

056021236

HOUSE BILL NO. 1972

Offered January 12, 2005

Prefiled January 10, 2005

A BILL to amend and reenact §§ 33.1-221.1:3 and 58.1-815.1 of the Code of Virginia, relating to the Northern Virginia Transportation District Program.

 Patron—Black

 Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 33.1-221.1:3 and 58.1-815.1 of the Code of Virginia are amended and reenacted as follows:

§ 33.1-221.1:3. Northern Virginia Transportation District Program.

A. The General Assembly declares it to be in the public interest that the economic development needs and economic growth potential of Northern Virginia be addressed by a special transportation program to provide for the costs of providing an adequate, modern, safe and efficient transportation network in Northern Virginia which shall be known as the Northern Virginia Transportation District Program (the Program), including, without limitation, environmental and engineering studies, rights-of-way acquisition, construction, improvements to all modes of transportation, and financing costs. The Program consists of the following projects: the Fairfax County Parkway, Route 234 Bypass, Metrorail Capital Improvements attributable to Fairfax County including Metro parking expansions, Metro Capital Improvements, including the Franconia-Springfield Metrorail Station and new rail car purchases, Route 7 improvements in Loudoun County and Fairfax County, the Route 50/Courthouse Road interchange improvements in Arlington County, the Route 28/Route 625 interchange improvements in Loudoun County, Metrorail capital improvements attributable to the City of Alexandria including the King Street Metrorail Station access, Metrorail capital improvements attributable to Arlington County, including Ballston Station improvements, Route 15 safety improvements in Loudoun County, Route 28 parallel roads in Loudoun County, *the Route 28/Sterling Boulevard interchange in Loudoun County*, Route 1/Route 123 interchange improvements in Prince William County, Lee Highway improvements in the City of Fairfax, Route 123 improvements in Fairfax County, Telegraph Road improvements in Fairfax County, Route 123 Occoquan River Bridge, Gallows Road in Fairfax County, Route 1/Route 234 interchange improvements in Prince William County, Potomac-Rappahannock Transportation Commission bus replacement program, and Dulles Corridor Enhanced Transit program.

B. Allocations to this Program from the Northern Virginia Transportation District Fund established by § 58.1-815.1 shall be made annually by the Commonwealth Transportation Board for the creation and enhancement of a safe, efficient transportation system connecting the communities, businesses, places of employment, and residences of the Commonwealth, thereby enhancing the economic development potential, employment opportunities, mobility and quality of life in Virginia.

C. Except in the event that the Northern Virginia Transportation District Fund is insufficient to pay for the costs of the Program, allocations to the Program shall not diminish or replace allocations made from other sources or diminish allocations to which any district, system, or locality would be entitled under other provisions of this title, but shall be supplemental to other allocations to the end that transportation improvements in the Northern Virginia Transportation District may be accelerated and augmented. Allocations under this subsection shall be limited to projects specified in *subdivision (2) (s) of § 33.1-268 (2) (s)*.

D. The Commonwealth Transportation Board may expend such funds from all sources as may be lawfully available to initiate the Program and to support bonds and other obligations referenced in subsection E of this section.

E. The Commonwealth Transportation Board is authorized to receive, dedicate or use first from (i) revenues received from the Northern Virginia Transportation District Fund; (ii) to the extent required, funds appropriated and allocated, pursuant to the highway allocation formula as provided by law, to the highway construction district in which the project or projects to be financed are located or to the city or county in which the project or projects to be financed are located; (iii) to the extent required, legally available revenues of the Transportation Trust Fund; and (iv) such other funds which may be appropriated by the General Assembly for the payment of bonds or other obligations, including interest thereon, issued in furtherance of the Program. No such bond or other obligations shall pledge the full faith and credit of the Commonwealth.

§ 58.1-815.1. Northern Virginia Transportation District Fund.

INTRODUCED

HB1972

59 A. There is hereby created in the Department of the Treasury a special nonreverting fund which shall
60 be a part of the Transportation Trust Fund and which shall be known as the Northern Virginia
61 Transportation District Fund, consisting of transfers pursuant to § 58.1-816 of annual collections of the
62 state recordation taxes attributable to the Cities of Alexandria, Fairfax, Falls Church, Manassas, and
63 Manassas Park and the Counties of Arlington, Fairfax, Loudoun, and Prince William; however, this
64 dedication shall not affect the local recordation taxes under §§ 58.1-802 B and 58.1-814. The Fund shall
65 also include any public rights-of-way use fees appropriated by the General Assembly; any state or local
66 revenues, including but not limited to, any funds distributed pursuant to §§ 33.1-23.3, 33.1-23.4 or
67 §—33.1-23.5:1, which may be deposited into the Fund pursuant to a contract between a jurisdiction
68 participating in the Northern Virginia Transportation District Program and the Commonwealth
69 Transportation Board; and any other funds as may be appropriated by the General Assembly from time
70 to time and designated for this Fund and all interest, dividends and appreciation which may accrue
71 thereto. Any moneys remaining in the Fund at the end of a biennium shall not revert to the general
72 fund, but shall remain in the Fund, subject to the determination by the Commonwealth Transportation
73 Board that a Category 2, 3 or 4 project or projects may be funded.

74 B. Allocations from this Fund may be paid (i) to any authority, locality or commission for the
75 purposes of paying the costs of the Northern Virginia Transportation District Program which consists of
76 the following: the Fairfax County Parkway, Route 234 Bypass, Metrorail Capital Improvements
77 attributable to Fairfax County including Metro parking expansions, Metro Capital Improvements,
78 including the Franconia-Springfield Metrorail Station and new rail car purchases, Route 7 improvements
79 in Loudoun County and Fairfax County, the Route 50/Courthouse Road interchange improvements in
80 Arlington County, the Route 28/Route 625 interchange improvements in Loudoun County, Metrorail
81 capital improvements attributable to the City of Alexandria including the King Street Metrorail Station
82 access, Metrorail capital improvements attributable to Arlington County, including Ballston Station
83 improvements, Route 15 safety improvements in Loudoun County, Route 28 parallel roads in Loudoun
84 County, *the Route 28/Sterling Boulevard interchange in Loudoun County*, Route 1/Route 123
85 interchange improvements in Prince William County, Lee Highway improvements in the City of Fairfax,
86 Route 123 improvements in Fairfax County, Telegraph Road improvements in Fairfax County, Route
87 123 Occoquan River Bridge, Gallows Road in Fairfax County, Route 1/Route 234 interchange
88 improvements in Prince William County, Potomac-Rappahannock Transportation Commission bus
89 replacement program, and Dulles Corridor Enhanced Transit program and (ii) for Category 4 projects as
90 provided in § 2 of the act or acts authorizing the issuance of Bonds for the Northern Virginia
91 Transportation District Program.

92 C. On or before July 15, 1994, \$19 million shall be transferred to the Fund. Such transfer shall be
93 made by the issuance of a treasury loan at no interest in the amount of \$19 million in the event such an
94 amount is not included for the Fund in the general appropriation act enacted by the 1994 Session of the
95 General Assembly. Such treasury loan shall be repaid from the Commonwealth's portion of the state
96 recordation tax imposed by Chapter 8 (§ 58.1-800 et seq.) of Title 58.1 designated for the Fund by this
97 section and § 58.1-816.