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HOUSE BILL NO. 155

Offered January 11, 2012

Prefiled January 5, 2012

A BILL to amend and reenact § 33.1-23.05 of the Code of Virginia, relating to revenue sharing funds for highways in certain counties, cities, or towns.

Patron—Ware, R.L.

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That § 33.1-23.05 of the Code of Virginia is amended and reenacted as follows:**

§ 33.1-23.05. Revenue-sharing funds for systems in certain counties, cities, and towns.

A. From revenues made available by the General Assembly and appropriated for the improvement, construction, or reconstruction of the systems of state highways, the Commonwealth Transportation Board may make an equivalent matching allocation to any county, city, or town for designations by the governing body of up to \$10 million for use by the county, city, or town to improve, construct, or reconstruct the highway systems within such county, city, or town. After adopting a resolution supporting the action, the governing body may request revenue-sharing funds to improve, construct, or reconstruct a highway system located in another locality, between two or more localities, or to bring subdivision streets, used as such prior to the date specified in § 33.1-72.1, up to standards sufficient to qualify them for inclusion in the state primary and secondary system of highways. All requests for funding shall be accompanied by a prioritized listing of specified projects.

B. In allocating funds under this section, the Board shall give priority to allocations that will accelerate projects in the Commonwealth Transportation Six-Year Improvement Program or the locality's capital plan.

C. The Department will contract with the county, city, or town for the implementation of the project or projects. Such contract may cover either a single project or may provide for the locality's implementation of several projects during the fiscal year. The county, city, or town will undertake implementation of the particular project or projects by obtaining the necessary permits from the Department of Transportation in order to ensure that the improvement is consistent with the Department's standards for such improvements. *The Department shall provide the funds as a grant to the locality upon execution of the agreement. The Department shall have no administrative oversight for the project. Upon completion of the project, the locality shall provide the Department with written certification that the funds have been used in accordance with subsection A.* At the request of the locality, the Department may provide the locality with engineering, right-of-way acquisition, ~~and/or~~ or construction services for a project with its own forces. The locality shall provide payment to the Department for any such services. If administered by the Department, such contract shall also require that the governing body pay to the Department within 30 days the local revenue-sharing funds upon written notice by the Department of its intent to proceed. Any project having funds allocated under this program shall be initiated in such a fashion where at least a portion of such funds have been expended within two subsequent fiscal years of allocation. Any revenue-sharing funds for projects not initiated after two subsequent fiscal years of allocation may be reallocated at the discretion of the Commonwealth Transportation Board.

D. Total Commonwealth funds allocated by the Board under this section shall not exceed \$200 million in any one fiscal year and no less than \$15 million each fiscal year, subject to appropriation for such purpose.

E. The funds allocated by the Commonwealth Transportation Board under this section shall be distributed and administered in accordance with the revenue-sharing program guidelines established by the Board.

INTRODUCED

HB155