



Virginia Association for Pupil Transportation

**Legislation Committee Report
June 2009**

2009 Session Statistics



Type	<u>Introduced</u>	<u>Passed House</u>	<u>Passed Senate</u>	<u>Passed Both</u>	<u>Cont.</u>	<u>Failed</u>	<u>Approved</u>	<u>Vetoed</u>
H.B.	1096	600	521	517	154	733	511	6
H.J.R.	430	375	367	366	21	85	3	0
H.R.	36	31	0	31	0	5	0	0
S.B.	754	372	508	369	131	514	363	6
S.J.R.	240	193	214	192	11	59	2	0
S.R.	21	0	21	21	0	0	0	0
Totals	2577	1571	1631	1496	317	1396	879	12

Bills Approved



- **HB 1679 – Child abuse and neglect data; school board applicants.** Clarifies that a local school board must take reasonable steps to determine whether an applicant, who has resided in another state within the last five years, was the subject of a founded case of child abuse and neglect in the relevant state.
- **HB 1805 – Ignition interlock; operation of motor vehicle without, penalty.** Provides that operation of a motor vehicle without an ignition interlock when such operation is prohibited is a Class 1 misdemeanor and that the person's operator's license shall be revoked for one year..
- **HB 1837 – Speed limit; adds Albemarle County to list of maximum speed limit on nonsurface treated highways.**

Bills Approved (cont.)



- **[HB 1587](#)** – REAL ID Act; State will not comply with provision thereof that compromises economic privacy, etc. Provides that the Commonwealth will not participate in the compliance of any provision of the Federal Real ID Act and of any other federal law, regulation, or policy that would compromise the economic privacy or biometric data of any resident of the Commonwealth. (**[SB 1431](#)** is identical.)
- **[HB 1624](#)** – Bullying, harassment, etc.; provides specific information for Board of Education in its model policy. Provides that the State Board of Education must include in its guidelines and model policies for codes of student conduct standards for local board policies, the use of electronic means for purposes of bullying, harassment and intimidation.



Bills Approved (cont.)

- **HB 1693** – **Driving under influence; mandatory punishment when concentration is elevated above certain amount.** Adds an additional qualifier in DUI punishment provisions that allows use of blood alcohol testing on whole blood to be admitted into evidence in a DUI prosecution when the test may have been performed in another, e.g., hospital, setting.
- **HB 1868** – **Driving under influence of alcohol; eliminates sunset date that provides zero tolerance.** Eliminates the sunset date of July 1, 2010, on the 2008 Act that provides that zero tolerance (0.02 % BAC) underage drinking and driving. Clarifies that punishment includes, but is not limited to, a one year license forfeiture and either mandatory fine of \$500 or 50 hours of community service.

Bills Approved

(cont.)



- **HB 1876** – **Wireless telecommunications devices; prohibits use of text messaging while driving certain vehicle.** Prohibits operation of a motor vehicle, on the highways in the Commonwealth while using any handheld personal communications device to manually enter multiple letters or text or to read a text message. The bill provides exemptions for the use of GPS systems and using a wireless telecommunication device to report an emergency; and provisions do not apply to operators of emergency vehicles.
- **HB 1905** – **Golf carts; allows operation on secondary highways within 3 miles of motor speedway on day of race.** Allows golf carts and utility vehicles on secondary roads that are posted no more than 35 MPH, and operate within 3 miles of a speedway with capacity of at least 25,000 on race days.

Bills Approved (cont.)



- **HB 1945** – **Regional alternative education programs; certain students may be administratively assigned thereto.** Provides that based on available space a school division may assign a student to a regional alternative education program and a parent may request, with the consent of the division superintendent, that the student be assigned to the program.
- **HB 1974** – **Crash prevention courses; DMV will develop guidelines to focus on drivers age 55 and older therefore.** Authorizes DMV to approve a crash prevention course for drivers 55 or older, delivered through a computer-based medium, if the course sponsor has been approved to provide the course in a classroom setting. Insurers may allow a premium reduction for persons who complete the course.

Bills Approved

(cont.)



- **HB 2002** – Energy Plan; promotes use of sustainable biofuels made from traditional agricultural crops, etc. Amends the Virginia Energy Plan to reorganize the objective of increasing Virginia’s reliance on and production of sustainably produced biofuels made from traditional agricultural crops and other feedstock, and to support the delivery infrastructure needed for statewide distribution to consumers. (**SB 1427** is identical.)
- **HB 2233** – Electronic filings; DMV may require certain filings or submissions be made electronically. Provides that DMV may require certain filings or submissions be made electronically.

Bills Approved

(cont.)



- **HB 2269** – Expenditures; annual report thereof provided by school board to be made available to public. Requires the annual report of expenditures provided by the school board to the appropriate governing body to also be made available to the public in sufficient detail for citizens to readily identify how appropriated funds have been spent, on a template prescribed by the Board of Education. (**SB 1285** is similar.)
- **HB 2317**– Vehicle safety inspections; State Police to accept electronic form of data required to be submitted. Requires State Police on or before December 1, 2010, to accept data required to be submitted to them by official inspection stations in electronic form.

Bills Approved (cont.)



- **HB 2427 – Protection of Social Security Numbers Act; first five digits to be confidential from disclosure.** Provides that the first five digits of a social security number contained in a public record shall be confidential and exempt from disclosure under the Freedom of Information Act. The bill does allow release of a social security number under certain limited circumstances, including proper judicial order; to federal, state or local law-enforcement or correctional personnel; by one agency to another agency in Virginia or to an agency in another state, district, or territory of the United States; and to any data subject exercising his rights under the Government Data Collection and Dissemination Practices Act.

Bills Approved (cont.)



- **HB 2446** – Motor fuels and lubricating oils; updates referenced standard for testing thereof. Updates the referenced standard for testing by the Commissioner of Agriculture and Consumer Services of motor fuel or lubricating oil.
- **HB 2485** – Vehicle safety inspections; codifies exceptions thereto set forth in proclamation of July 2006.
- **HB 2571** – Restricted driver’s license; court to provide during period of suspension. Provides a restricted license while a person’s license is suspended. (**SB 1343** is identical.)



Bills Approved (cont.)

- **HB 2629** – Antifreeze bittering agent; engine coolant, etc., manufactured after January 1, 2011, must contain. Requires that any engine coolant or antifreeze sold within the Commonwealth that contains more than 10% ethylene glycol contain a bittering agent in order to render it unpalatable.
- **SB 1084** – REAL ID Act, federal; amends provisions for obtaining driver's license. Amends provisions for obtaining licenses to comply with federal REAL ID Act requirements.
- **SB 1085** – Durable Do Not Resuscitate Orders; revocation. Clarifies that the expression by the patient of the desire to be resuscitated shall constitute revocation of the Order.
- **SB 39** - Traffic accident reports; increases amount of damage threshold to be reported by law enforcement. \$1,000 to \$1,500

Bills Failed



- [HB 2605](#) - **Driver training programs**; transfers to DMV responsibility for driver training program established for the public school system by the Department of Education.
- [SB 970](#) – **Safety belts; makes non-use of a primary offense** (identical to [HB 2253](#) & [HB 2339](#)).
- [SB 2090](#) & [SB 1266](#) – **School Calendar**; adds to good cause circumstances & local boards establish setting start days.
- [HB 2157](#) – **Biodiesel & green diesel**; all diesel fuel sold in VA to contain at least 2%.
- [SB 1444](#) & [SB966](#) & [SB 874](#) – **Wireless telecommunications devices**; annual report of prohibits use of while driving.

Bills Failed (cont.)



- [HB 1800](#) – School Divisions, local; requires 65% of each education dollar to be spent in the classroom.
- [HB 1695](#) - Driving without a license; may be placed under arrest.

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