the prisoner not be convicted of any violent crime and be sentenced to at least three years. The bill also restricts the cost of keep to up to 30 percent of gross earnings. This bill was incorporated into SB 185.

Patron - Locke

[F]SB185 Residential community programs. Requires the Department of Corrections to give nonviolent prisoners who have not been sentenced upon a conviction of murder in the first degree, rape in violation of § 18.2-61, forcible sodomy, animate or inanimate object sexual penetration, aggravated sexual battery, or sentenced to one or more life terms the opportunity, where available, to participate in a residential community program, work release, or a community-based program. Current law requires that the prisoner not be convicted of any violent crime and be sentenced to at least three years. The bill also restricts the cost of keep to no more than 30 percent of the prisoner's gross earnings. This bill is a recommendation of the Joint Subcommittee Studying the

Commonwealth's Program for Prisoner Reentry to Society (2005). This bill is identical to HB 475.

Patron - Puller

[F]SB343 Regional jail for the counties of Shenandoah, Page, Warren, and Rappahannock. Exempts the counties of Shenandoah, Page, Warren, and Rappahannock from the funding limitation of Item 416 B of the general appropriations act of 2004-2006, or any similar prohibition enacted in the future. The specified counties may submit to the governor, on or before March 1, 2007, a plan for a regional jail.

Patron - Obenshain

[F]SB500 Board of Corrections; membership; powers. Requires that appointees to the State Board of Corrections include two members of the medical profession, and one citizen with an immediate family member formerly incarcerated in Virginia. The bill also requires the Board to report to the Governor on a quarterly basis and to the General Assembly annually during the month of November. Finally, the bill allows the Board to enter and inspect Department of Corrections facilities at any time.

Patron - Puckett

[F]SB501 Residential community programs. Requires the Department of Corrections to give nonviolent prisoners who have not been convicted of murder in the first degree, rape in violation of § 18.2-61, forcible sodomy, animate or inanimate object sexual penetration or aggravated sexual battery or sentenced to a term of life imprisonment or two or more life sentences the opportunity to participate in a residential community program, work release, or a community-based program. Current law requires that the prisoner not be convicted of any violent crime and be sentenced to at least three years. The bill also restricts the cost of keep to up to 30 percent of gross earnings. This bill was incorporated into SB 185.

Patron - Puckett

[F]SB612 Inmate telephone systems; Prisoner Reentry Fund. Requires the Department of Corrections to obtain debit or prepaid telephone services for inmates at the lowest available rates, allowing for the security needs of the institutions. The bill caps at 10 percent the commission to be paid to the Commonwealth by the service providers. The bill creates a prisoner reentry fund, comprised of the commissions, to be used for pre-release and post-release programs, including those supported by charitable and faith-based organizations.

Patron - Puckett

[F]SB633 Courthouse security fee. Increases the fee assessed for costs in criminal and traffic cases to \$10. Additionally, the bill states that the assessment shall be used solely for the funding of courthouse security personnel, equipment, and other personal property used in connection with courthouse security. This bill was incorporated into SB 457.

Patron - Edwards

Carried Over

[C]SB105 Good conduct allowance; mandatory functional literacy requirement. Provides for good conduct allowance for prisoners, depending on their performance and conduct, in which escalating credits toward good conduct allowance are available in four class levels. The highest level available is 50 percent credit for those prisoners who have demonstrated exemplary behavior and who have earned or are making progress toward earning their general educational development (GED) certificate. The bill also provides, for certain prisoners, credits for reading and passing examinations on

books approved by the Department of Correctional Education. This summary reflects the substitute adopted by the Committee on Rehabilitation and Social Services. The bill, as amended, was carried over to the 2007 Session.

Patron - Marsh

SB249 Parole Board; eligibility guidelines. Establishes a Parole Guidelines Review Panel, composed of six legislative members and 12 nonlegislative citizen members to review quadrennially the adequacy of guidelines for the determination of parole release by considering current research data on the risks of recidivism, the expectations of sentencing courts at the time parole-eligible sentences were imposed, the expectations for parole on certain sentences prior to the abolishment of parole, and any other resources it deems relevant to such review. This bill also makes other changes to the parole guidelines, such as requiring the Parole Board to include an analytical scale to assess risk, not requiring technical parole violators to serve the minimum six-month sentence, specifying that a person must have been at liberty between felony offenses of murder, rape, or robbery by the presenting of firearms or other deadly weapons in order for them to be separate offenses, not allowing the nature of the offense to be considered in determining eligibility for parole, except as provided in the analytical scale, and allowing the use of videoconferencing in parole interviews.

Patron - Ticer

SB618 Child-friendly visiting rooms in state and local correctional facilities. Requires each state correctional facility to provide child-friendly visiting rooms that include activities for young children, adequate facilities with private areas for nursing, and regulations that do not penalize inmates with sanctions, such as the termination of a visit, for normal child behavior.

Patron - Miller

Professions and Occupations

Passed

HB151 Professions and occupations; funeral service interns. Changes the term "resident trainee" to "funeral service intern." Also allows the Board of Funeral Directors and Embalmers to adopt a more flexible reporting schedule for funeral service interns.

Patron - Alexander

HB211 Real Estate Board; educational requirements for licensure. Provides that as a condition of licensure as a real estate salesperson or broker, an applicant must have at a minimum a high school diploma or its equivalent. The bill also provides that it does not apply to any person holding a valid license as a real estate salesperson or broker issued by the Real Estate Board before July 1, 2006.

Patron - Cox

HB299 Registered pharmacy technicians. Authorizes registered pharmacy technicians, working under the direct supervision of a qualified nuclear pharmacist, to accept oral prescriptions for diagnostic, nonpatient specific radiopharmaceuticals.

Patron - Jones, S.C.

HB300 Physician assistants; forms and certificates. Provides that physician assistants may sign various forms and certificates, and provide medical information or treatment in

certain situations, including situations involving the immunization of children, examination of persons suspected of having tuberculosis, required examinations of school bus drivers, prenatal tests, examinations of nursing home residents, release of certain privileged information, release of certain veterinary records, competency for driver's licenses, and assisted living facility residents.

Patron - Jones, S.C.

HB302 Inspections of nonresident pharmacies seeking registration to conduct business in the Commonwealth. Deems an inspection report submitted by a nonresident pharmacy to be current if the inspection was conducted within the past five years. However, if the nonresident pharmacy has not been inspected by the regulatory or licensing agency of the jurisdiction in which it is licensed within the past five years, the Board may accept an inspection report or other documentation from another entity that is satisfactory to the Board or the Board may cause an inspection to be conducted by its duly authorized agent and may charge an inspection fee in an amount sufficient to cover the costs of the inspection. Technical amendments clarify that the nonresident pharmacy must disclose that it maintains a current unrestricted license in its home jurisdiction.

Patron - Jones, S.C.

HB316 Real Estate Board; duties of licensees; limited service agents. Adds the definition of "limited service representative" to mean a licensee who acts for or represents a client with respect to real property containing from one to four residential units, pursuant to a brokerage agreement that provides that the limited service representative will not provide one or more of the duties set forth in subdivision A 2 of §§ 54.1-2131, 54.1-2132, 54.1-2133, and 54.1-2134, inclusive. A limited service representative shall have the obligations set out in the brokerage agreement, except that a limited service representative shall provide the client, at the time of entering the brokerage agreement, copies of any and all disclosures required by federal or state law, or local disclosures expressly authorized by state law, and shall disclose to the client the following in writing: (i) the rights and obligations of the client under the Virginia Residential Property Disclosure Act (§ 55-517 et seq.); (ii) if the client is selling a condominium, the rights and obligations of the client to deliver to the purchasers, or to receive as purchaser, the condominium resale certificate required by § 55-79.97; and (iii) if the client is selling a property subject to the Property Owners' Association Act (§ 55-508 et seq.), the rights and obligations of the client to deliver to the purchasers, or to receive as purchaser, the association disclosure packet required by § 55-512. A limited service representative may act as the agent of the client by so providing in the brokerage agreement. If the brokerage agreement does not so state, the limited service representative shall be deemed as acting as an independent contractor of the client. The bill also clarifies the obligations of licensees vis-a-vis their clients, whether the clients are a buyer, seller, landlord, or tenant. The bill also allows a common source information company to require, as a condition of participation in or use of such common source information, that a licensee providing information through such company disclose the nature of the brokerage relationship with the client of the licensee. The bill requires the Real Estate Board to promulgate regulations to implement the provisions of this bill to be effective on July 1, 2007. Further, the Real Estate Board is required to establish a continuing education curriculum of not less than two hours and, as of July 1, 2007, every applicant for licensure as an active salesperson or broker shall complete at a minimum one two-hour continuing education course on the amendments to the real estate agency laws prior to each renewal or reinstatement of his license. If the licensee submits a notarized affidavit to the Real

Estate Board that certifies that he does not practice residential real estate and shall not do so during the licensing term, training in limited service agency shall not be required. The bill has a delayed effective date of July 1, 2007.

Patron - Albo

HB332 Health professions; nursing education programs. Requires the Board of Nursing to set guidelines for collection of data by nursing education programs and to compile the data in an annual report. The data shall include enrollment, graduation rate, attrition rate, and number of qualified applicants that are denied admission.

Patron - Toscano

HB351 Prohibition of certain transfers of moneys collected on behalf of health regulatory boards. Requires that all nongeneral funds (except for funds required to be deposited into the nursing scholarship and loan repayment fund) generated by fees collected on behalf of the health regulatory boards and accounted for and deposited into a special fund by the Director of the Department of Health Professions must be held exclusively to cover the expenses of the health regulatory boards, the Health Practitioners' Intervention Program, and the Department and Board of Health Professions and cannot be transferred to any agency other than the Department of Health Professions. Fees collected for and deposited in the Nursing Scholarship and Loan Repayment Fund are exempt from the provisions of this bill.

Patron - Hamilton

HB354 Provisional license in audiology; authorized. Authorizes the Board of Audiology and Speech-Pathology to issue a provisional license to an applicant who has met educational and exam requirements for licensure. The provisional license allows for clinical experience while under supervision in accordance with the Board's regulations.

Patron - Hamilton

HB355 Board of Pharmacy; specific powers and duties. Directs the Board of Pharmacy to limit the implementation of its pedigree system to those drugs that have left the normal distribution channel. "Normal distribution channel" is defined as (i) a chain of custody for a prescription drug from initial sale by a pharmaceutical manufacturer, through acquisition and sale by one wholesale distributor, until final sale to a pharmacy or other person dispensing or administering the controlled substance; or (ii) a chain of custody for a prescription drug from initial sale by a pharmaceutical manufacturer, through acquisition and sale by one wholesale distributor to a chain pharmacy warehouse to its intracompany pharmacies; or (iii) a chain of custody for a prescription drug from initial sale by a pharmaceutical manufacturer to a chain pharmacy warehouse to its intracompany pharmacies. The bill also exempts from the Administrative Process Act the Board's amendments to the list of drugs susceptible to counterfeiting. However, the Board is required to establish a process in regulation for amending the list that provides notice and opportunity for public comment and may make exceptions to the pedigree requirements for emergency medical reasons, as defined in regulation.

Patron - Hamilton

HB521 Landscape architects; acceptance of plans by state and local authorities. Provides that resulting plans and specifications, submitted under the seal, stamp, or certification of a certified landscape architect, shall be accepted for review by local and state authorities in connection with both public and private projects. Currently state and local authorities have the discretion to accept such plans and specifications, but are not required to.

Patron - Oder

HB618 Dialysis patient care technician; definition. Authorizes a person who has completed a training program in dialysis patient care to practice provisionally, under direct and immediate supervision of a licensed registered nurse, in order to obtain practical experience. The bill provides authorization for up to 24 months, or until such person has taken and received the results of any examination required by a certifying organization approved by the Board, whichever occurs sooner. The bill allows trainees to perform dialysis care as a part of a training program provided that they are identified as "trainees" while working in the dialysis facility. The bill contains an emergency clause.

Patron - O'Bannon

HB622 Prescriptions written for patients residing in certain institutions. Provides an exception to the requirement that prescription order forms must be for only one prescription to allow for submission of a single document containing multiple prescriptions written for patients residing in adult and juvenile detention centers, local or regional jails, or work release centers operated by the Department of Corrections. Exceptions are already provided for chart orders in hospitals and long-term care facilities, for home infusion patients, and hospice patients and for the orders through pharmacies operated by various state agencies, including the Department of Juvenile Justice and the Department of Corrections.

Patron - O'Bannon

HB776 Practice of law, legal entities. Allows persons who are legally authorized to practice law in Virginia but who are not active members of the Virginia State Bar to be members of a professional corporation, professional limited liability company or registered limited liability partnership that renders professional legal services in the Commonwealth. Under current law only active members of the Virginia State Bar may practice law in Virginia through a limited liability entity. This bill is identical to SB 482.

Patron - Albo

HB937 Anabolic steroids; electronic ordering of Schedule II drugs; additions to Schedules IV and V. Revises the definition of anabolic steroids to remove the reference to promoting muscle growth and to add dehydroepiandrosterone. In addition, the bill amends provisions of the Drug Control Act to (i) reflect the changes made in federal regulations concerning electronic ordering of Schedule II drugs, (ii) add various anabolic steroids to Schedule III, (iii) include Zopiclone on Schedule IV, and (iv) add Pregabalin to Schedule V.

Patron - Morgan

HB996 Dental hygienists administering certain Schedule VI analgesia and anesthesia. Allows a dentist to authorize dental hygienists to administer, under his direction, Schedule VI nitrous oxide and oxygen inhalation analgesia and, to persons 18 years of age or older, Schedule VI local anesthesia. The Board of Dentistry must adopt regulations establishing the education and training requirements for dental hygienists to administer the Schedule VI analgesia and anesthesia.

Patron - Brink

HB1054 Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects; continuing education. Requires the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects to promulgate regulations governing continuing education requirements for architects, professional engineers, and land surveyors. Such regulations shall require the completion of the

equivalent of 16 hours per biennium of Board-approved continuing education activities as a prerequisite to the renewal or reinstatement of a license issued to an architect, professional engineer, or land surveyor. The bill provides for waivers of this requirement in cases of certified illness or undue hardship.

Patron - Reid

HB1118 Department of Professional and Occupational Regulation; Board for Contractors; issuance of license. Requires the Board for Contractors to promulgate regulations for educational requirements as a condition for licensure. Under the bill, the regulations shall include the requirement that the designated employee or responsible management personnel of the applicants who are contractors or tradesmen successfully complete an approved basic business course, not to exceed eight hours of classroom instruction. The bill also requires the Board to promulgate emergency regulations to implement these education requirements. This bill is identical to SB 72.

Patron - Athey

HB1145 Exemptions from surface transportation and removal services. Exempts emergency medical services agencies holding a permit issued by the Commissioner of Health from registration as surface transportation and removal services to remove and transport dead human bodies. The requirement that a licensed funeral service establishment receive the registration as a part of its license has been removed. The bill provides that no funeral service establishment will be required to receive such registration "in addition" to its funeral service establishment license. However, funeral service establishments must continue to comply with Board regulations governing transportation and removal services. Currently, emergency medical services agencies must apply for and receive a registration from the Board of Funeral Directors and Embalmers to remove and transport dead human bodies. Emergency medical services agencies are assessed a fee for this registration. Licensed funeral service establishments receive this registration as a part of their funeral service establishment license, without an additional charge for the registration.

Patron - Orrock

HB1146 Practice of social work. Increases the membership of the Board of Social Work from seven to nine, to be appointed by the Governor. Also, an enactment clause provides that the Board of Social Work shall consult with relevant stakeholders, including educators, professionals, and appropriate agencies and organizations, to determine (i) if current education and training requirements for social workers are adequate to assure the public of professional competency and (ii) whether current exemptions from the requirements for licensure best serve the citizens of the Commonwealth.

Patron - Orrock

HB1147 Prescription medications; child day programs. Allows a person employed in day care centers to administer prescription medication to a child in a child day program, as defined in § 63.2-100 and regulated by the State Board of Social Services or the Child Day Care Council, if the person (i) has satisfactorily completed a training program for this purpose approved by the Board of Nursing and taught by a registered nurse, licensed practical nurse, doctor of medicine or osteopathic medicine, or pharmacist; (ii) has obtained written authorization from a parent or guardian; (iii) administers drugs only to the child identified on the prescription label in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; and (iv) administers only those drugs that were dispensed from a pharmacy and

maintained in the original, labeled container that would normally be administered by a parent or guardian to the child.

Patron - Orrock

HB1487 Board of Medicine. Grants authority to the Board for the issuance of restricted volunteer licenses to practitioners of the healing arts. The restricted volunteer license will qualify the practitioners to volunteer in the clinics organized in whole or in part for the delivery of health care services without charge.

Patron - Orrock

HB1501 Information to be provided by the Board of Medicine to individuals filing complaints against physicians. Requires that whenever an individual files a written complaint against a person licensed, certified, or registered by a health regulatory board and the board has concluded that a disciplinary proceeding will not be instituted, the board may send the person an advisory letter. The board may also inform the individual that (i) an investigation has been conducted, (ii) the matter was concluded without a disciplinary proceeding, and (iii), if appropriate, an advisory letter from the board has been communicated to the person who was the subject of the complaint or report. In providing such information, the board shall inform the source of the complaint or report that he is subject to confidentiality and discovery requirements. This bill is identical to SB 702.

Patron - Callahan

SB72 Department of Professional and Occupational Regulation; Board for Contractors; issuance of license. Requires the Board for Contractors to promulgate regulations for educational requirements as a condition for initial licensure as a contractor. Under the bill, either the designated employee or a member of the responsible management personnel must successfully complete an approved basic business course which shall not exceed eight hours of classroom instruction. The bill also requires the Board to promulgate emergency regulations to implement these education requirements. This bill is identical to HB 1118.

Patron - Houck

SB187 Prescription Monitoring Program. Modifies the reporting requirements under the Prescription Monitoring Program to reflect recent changes in federal law and to ensure that the Commonwealth is eligible to receive federal funds. This bill contains a second enactment clause requiring the Department of Health Professions to promulgate regulations within 280 days of enactment.

Patron - Wampler

SB201 Department of Professional and Occupational Regulation; Contractor Transaction Recovery Act; Real Estate Transaction Recovery Act. Streamlines the administrative processing of claims filed under the Contractor Transaction Recovery Act and Real Estate Transaction Recovery Act. Under the bill, the requirement to conduct an informal fact-finding conference (IFF) is eliminated unless the regulant has requested the proceeding. If the regulant has not requested an IFF the Department will present the claim to the Board for Contractors or the Real Estate Board to decide whether to approve or deny the claim.

Patron - Houck

SB214 Health professions; mandatory suspension or revocation of license, certificate, or registration; reinstatement hearing. Increases the time between receipt of an application for reinstatement and the relevant health regulatory board's reinstatement hearing after a mandatory suspension or revocation of a health professional's license, certificate, or reg-