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HOUSE BILL NO. 1855

Offered January 12, 2005

Prefiled January 6, 2005

A *BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:14, relating to procedures to be followed by state agencies in connection with certain transportation construction or reconstruction projects.*

Patrons—Eisenberg and Petersen

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 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:14 as follows:

§ 33.1-223.2:14. Procedures to be followed by the state agencies in connection with certain transportation construction or reconstruction projects.

A. Whenever the Department is involved in any highway construction or reconstruction projects in the Northern Virginia highway construction district, including but not limited to projects undertaken under the Public-Private Transportation Act of 1995 (§ 56-556 et seq.), and such projects involve or could potentially involve adding additional traffic lanes or modifying existing traffic lanes, the Department shall evaluate:

1. Options for maximizing person-trips and vehicle occupancy on the affected facility, including but not limited to high-occupancy vehicle requirements, high-occupancy toll lanes, and express bus or bus rapid transit services;

2. Whether such options could effectively meet corridor transportation needs without the construction of additional lanes;

3. How revenues from any high-occupancy toll lane can best serve the future transportation needs of Northern Virginia, with particular emphasis on how toll revenues can improve public transportation and expand access to jobs and public facilities without the use of automobiles;

4. Options for using lanes as corridors to support new bus rapid transit services, including evaluation of potential bus rapid transit stations and slip ramps to enable efficient access and egress;

5. Opportunities for adjacent and air-rights transit-oriented development in connection with new transit nodes developed as part of the road project;

6. Opportunities to reclaim green space in urban areas, such as by covering portions of the roadway to reconnect divided neighborhoods;

7. The land use plans of jurisdictions along the corridor to determine the extent to which those plans will ensure efficient use of the new or modified infrastructure; and

8. Opportunities to promote alternative fuel and low or zero emission vehicles.

B. Whenever the Department of Transportation or any other state agency is involved in any highway construction or reconstruction projects undertaken under the Public-Private Transportation Act of 1995 (§ 56-556 et seq.), the Department or such other agency shall:

1. Give priority consideration to proposals that improve traffic management, create multimodal opportunities by using infrastructure to support public transportation, reduce energy use and air pollution, dedicate a portion of toll revenues to support public transportation, and improve equitable access to jobs and public facilities;

2. Restrict investment of state resources in toll projects unless those projects dedicate a portion of their toll revenues to projects that will (a) increase the availability and use of alternatives to driving, (b) reduce corridor transportation energy use and emissions, and (c) increase access to jobs and public facilities by those without automobiles;

3. Ensure that all applicable provisions of the National Environmental Policy Act are fully complied with, including requirements for environmental studies, full and objective analyses of alternatives, and public involvement; and

4. Require that state resources be invested only in projects that include (a) significant private sector investment in project engineering and construction costs and (b) repayment of private sector resources through new revenues generated by the completed project.