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SENATE BILL NO. 1355

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation
on February 15, 2001)

(Patron Prior to Substitute—Senator Mims)

A BILL 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.

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.

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.

§ 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 subsections A and B of § 15.2-4515.

§ 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 chief elected officer of the local governments embraced by the Authority and, in the discretion of the appointing local government, one or more alternates who may act in the place of the regular representative;

Three members of the House of Delegates who reside in different localities embraced by the Authority, appointed by the Speaker of the House, and two members of the Senate who reside in different localities embraced by the Authority, appointed by the Senate Committee on Privileges and Elections, all from legislative districts embraced in whole or in part by the Authority;

The member of the Commonwealth Transportation Board appointed to represent Northern Virginia; and

Three citizens who reside in different localities embraced by the Authority and who have significant experience in transportation planning, finance, engineering, construction, or management, appointed by the Governor. Such appointments may include members of the commonwealth Transportation Board who reside in localities embraced by the Authority.

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 Commonwealth Transportation Commissioner, or his designee.

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. *Decisions of Authority.*

A majority of the Authority, which majority shall include at least a majority of the representatives of the local governments embraced by the Authority, shall constitute a quorum. Decisions of the Authority shall require a quorum and shall be in accordance with voting procedures established by the Authority. In all cases, decisions of the Authority shall require the affirmative vote of two-thirds of the members of the Authority present and voting, and two-thirds of the representatives of the local governments embraced by the Authority who are present and voting and whose jurisdictions include two-thirds of the population embraced by the Authority.

§ 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 any 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 appropriations 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 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 bonds and other evidences of debt in accordance with Article 5 (§ 15.2-4519 et seq.) of Chapter 45 of this Title and such other debt as may 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 authority of the Commonwealth Transportation Board and the Commonwealth Transportation Commissioner;

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 authority of the Commonwealth Transportation Board and the Commonwealth Transportation Commissioner, 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 the state and federal governments.

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

122 2002 Session of the General Assembly. Such Commission specifically shall examine and may
123 recommend whether the composition of the Authority pursuant to § 15.2-4820 the allocation of
124 administrative expenses pursuant to § 15.2-4824, and decisions of the Authority pursuant to
125 § 15.2-4822 should be modified.
126 4. That prior to the 2002 Session of the General Assembly, the Commission authorized by Senate
127 Joint Resolution No. 397, in consultation with the Authority, shall identify existing transportation
128 agencies and functions that can be merged, consolidated, or affiliated with the Authority, and shall
129 recommend such amendments to this act, the Code of Virginia and other appropriate documents
130 as are necessary to effectuate such merger, consolidation, or affiliation.