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**SENATE JOINT RESOLUTION NO. 354****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Rules  
on February 17, 2003)

(Patron Prior to Substitute—Senator Edwards)

*Requesting the Virginia Department of Rail and Public Transportation to study the Virginia Rail Transportation Development Authority to finance improvements to railroad freight and passenger transportation in Virginia. Report.*

WHEREAS, improvement and expansion of rail freight and passenger infrastructure and facilities in Virginia can reduce the need for expenditures on highway construction and maintenance by diverting both freight and passenger traffic from highway to rail; and

WHEREAS, the diversion of passenger and freight traffic from highway to rail reduces congestion, promotes safety, and avoids significant air and water pollution; and

WHEREAS, the freight railroads that currently own and operate most of the rail lines in Virginia do not have the financial resources to make many of the improvements to rail facilities and infrastructure that might clearly be in the public interest; and

WHEREAS, Senate Bill 1279, which creates the Virginia Rail Transportation Development Authority, is before the 2003 Session of the Virginia General Assembly; and

WHEREAS, the Virginia Rail Transportation Development Authority is required, pursuant to SB 1279 (2003), to "finance or assist in the financing of the construction, repair, renovation, restoration, acquisition, and extension of rail lines, equipment, and facilities in the Commonwealth, including rolling stock, shops, terminals, bridges, tunnels, and any other passenger rail or freight rail facilities, equipment, or infrastructure"; and

WHEREAS, to facilitate the clear public interest in improving rail facilities, there is a need to review and analyze the Virginia Rail Transportation Development Authority relative to its functions, structure, and responsibilities for both freight and passenger rail transportation; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Virginia Department of Rail and Public Transportation be requested to study the Virginia Rail Transportation Development Authority to finance improvements to railroad freight and passenger transportation in Virginia.

In conducting its study, the Department shall (i) analyze the feasibility of various options to finance improvements to railroad freight and passenger transportation in Virginia, including strategies that may be considered by the Virginia Rail Transportation Development Authority, pursuant to SB 1279 (2003); (ii) conduct a literature search of national best practices relative to creating rail authorities and other relevant issues; (iii) examine how the Virginia Rail Transportation Development Authority can finance and facilitate financing of the acquisition, construction, repair, improvement, and extension of rail facilities, including rolling stock and infrastructure that the Authority determines to be in the public interest; and (iv) recommend the appropriate structure, powers and duties of the Authority, and revenue and sources of revenue needed to perform its responsibilities.

All agencies of the Commonwealth shall provide assistance to the Department for this study, upon request.

The Virginia Department of Rail and Public Transportation shall complete its meetings by November 30, 2003, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations for publication as a document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2004 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

HOUSE SUBSTITUTE

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