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**HOUSE BILL NO. 1195**

Offered January 11, 2006

Prefiled January 11, 2006

*A BILL to amend and reenact § 33.1-23.03 of the Code of Virginia, relating to Statewide Transportation Plan; adequacy of local or regional transportation system.*

Patrons—Marshall, R.G. and Frederick

Referred to Committee on Counties, Cities and Towns

**Be it enacted by the General Assembly of Virginia:**

**1. That § 33.1-23.03 of the Code of Virginia is amended and reenacted as follows:**

§ 33.1-23.03. Board to develop and update Statewide Transportation Plan.

A. The Commonwealth Transportation Board shall conduct a comprehensive review of statewide transportation needs in a Statewide Transportation Plan setting forth an inventory of all construction needs for all systems, and based upon this inventory, establishing goals, objectives, and priorities covering a ~~twenty~~20-year planning horizon, in accordance with federal transportation planning requirements. This plan shall embrace all modes of transportation and include technological initiatives. This Statewide Transportation Plan shall be updated as needed, but no less than once every five years. The plan will provide consideration of projects and policies affecting all transportation modes and promote economic development, intermodal connectivity, environmental quality, accessibility for people and freight, and transportation safety. Each such plan shall be summarized in a public document and made available to the general public upon presentation to the Governor and General Assembly.

It is the intent of the General Assembly that this plan assess transportation needs and assign priorities to projects on a statewide basis, avoiding the production of a plan which is an aggregation of local, district, regional, or modal plans.

*B. If pursuant to a comprehensive review, the Board determines that transportation needs are not being adequately met in any locality or region within the Commonwealth, then the Board shall establish and apply an impact fee in such locality or region, pursuant to which the Board shall collect a fee from the builder of each new residential or commercial unit constructed in the locality or region until such time as the Board determines that the transportation needs in the locality or region are being adequately met and are likely to remain so for at least the next five years. The fee shall be based on standards and criteria established by the Board, including but not limited to:*

*1. Average levels of traffic congestion and vehicle miles traveled by residents in such locality or region,*

*2. The pro-rata impact of each residential or commercial unit on the existing transportation network, and*

*3. The pro-rata impact of each additional residential or commercial unit on the costs of improving, expanding or developing new transportation systems in order to adequately meet the needs of such new development.*

*The Board shall allocate all fees collected under this section to a special account within the Transportation Trust Fund on behalf of the locality or localities if a region is subject to the fee requirement. The Board shall make disbursements from such account for the improvement, maintenance or expansion of the transportation system in such locality or region.*

*C. Upon a determination by the Board that the local or regional transportation system is adequate and is likely to remain adequate for at least the next five years, the Board shall release to the locality or localities all funds that may remain in the in the Transportation Trust Fund on their behalf.*

**2. That the Commonwealth Transportation Board shall promulgate regulations necessary to implement the terms of this act.**

INTRODUCED

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