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SENATE BILL NO. 1023

Offered January 14, 2015

Prefiled January 12, 2015

A BILL to amend and reenact §§ 30-284 and 33.2-214.1 of the Code of Virginia, relating to transit funding in statewide prioritization process; review of project prioritization.

Patron—Stuart

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 30-284 and 33.2-214.1 of the Code of Virginia are amended and reenacted as follows:

§ 30-284. Powers and duties of Commission.

The Commission shall have the following powers and duties:

1. To make performance reviews of operations of state agencies with transportation responsibilities to ascertain that sums appropriated have been or are being expended for the purposes for which they were made and to evaluate the effectiveness of programs in accomplishing legislative intent;

2. To study, on a continuing basis, the operations, practices, and duties of state agencies with transportation responsibilities as they relate to efficiency in the use of space, personnel, equipment, and facilities;

3. To retain such consultants and advisers as the Commission deems necessary to evaluate financial and project management of state agencies with transportation responsibilities; and

4. To make such special studies of and reports on the operations and functions of state agencies with transportation responsibilities as it deems appropriate and as may be requested by the General Assembly; and

5. To review the development and implementation of the weighting and prioritization process adopted by the Commonwealth Transportation Board pursuant to § 33.2-214.1 and to make recommendations to the General Assembly on necessary legislation to further define the project prioritization process as set forth in § 33.2-214.1.

§ 33.2-214.1. 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, environmental quality, and economic development in the Commonwealth.

B. Subject to the limitations in subsection C, the Commonwealth Transportation Board shall develop, in accordance with federal transportation requirements, and in cooperation with metropolitan planning organizations wholly within the Commonwealth and with the Northern Virginia Transportation Authority, a statewide prioritization process for the use of funds allocated pursuant to § 33.2-358 or, apportioned pursuant to 23 U.S.C. § 104, used pursuant to § 33.2-367, or allocated to the Commonwealth Mass Transit Fund established pursuant to subdivision A 4 of § 58.1-638. Such prioritization process shall be used for the development of the Six-Year Improvement Program pursuant to § 33.2-214 and shall consider, at a minimum, highway, transit, rail, roadway, technology operational improvements, and transportation demand management strategies.

1. The prioritization process shall be based on an objective and 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 in subdivision 1, candidate projects and strategies shall be screened by the Commonwealth Transportation Board to determine whether they are consistent with the assessment of capacity needs for all for corridors of statewide significance, regional networks, and improvements to promote urban development areas established pursuant to § 15.2-2223.1, undertaken in the Statewide Transportation Plan in accordance with § 33.2-353.

3. The Commonwealth Transportation Board shall weight the factors used in subdivision 1 for each of the state's highway construction districts. The Commonwealth Transportation Board may assign different weights to the factors, within each highway construction district, based on the unique needs and qualities of each highway construction district.

4. The Commonwealth Transportation Board shall solicit input from localities, metropolitan planning organizations, transit authorities, transportation authorities, and other stakeholders in its development of the prioritization process pursuant to this section. Further, the Board shall explicitly consider input

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59 provided by an applicable metropolitan planning organization or the Northern Virginia Transportation
60 Authority when developing the weighting of factors pursuant to subdivision 3 for a metropolitan
61 planning area with a population over 200,000 individuals.

62 C. The prioritization process developed under subsection B shall not apply to the following: projects
63 or activities undertaken pursuant to § 33.2-352; projects funded by the Congestion Mitigation Air
64 Quality funds apportioned to the state pursuant to 23 U.S.C. § 104(b)(4) and state matching funds;
65 projects funded by the Highway Safety Improvement Program funds apportioned to the state pursuant to
66 23 U.S.C. § 104(b)(3) and state matching funds; projects funded by the Transportation Alternatives funds
67 set-aside pursuant to 23 U.S.C. § 213 and state matching funds; projects funded pursuant to subdivisions
68 C 2 and 3 of § 33.2-358; projects funded by the revenue-sharing program pursuant to § 33.2-357; and
69 projects funded by federal programs established by the federal government after June 30, 2014, with
70 specific rules that restrict the types of projects that may be funded, excluding restrictions on the location
71 of projects with regard to highway functional classification. The ~~Commonwealth Transportation~~ Board
72 may, at its discretion, develop a prioritization process for any of the funds covered by this subsection,
73 subject to planning and funding requirements of federal law. However, the Board shall defer to
74 individual local governments for projects funded pursuant to subdivisions C 2 and 3 of § 33.2-358.

75 D. The ~~Commonwealth Transportation~~ Board shall make public, in an accessible format, the results
76 of the screening and analysis of candidate projects and strategies under subsection B, including the
77 weighting of factors, in a timely fashion.