

VIRGINIA ACTS OF ASSEMBLY -- 2001 SESSION

CHAPTER 610

An Act to amend the Code of Virginia by adding in Title 15.2 a chapter numbered 48.1, consisting of sections numbered 15.2-4816 through 15.2-4828, relating to the Northern Virginia Transportation Authority.

[H 2606]

Approved March 24, 2001

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 15.2 a chapter numbered 48.1, consisting of sections numbered 15.2-4816 through 15.2-4828, as follows:

CHAPTER 48.1.

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY.

§ 15.2-4816. Short title.

This chapter shall be known and may be cited as the Northern Virginia Transportation Authority Act.

§ 15.2-4817. Declaration; no taxing power granted.

The development of an integrated and efficient transportation system, composed of transit facilities, public highways, and other modes of transport, is necessary for the continued prosperity and quality of life in the localities hereinafter defined in § 15.2-4819 and the Commonwealth of Virginia; and the creation of a transportation authority comprising said localities as hereinafter provided, which shall function as a public instrumentality with all the powers granted to transportation districts by Chapter 45 (§ 15.2-4500 et seq.) of this title, is hereby determined to be the most advisable means of planning and developing a transportation system required for the safety, comfort, and convenience of the citizens of said localities and for the economical utilization of public funds.

Nothing in this chapter shall be construed to authorize the Authority to impose any motor fuel tax, sales and use tax, or income tax.

§ 15.2-4818. Authority created.

There is hereby created the Northern Virginia Transportation Authority, hereinafter known as "the Authority."

In addition to such other powers vested in the Authority by this chapter, the Authority shall have all powers and functions granted to transportation districts by Chapter 45 (§ 15.2-4515 et seq.) of Title 15.2.

§ 15.2-4819. Localities embraced by the Authority.

The Authority shall embrace the Counties of Arlington, Fairfax, Loudoun, and Prince William, and the Cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park.

§ 15.2-4820. Composition of Authority; Chairman and Vice-Chairman.

The Authority shall consist of:

The nine representatives of local governments embraced by the Authority and the two members of the General Assembly who serve on the National Capital Region Transportation Planning Board;

The member of the Commonwealth Transportation Board appointed to represent Northern Virginia and those members of the Transportation Board designated as urban at-large members who reside in localities embraced by the Authority; and

Three citizens who reside in localities embraced by the Authority and who have significant experience in transportation planning, finance, engineering, construction, or management, appointed by the Governor.

In addition, the following persons shall serve as nonvoting members of the Authority: the Director of the Virginia Department of Rail and Public Transportation, or his designee, and the regional administrator of the Virginia Department of Transportation's Northern Virginia Highway Construction District.

The member of the Commonwealth Transportation Board appointed to represent Northern Virginia shall be Chairman. A representative of a component local government, chosen annually by the nine representatives of component local governments, shall be Vice-Chairman.

§ 15.2-4821. Staff.

The Authority shall employ a chief executive officer and such staff as it shall determine to be necessary to carry out its duties and responsibilities under this chapter. No such person shall contemporaneously serve as a member of the Authority. The Virginia Department of Transportation and the Virginia Department of Rail and Public Transportation shall make their employees available to assist the Authority, upon request.

§ 15.2-4822. Alternate local representatives.

The alternate members of the National Capital Region Transportation Planning Board appointed by

the local governments and the General Assembly may serve in like capacity as alternates to members of the Authority. Each such alternate member may vote upon decisions of the Authority in that member's absence.

§ 15.2-4823. Allocation of certain Authority expenses among component local governments.

The administrative expenses of the Authority, to the extent funds for such expenses are not provided from other sources, shall be allocated among the component local governments on the basis of the relative population, as determined pursuant to § 15.2-4822. Such budget shall be limited solely to the administrative expenses of the Authority and shall not include any funds for construction or acquisition of transportation facilities and/or the performing of transportation service.

§ 15.2-4824. Payment to members of Authority.

The members of the Authority may be paid for their services a per diem in either (i) the amount provided in the general appropriation act for members of the General Assembly engaged in legislative business between sessions or (ii) a lesser amount as determined by the Authority.

§ 15.2-4825. Formation of advisory committees.

The Authority may, in its discretion, form advisory committees. The Authority shall have a technical advisory committee, consisting of individuals who reside in localities embraced by the Authority and have experience in transportation planning, finance, engineering, construction, and management. The Authority also shall have a planning coordination advisory committee, which shall include, but not be limited to, at least one elected official from the City of Manassas Park and the Towns of Dumfries, Herndon, Leesburg, and Vienna.

§ 15.2-4826. Responsibilities of Authority for long-range transportation planning.

The Authority shall be responsible for long-range transportation planning for regional transportation projects in Northern Virginia. In carrying out this responsibility, the Authority shall, on the basis of a regional consensus, whenever possible, set regional transportation policies and priorities for regional transportation projects.

§ 15.2-4827. Authority to issue bonds.

The Authority may issue such bonds and other evidences of debt as have been or shall be authorized by law.

§ 15.2-4828. Other duties and responsibilities of Authority.

In addition to other powers herein granted, the Authority shall have the following duties and responsibilities:

1. General oversight, subject to the statutory authority of the Commonwealth Transportation Board, of regional programs of the Virginia Department of Transportation and/or the Virginia Department of Rail and Public Transportation involving mass transit or congestion mitigation, including, but not necessarily limited to, car-pooling, van-pooling, and ride-sharing;

2. Long-range regional planning, both financially constrained and unconstrained;

3. Recommending to state and federal agencies regional transportation priorities, including public-private transportation projects, and funding allocations;

4. Developing, in coordination with affected local governments, regional priorities and policies affecting air quality and general environmental issues;

5. Allocating to priority regional transportation projects any funds made available to the Authority by the General Assembly or the Commonwealth Transportation Board and directly overseeing such projects, subject to the statutory authority of the Commonwealth Transportation Board;

6. Recommending to the Commonwealth Transportation Board priority regional transportation projects for receipt of federal and state funds, including but not limited to funds allocated to the Northern Virginia Highway Construction District;

7. Recommending to the Commonwealth Transportation Board use and/or changes in use of tolls for facilities in the Northern Virginia Highway Construction District;

8. General oversight, subject to the statutory authority of the Commonwealth Transportation Board, of regional transportation operational issues of a multijurisdictional nature, including but not limited to intelligent transportation systems, signalization, and preparation for and response to emergencies; and

9. Serving as an advocate for the transportation needs of Northern Virginia before state and federal agencies.

2. That the provisions of this act shall become effective on July 1, 2002.

3. That the Commission authorized by Senate Joint Resolution No. 397, approved during the 2001 Session of the General Assembly, shall recommend amendments to this act, if any, prior to the 2002 Session of the General Assembly. Such Commission specifically shall examine and may recommend whether the composition of the Authority pursuant to § 15.2-4820 should be modified.

4. That it is the intention of the General Assembly that the Northern Virginia Transportation Commission shall merge and be consolidated with the Authority no later than July 1, 2003, subject to such terms and conditions as the General Assembly shall approve prior to that date. Prior to the 2003 Session of the General Assembly, the Authority, in consultation with the Commission, shall recommend such amendments to this act, the Code of Virginia, and the Washington Metropolitan Area Transit Authority Compact as are necessary to effectuate such merger and

consolidation.