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HOUSE BILL NO. 1548

Offered January 12, 2005

Prefiled December 1, 2004

A BILL to amend the Code of Virginia by adding in Article 1.1 of Chapter 1 of Title 33.1 a section numbered 33.1-23.05, relating to special revenue sharing funds for certain projects in certain towns.

Patrons—Scott, E.T., Athey and Sherwood

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1.1 of Chapter 1 of Title 33.1 a section numbered 33.1-23.05 as follows:

§ 33.1-23.05. Special revenue sharing funds for certain projects in certain towns.

A. From, and as a first priority of, annual allocations of state funds for the maintenance, improvement, construction, or reconstruction of the systems of state highways, the Commonwealth Transportation Board shall make an equivalent matching allocation to any town for designations by the governing body of up to \$500,000 in town general funds for use by the Commonwealth Transportation Board to construct, maintain or improve any of the public highway systems within such town. Such funds allocated by the Commonwealth Transportation Board and such town funds shall be placed in special fund accounts of the Board and town, respectively, both to be known as the "Town of highway fund," and shall be used solely for the purposes of maintaining, improving, or constructing the public highway systems within such town. After due consultation and exchange of recommendations with the Board, the governing body of such town shall determine what portion of such funds shall be used for construction, and what portion for maintenance or improvement, of public highways in such town. That portion so designated by the governing body for construction shall be allocated to specific projects by the Board; that portion designated by the governing body for maintenance or improvement shall be allocated to specific roads by the governing body. The town shall pay over to the Board that amount of its special fund account needed for a project upon notice by the Board of its intent to proceed with the project. Projects identified by the governing body for construction with town general funds as provided in this section need not be included in the six-year plan.

B. Upon indication by the Department that a project or projects funded pursuant to subsection A of this section cannot be implemented by the Department within the fiscal year for which such revenue sharing funds have been allocated, the Department may contract with the town for the implementation of the project or projects by the town. Such contract may cover either a single project or may provide for the town's implementation of several projects during the fiscal year. Upon approval by the Department, the town may expend from its special fund created under subsection A funds to undertake the implementation of a particular project or projects. The town will undertake implementation of the particular project or projects by obtaining the necessary permits from the Department of Transportation in order to ensure that the improvement is consistent with the Department's standards for such improvements.

C. Total state funds allocated statewide under this section shall not exceed \$10 million in any one fiscal year.

D. Notwithstanding the limitations specified in subsection A of this section, one month prior to the end of any fiscal year in which less than \$10 million has been allocated from state funds under this section, those towns requesting more than \$500,000 may be allowed an additional allocation. The difference between the amount first allocated and \$10 million shall be allocated at the discretion of the Commonwealth Transportation Board among the towns receiving the maximum allocation under subsection A of this section.

E. The provisions of this section shall apply exclusively to projects undertaken jointly by towns and adjoining counties, where the county portion of the project or projects is funded under the provisions of § 33.1-75.1. No funds shall be allocated nor expended under this section for projects not undertaken jointly with an adjoining county.

INTRODUCED

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