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## HOUSE BILL NO. 2

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation  
on February 4, 2014)

(Patron Prior to Substitute—Delegate Stolle)

A BILL to amend the Code of Virginia by adding in Article 1.1 of Chapter 1 of Title 33.1 a section numbered 33.1-23.5:5, relating to prioritization of projects funded by the Commonwealth Transportation Board.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1.1 of Chapter 1 of Title 33.1 a section numbered 33.1-23.5:5 as follows:

§ 33.1-23.5:5. *Statewide prioritization process for project selection.*

A. The General Assembly declares it to be in the public interest that a prioritization process for projects funded by the Commonwealth Transportation Board be developed and implemented to improve the efficiency and effectiveness of the state's transportation system, transportation safety, transportation accessibility for people and freight, and economic development in the Commonwealth.

B. Subject to the limitations in subsection C, the Commonwealth Transportation Board shall develop, in cooperation with metropolitan planning organizations wholly within the Commonwealth and with the Northern Virginia Transportation Authority, a statewide prioritization process for use of funds allocated under § 33.1-23.1 or apportioned pursuant to 23 U.S.C. § 104. The prioritization process shall be used for the development of the Six-Year Improvement Program pursuant to § 33.1-12 and shall consider highway, transit, rail, roadway, technology operational improvements, and transportation demand management strategies.

1. The prioritization process shall be based on an objective, quantifiable analysis that considers at a minimum the following factors relative to the cost of the project or strategy: congestion mitigation, economic development, accessibility, safety, and environmental quality.

2. Prior to the analysis of projects, candidate projects shall be screened to determine whether they help address a need in the assessment of the Statewide Transportation Plan for corridors of statewide significance, regional networks, or improvements to promote urban development areas pursuant to § 15.2-2223.1.

3. The Commonwealth Transportation Board shall weight factors listed in subdivision 1 for each of the state's construction districts. The Commonwealth Transportation Board may assign different weights to the factors based on geographic location and other factors.

C. The prioritization process developed under subsection B shall not apply to the following: projects or activities undertaken pursuant to § 33.1-23.02; projects funded by the Congestion Mitigation Air Quality funds apportioned to the state pursuant to 23 U.S.C. § 104(b)(4) and state matching funds; projects funded by the Highway Safety Improvement Program funds apportioned to the state pursuant to 23 U.S.C. § 104(b)(3) and state matching funds; projects funded by the Transportation Alternatives funds set-aside pursuant to 23 U.S.C. § 213 and state matching funds; projects funded by local governments pursuant to subdivisions B 2 and 3 of § 33.1-23.1; and projects funded by the revenue-sharing program pursuant to § 33.1-23.05. The Commonwealth Transportation Board may, at its discretion, develop a prioritization process for any of the funds covered by this subsection.

2. That the Commonwealth Transportation Board shall select projects for funding pursuant to the provisions of this act beginning July 1, 2016.

3. That, at the discretion of the Board, a project fully funded in the Six-Year Improvement Program that has completed the state environmental review process or the review process required by the National Environmental Policy Act may be exempt from the provisions of this act.

4. That the prioritization process developed pursuant to § 33.1-23.5:5 of the Code of Virginia, as created by this act, shall not apply to funds allocated to the Northern Virginia Transportation Authority Fund established pursuant to § 15.2-4838.01 of the Code of Virginia or the Hampton Roads Transportation Fund established pursuant to § 33.1-23.5:4 of the Code of Virginia.

5. That the Commonwealth Transportation Board shall solicit input from local governments, metropolitan planning organizations, transit authorities, other transportation authorities, and other stakeholders in the development of the prioritization process pursuant to this act. The Board shall cooperate with the applicable planning organization when developing the weighting of factors pursuant to subdivision B 3 of § 33.1-23.5:5 of the Code of Virginia, as created by this act, for a metropolitan planning area with a population over 200,000.

6. That, for Northern Virginia and Hampton Roads construction districts, the Commonwealth Transportation Board, pursuant to subdivision B 3 of § 33.1-23.5:5 of the Code of Virginia, as

60 created by this act, shall ensure that congestion mitigation, consistent with § 33.1-13.03:1 of the  
61 Code of Virginia, is weighted highest among the factors in the prioritization process. For  
62 metropolitan planning areas with a population over 200,000, the prioritization process shall include  
63 a factor based on the quantifiable and achievable goals pursuant to § 33.1-23.03 of the Code of  
64 Virginia.