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**HOUSE BILL NO. 911**

Offered January 11, 2006

Prefiled January 10, 2006

A *BILL to amend the Code of Virginia by adding a section numbered 33.1-23.1:01, relating to the Urban Highway Congestion Mitigation Fund.*

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Patron—Oder

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Referred to Committee on Transportation

**Be it enacted by the General Assembly of Virginia:****1. That the Code of Virginia is amended by adding a section numbered 33.1-23.1:01 as follows:***§ 33.1-23.1:01. Urban Congestion Mitigation Fund created; allocations and grants.*

*After making the allocations provided for in subsection A of § 33.1-23.1, but before funds are allocated for distribution for highway construction pursuant to subsections B 1, B 2, and B 3 of § 33.1-23.1, the Commonwealth Transportation Board shall annually allocate \$250 million to an Urban Highway Congestion Mitigation Fund to be used exclusively for the purpose of making allocations and grants to cities and urban counties for urban highway congestion mitigation construction projects.*

*Funding of projects from the Fund shall be limited to those projects contained in 20-year regional plans whose construction has been substantially delayed because of a shortage of funds available for them.*

*The Board shall establish such additional eligibility standards for projects to be funded from the Fund and policies and procedures by which qualified localities may apply for allocations and grants authorized by this section.*

*In assigning priorities for funding eligibility, the Board shall consider but not necessarily be limited to the extent to which:*

- 1. Expenditures associated with project design have already been incurred;*
- 2. Implementation of the project has been delayed, in terms of the 20-year planning cycle;*
- 3. The locality has made land use and development decisions based on good faith assumptions that planned urban system constructions would be available for the project;*
- 4. Construction of the project would result in substantial local and regional highway congestion mitigation;*
- 5. Completion of the project would substantially improve commuting time between major residential areas and centers of employment; and*
- 6. The willingness of the locality or the private sector to provide matching funds to cover up to 50 percent of project costs.*

*No more than 10 percent of funds available in the Fund shall be committed to any one project or any single locality in any fiscal year. Projects funded through grants and allocations from the Fund may be constructed according to plans developed by or for the locality in which the project is to be located, using the locality's own criteria, and shall not be subject to approval by the Department.*

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