

## VIRGINIA ACTS OF ASSEMBLY — CHAPTER

*An Act 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.*

[H 1972]

Approved

**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.

A. There is hereby created in the Department of the Treasury a special nonreverting fund which shall be a part of the Transportation Trust Fund and which shall be known as the Northern Virginia

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

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

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