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HOUSE JOINT RESOLUTION NO. 742
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Rules
on February 3, 2005)

(Patrons Prior to Substitute—Delegates Wardrup [HJR 662], Reese [HJR 660], Marrs [HJR 663],
Lingamfelter [HJR 715], Phillips [HJR 744], Parrish [HJR 772], and Marshall, R.G. [HJR 791])
Establishing the Commission on Transportation Needs in the Commonwealth. Report.

WHEREAS, a safe, efficient, convenient, and adequate multimodal transportation system is essential for a prosperous economy for the Commonwealth and the well-being of its citizens; and

WHEREAS, 29 percent of interstate roads, 32 percent of primary roads, 30 percent of secondary roads, and 11 percent of urban roads cannot handle current traffic flows, and in 2002, the typical commuter spent an additional 25 hours in traffic in the Commonwealth as compared to the commuter of 1990; and

WHEREAS, the majority of the Commonwealth's bridges are at least 25 years old and over 3,000 bridges are between 50 and 75 years old; and

WHEREAS, it is possible to use both active and abandoned railroad corridors for multimodal transportation purposes, including construction of recreational trails and greenways; and

WHEREAS, unfortunately, liability issues regarding the use of railroad rights-of-way by the public are frustrating such developments; and

WHEREAS, traffic congestion around the Washington, D.C., metropolitan area continues to swell, making it increasingly more difficult and more dangerous to live, work in, and visit the Washington, D.C. metropolitan area; and

WHEREAS, no portion of the Commonwealth presents both greater challenges and greater potential success for major transportation improvements through innovative and well-considered mass transit programs than the Northern Virginia area; and

WHEREAS, a bypass from central Virginia to U.S. 50 in Maryland would greatly help to ameliorate the congestion and the problems associated with traffic congestion in the Washington, D.C. metropolitan area; and

WHEREAS, particularly in the Commonwealth's urban and urbanizing areas, transportation challenges cannot be met by highway construction alone, and mass transit offers the possibility of moving more people using fewer vehicles in less time while causing less pollution than other forms of transportation; and

WHEREAS, over the past decade, the Virginia Department of Transportation has experienced numerous and sometimes dramatic cost overruns in its construction contracts, and such overruns require a redistribution of financial resources available for transportation construction projects; and

WHEREAS, it is essential that Virginia's transportation program be as well-managed, efficient, and cost-effective as possible; and

WHEREAS, according to estimates, by 2014, the Commonwealth will no longer be able to fully match federal funds for new construction because the Commonwealth's revenues dedicated for transportation will be expended primarily for maintenance, which has been given priority over new construction pursuant to § 33.1-23.1 of the Code of Virginia; and

WHEREAS, careful study, far-sighted planning, and financial prudence are indispensable to meeting Virginia's transportation challenges in the short and the long term; and

WHEREAS, to achieve this goal, it is highly desirable to discover, understand, and implement best practices in transportation planning, construction, operation, funding, and management not only from throughout the United States but around the world as well; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Commission on Transportation Needs in the Commonwealth be established. The Commission shall have a total membership of 13 members that shall consist of eight legislative members and five nonlegislative citizen members. Members shall be appointed as follows: five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Rules; three nonlegislative citizen members, of whom one shall have expertise in transportation productivity enhancement, one shall have expertise in transportation cost-saving innovation, and one shall have expertise in transportation financing to be appointed by the Speaker of the House of Delegates; and two nonlegislative citizen members who shall be local government officials to be appointed by the Senate Committee on Rules. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the Commission and the Clerk of the House of Delegates, nonlegislative

60 citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of
61 Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is
62 agreed to, written authorization of both Clerks shall be required. The Commission shall elect a chairman
63 and vice-chairman from among its membership, who shall be members of the General Assembly.

64 In conducting its study, the Commission shall conduct a comprehensive examination of the objectives
65 enumerated herein and in House Joint Resolutions 660, 662, 663, 715, 744, 772, and 791 as introduced
66 in the 2005 Session of the General Assembly. The Commission shall also (i) examine documented cost
67 savings in Texas, Florida, New Zealand, and elsewhere; (ii) identify recent cost savings in Virginia and
68 the potential for additional near-term savings, including but not limited to technology,
69 devolution/localization, retraining/cross-training of staff, maintenance, construction, environmental
70 services, and engineering services; (iii) examine legalities and commercial impacts of private concessions
71 at highway rest areas and Virginia Railway Express stations; (iv) review the sale of freeways in Illinois,
72 Ontario, and other states; (v) identify any current and planned transportation projects that could be
73 financed in whole or in part with tolls and other direct user fees; (vi) review available data related to
74 advertising on state-owned assets, such as vehicles and rest areas; (vii) review out-bidding of commuter
75 rail operations in Los Angeles, Boston, Stockholm, and elsewhere; (viii) evaluate available data
76 regarding evolving technologies enabling more cost-effective toll collection; (ix) recommend near-term
77 prospects for variable congestion-priced toll road facilities; (x) examine concrete milestones and
78 incentives for internally generated savings within the Virginia Department of Transportation (VDOT),
79 such as rewards for continuing draw downs of maximum employment levels (MEL) with the allocation
80 of some savings to pay-for-performance pools, the use of which to be predicated on measurable VDOT
81 accomplishments, such as decreased accident rates and reduced congestion; (xi) analyze the use of local
82 entrepreneurs, especially in rural areas where farmers own equipment that could be used for mowing,
83 snow removal, and drainage maintenance; (xii) identify impediments to local assumption of
84 responsibility for transportation programs; (xiii) study the composition, membership qualifications, and
85 oversight role of the Commonwealth Transportation Board; (xiv) develop the most effective use of
86 transportation funding to anticipate and correct existing and future transportation funding deficiencies;
87 and (xv) consider such other transportation-related matters as the Commission deems appropriate and
88 make recommendations designed to place the Commonwealth in the best position for addressing future
89 transportation issues and challenges.

90 Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates.
91 Legal, research, policy analysis, and other services as requested by the Commission shall be provided by
92 the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the
93 Commission for this study, upon request.

94 The Commission shall be limited to four meetings for the 2005 interim and four meetings for the
95 2006 interim, and the direct costs of this study shall not exceed \$10,000 for each year without approval
96 as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the
97 written authorization of the chairman of the Commission and the Clerk of the House of Delegates. If a
98 companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall
99 be required.

100 No recommendation of the Commission shall be adopted if a majority of the House members or a
101 majority of the Senate members appointed to the Commission (i) vote against the recommendation and
102 (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.

103 The Commission shall complete its meetings for the first year by November 30, 2005, and for the
104 second year by November 30, 2006, and the chairman shall submit to the Division of Legislative
105 Automated Systems an executive summary of its findings and recommendations no later than the first
106 day of the next Regular Session of the General Assembly for each year. Each executive summary shall
107 state whether the Commission intends to submit to the General Assembly and the Governor a report of
108 its findings and recommendations for publication as a House or Senate document. The executive
109 summaries and reports shall be submitted as provided in the procedures of the Division of Legislative
110 Automated Systems for the processing of legislative documents and reports and shall be posted on the
111 General Assembly's website.

112 Implementation of this resolution is subject to subsequent approval and certification by the Joint
113 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
114 delay the period for the conduct of the study, or authorize additional meetings during the 2005 or 2006
115 interim.