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HOUSE BILL NO. 2463

Offered January 10, 2007

Prefiled January 9, 2007

A *BILL to amend the Code of Virginia by adding in Title 15.2 a chapter numbered 48.3, consisting of sections numbered 15.2-4841 through 15.2-4852, relating to regional transportation authorities.*

 Patron—Oder

 Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 15.2 a chapter numbered 48.3, consisting of sections numbered 15.2-4841 through 15.2-4852, as follows:

*CHAPTER 48.3.**REGIONAL TRANSPORTATION AUTHORITIES.*

§ 15.2-4841. *Creation of regional transportation authorities; authority membership.*

A. *If the governing bodies of each of three or more contiguous counties, cities, or towns by resolution declare that there is a need for a regional transportation authority to be created for all of such localities to exercise in such localities such powers and other functions prescribed for a regional transportation authority, a body corporate and politic shall be created to perform such powers and functions prescribed by this chapter. The authority shall be known by the name adopted for the authority by its governing body.*

B. *The following persons shall be members of the governing bodies of each regional transportation authority:*

1. *The chief elected officer of the governing body of each locality included in the authority or, in the discretion of the chief elected officer, his designee, who shall be a current elected officer of such governing body, and two members of the local governing body, all appointed by majority vote of the local governing body;*

2. *At least one but not more than two members of the House of Delegates whose legislative district includes, in whole or in part, a locality included in the authority, appointed by the Speaker of the House of Delegates; and*

3. *One member of the Senate of Virginia whose legislative district includes, in whole or in part, a locality included in the authority, appointed by the Senate Committee on Rules.*

C. *Legislative members shall serve terms coincident with their terms in office. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments. In addition, the following persons shall serve as nonvoting members of the authority: the Secretary of Transportation or his designee and the Commonwealth Transportation Commissioner or his designee.*

D. *Each regional transportation authority shall annually elect a chairman and vice chairman.*

E. *Each regional transportation authority shall prepare a written report annually, and the Auditor of Public Accounts or his legally authorized representatives shall annually audit the financial accounts of the authority.*

§ 15.2-4842. *Administrative support and office space.*

The staff of the local governments forming the regional transportation authority shall work cooperatively to assist in the proper formation and effective organization of the regional transportation authority, including provision for office space and administrative support as determined to be necessary for the operation of the regional transportation authority. The regional transportation authority may allocate the cost of such staff, office space, and administrative support among the localities that are members of the regional transportation authority.

§ 15.2-4843. *Decisions of the authority.*

A majority of the authority, which shall include at least a majority of the representatives of the localities included in the authority, shall constitute a quorum. Decisions of the authority shall require a quorum and shall be in accordance with voting procedures established by the authority.

§ 15.2-4844. *Responsibility of Authority to establish specific projects.*

The authority shall establish specific projects of regional significance which shall be to repair, expand, enlarge, construct, reconstruct, or renovate any existing or new transportation facilities in the localities that are members of the regional authority. The authority shall obtain approval from each of the local governing bodies that are members of the regional authority and the Commonwealth Transportation Board prior to undertaking any such transportation improvements.

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59 § 15.2-4845. Authority to issue bonds.

60 The authority may issue bonds and other evidences of debt as may be authorized by law. The
61 provisions of Article 5 (§ 15.2-4519 et seq.) of Chapter 45 of this title shall apply, mutatis mutandis, to
62 the issuance of such bonds or other debt.

63 § 15.2-4846. Authority to impose and collect tolls on existing highways and bridges.

64 Notwithstanding any contrary provision of this chapter and in accordance with all applicable federal
65 statutes and requirements, the authority may impose and collect tolls in amounts established by the
66 authority for the use of any or all of the transportation facilities within the confines of the authority,
67 provided that (i) such funds so collected are deposited into the Regional Transportation Authority Trust
68 Fund established by § 15.2-4848, (ii) such funds are expended only in accordance with this chapter, and
69 (iii) the imposition and collection of tolls has been approved in advance by the Commonwealth
70 Transportation Board.

71 § 15.2-4847. General powers of regional transportation authority.

72 The authority shall have the following powers together with all powers incidental thereto or
73 necessary for the performance of those herein stated:

74 1. To have such powers as any other political subdivision of the Commonwealth;

75 2. To apply for and accept money, materials, contributions, grants, or other financial assistance from
76 the United States government and its agencies and instrumentalities, from the Commonwealth and any
77 political subdivision, agency, or instrumentality of the Commonwealth, and from a private entity or
78 property owner;

79 3. To acquire real and personal property or any interest therein by purchase, lease, contract, gift,
80 condemnation, or otherwise and to hold, encumber, sell, or otherwise dispose of such land or interest
81 for purposes consistent with this chapter and the provision of § 33.1-422;

82 4. To construct or acquire, by purchase, lease, contract, gift, condemnation, or otherwise, highways,
83 bridges, tunnels, and other transportation-related facilities in the manner and to the extent not
84 inconsistent with the provisions of § 33.1-422;

85 5. In coordination with the Virginia Department of Transportation and with each locality in which
86 the facility or any part thereof is or is to be located, to repair, expand, enlarge, construct, reconstruct,
87 or renovate any or all of the transportation facilities located therein;

88 6. To enter into agreements or leases with public or private entities for the construction, operation,
89 and maintenance of bridges, tunnels, and highways;

90 7. To make and execute contracts, deeds, mortgages, leases, and all other instruments and
91 agreements necessary or convenient for the performance of its duties and the exercise of its powers and
92 functions under this chapter;

93 8. To the extent that funds are made or become available to the authority to do so, to employ
94 employees, agents, advisers, and consultants, including, without limitation, attorneys, financial advisers,
95 engineers, and other technical advisers and, the provision of any other law to the contrary
96 notwithstanding, to determine their duties and compensation; and

97 9. To the extent not inconsistent with the other provisions of this chapter and without limiting or
98 restricting the powers otherwise given the Authority, to exercise all of the powers given to
99 transportation district commissions by §§ 15.2-4518 and 15.2-4519.

100 § 15.2-4848. Regional Transportation Authority Trust Fund.

101 All revenues collected from taxes and fees provided for in this chapter shall be distributed by each
102 county, city, and town to the regional transportation authority in which the locality is included to be
103 used by such authority solely for the purpose described in this chapter and shall be deposited into the
104 Regional Transportation Authority Trust Fund. The treasurer of the county or city shall distribute such
105 revenues to the regional transportation authority as soon as practicable.

106 § 15.2- 4849. Dedication of revenue sources.

107 Each county, city, and town that is a member of a regional transportation authority is hereby
108 authorized to dedicate such taxes and revenues to the Regional Transportation Authority Trust Fund as
109 it deems appropriate and so states in a resolution adopted by the local governing body.

110 § 15.2-4850. Additional revenues.

111 Each county, city, and town that is a member of a regional transportation authority may impose,
112 collect, and assess such additional taxes or fees as authorized by the General Assembly from time to
113 time.

114 § 15.2-4851. Regional transportation authorities, joint projects, adding members.

115 A regional transportation authority may enter into an agreement with another regional transportation
116 authority and exercise all of the powers set out in this chapter for one of the purposes set out herein. A
117 regional transportation authority may add other localities at any time upon adoption of a resolution of
118 all the existing members of that regional transportation authority.

119 § 15.2-4852. Responsibilities of the Commonwealth.

120 Except as otherwise provided in this chapter, the Commonwealth Transportation Board shall allocate

121 *funding to and the Department of Transportation shall perform or cause to be performed all*
122 *maintenance and operation of the bridges, tunnels, and highways within a locality that is a member of a*
123 *regional transportation authority and shall perform such other required services and activities with*
124 *respect to such bridges, tunnels, and highways.*