



GENERAL ASSEMBLY UPDATE



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Friday was the deadline for submitting legislation for the 2018 Virginia General Assembly session. This year we have seen several bills on new topics and we have been preparing for committee action on these concepts in the coming days. Here are some of the important issues we have been working on:

Fuels Taxation

The 2013 session of the General Assembly passed legislation tying the state fuels tax to the wholesale price of unleaded regular gasoline. It also added Hampton Roads jurisdictions to those where an additional tax of 2.1 percent of the retail price is assessed. At the time this was described as equalization with Northern Virginia which had imposed an additional tax on motor fuels since the early 1980's. This year we have seen several versions of legislation to impose a price floor on local taxation. Most would tie the tax to the wholesale price of gasoline on February 20, 2013. Assuming a current retail price of 2.40 per gallon today, the tax is just over five cents per gallon. Tying it to the 3.19 wholesale price would produce a new local tax of 6.7 cents, which could then increase, but never decrease. It is likely that the House will pass one version, while the Senate will pass a different one, meaning that the ultimate outcome will be decided in the final days of the session.

Internet Lottery

Delegate Chris Peace ([HB849](#)) and Senator Mamie Locke ([SB348](#)) have filed legislation that would allow the online sale of national draw games such as Mega Millions. This concept is being pushed by internet startup lotto.com, based in Silicon Valley, California, which recently received \$17 million in venture capital funding. Their concept is to bypass traditional lottery sellers and to make money by pocketing the 5% commission and cashing bonuses. We point out to legislators that the only Virginians who would benefit from this bill are the three lobbyists that lotto.com has on the payroll and we oppose the bill strongly.

Mobile Fueling

Freshman Delegate David Reid of Loudoun County has filed legislation ([HB355](#)) to allow mobile fueling for gasoline in Virginia. These startups also started in the San Francisco

Bay area and are funded by Venture Capitalists. Their vehicles basically consist of a retrofitted pickup truck with a gasoline tank in the back. Consumers use an app to order a fuel delivery, and are charged a delivery fee (commonly \$5.00). A year and a half ago a recent Radford University graduate started a business Simpfuel, running it out of his home in Loudoun. He was shut down by the county fire marshal soon after, and he is now attempting to get backdoor approval to operate thru the General Assembly. We have demonstrated to legislators more than a dozen state, federal and local laws and regulations that our members have to comply with to sell gasoline, and a change to the Virginia State Fire Code passed last year specifically prohibiting mobile fueling. Action on this bill is likely next week.

Privatization of Rest Stops

Last year, the Trump Administration announced that it would pursue a policy on privatization of rest stops allowing for the commercialization of fuel and convenience sales along interstate highways. Today this is only allowed in states that were grandfathered in when the practice was prohibited in the 1960's. Delegate Riley Ingram of Hopewell, has filed [House bill 1522](#) which would ban rest stop privatization in Virginia unless previously approved by the General Assembly.

Parking at Rest Stops

Delegate Ingram has also filed [House bill 1523](#). Under current law businesses are limited to one sign advertising their business. The sign must be more than 50 feet from the advertised activity but not more than 250 feet from the center of the advertised activity. Delegate Ingram's bill would allow truck stops with at least 50 trucks or tractor truck parking spaces to have sign advertising be located up to 500 feet from the edge of the paved or concrete parking. [Here](#) is a copy of the bill and we would appreciate your thoughts on how it may impact your business.

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