

March 22, 2024

The Honorable Glenn Youngkin
Governor
Office of the Governor
Richmond, Virginia

Delivered via Electronic Mail

Dear Governor Youngkin:

On behalf of Chesterfield County, Henrico County, the Virginia Association of Counties (VACo), Virginia Risk Sharing Association (VRSA), the Virginia Municipal League (VML), and the Virginia Building and Code Officials Association (VBCOA) – we respectfully request, should you approve HB285, that the sunset clause remain in place.

The current dispute between the Virginia Department of Transportation and the Virginia Department of General Services regarding permitting of bus shelters along state-owned roads has hindered the ability to have shelters installed; in many instances taking more than two years with additional fees just to have the permits issued.

The layered, bureaucratic red tape that localities and transit agencies must navigate for the installation of bus shelters is infuriating. It should not be that complicated; our communities want to have these structures installed as quickly as possible. Respectfully, this dispute between executive branch agencies does not require action on the part of the legislative branch.

As HB285 was introduced and passed the House, it simply provided clarification as to how the dispute should be resolved. It was only when HB285 was heard in the Senate that this concept changed to language that would have shifted responsibility for review, permitting, and liability from the State to localities. It is important to note that usually where issues arise, liability is determined and apportioned by a court. However, the language that passed the Senate would have enacted **sole and permanent liability** for any issue arising from the building of the shelter and ongoing issues that occur at shelters, such as the fatal shooting that occurred just recently outside of the General Assembly Building.

Given the late timing in session and the risks associated with the Senate language being accepted, Chesterfield County, Henrico County, Virginia Transit Association, GRTC, VML, and VACo met with the Patron, Delegate McQuinn, and agreed to the language that was included in the conference report and subsequently passed the General Assembly.

As discussed among all parties, the agreed-upon sunset language was added to provide an opportunity for localities to examine the risks associated with the new policy and allowed the stakeholders to quickly reach consensus in the final days of session.

It is our understanding that the Virginia Transit Association has now requested the removal of the sunset from this bill. Given the reason the sunset was included, we respectfully request that you make no further changes to the legislation, or alternatively, veto the bill and assist the state agencies in resolving their dispute.

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We are eager to have these shelters installed in our community. However, localities being forced to take on the responsibility of the state, without support or the opportunity to fully understand the ramifications of this policy is significant.

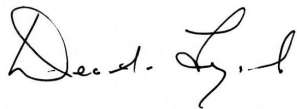
Sincerely,



John A. Vithoukas
County Manager
Henrico County, Virginia



James 'Jim' Holland
Board of Supervisors, Chair
Chesterfield County, Virginia




Dean A. Lynch
Executive Director
Virginia Association of Counties



Michelle Gowdy
Executive Director
Virginia Municipal League



Ron Clements
Legislative Chair
Virginia Building and Code Officials Association



Marcus Hensel
Managing Director
Virginia Risk Sharing Association