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HOUSE BILL NO. 1884

Offered January 9, 2013

Prefiled January 8, 2013

A *BILL to amend and reenact § 33.1-23.02 of the Code of Virginia, relating to allocation of highway maintenance funds.*

Patron—LeMunyon

Referred to Committee on Transportation**Be it enacted by the General Assembly of Virginia:****1. That § 33.1-23.02 of the Code of Virginia is amended and reenacted as follows:****§ 33.1-23.02. Definition of the terms "maintenance" and "asset management"; allocation of highway maintenance funds.**

A. For the purpose of this title, unless otherwise explicitly provided, the term "maintenance" shall include (i) ordinary maintenance, (ii) maintenance replacement, (iii) operations that include, but are not limited to, traffic signal synchronization, incident management, other intelligent transportation system functions, and (iv) any other categories of maintenance which may be designated by the Commissioner.

B. 1. For the purposes of this title, unless otherwise explicitly provided, the term "asset management" shall mean a systematic process of operating and maintaining the state system of highways by combining engineering practices and analysis with sound business practices and economic theory to achieve cost-effective outcomes.

2. The Department shall develop asset management practices in the operation and maintenance of the state system of highways. *Allocation of funds to highway maintenance projects shall be made to each highway construction district on the basis of vehicle miles traveled in each highway construction district compared to vehicle miles traveled in the Commonwealth as a whole, as determined by the Department. Any such allocation may vary by plus or minus 10 percent from this ratio in a particular highway construction district in a particular fiscal year, provided that a three-fiscal-year moving average of funds allocated for any given district shall be at least 100 percent of that required by the ratio for each district. Notwithstanding the foregoing provisions of this subdivision, the Commissioner of Highways may direct funds to any specific highway segment or other transportation facility that he determines is in need of maintenance or repair because of a significant risk to public safety, provided he has provided written notice of his determination and the specific reasons therefore in writing to all the members of the Commonwealth Transportation Board.*

3. The Commissioner shall advise the Board, on or before June 30 of even-numbered years, of performance targets and outcomes that are expected to be achieved, based upon the funding identified for maintenance, over the biennium beginning July 1 of that year. In addition, not later than September 30 of even-numbered years, the Commissioner shall advise the Board on the Department's accomplishments relative to the expected outcomes and budget expenditures for the biennium ending June 30 of that year and also advise the Board as to the methodology used to determine maintenance needs and the justification as to the maintenance funding by source.

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HB1884