

VIRGINIA ACTS OF ASSEMBLY -- 2016 SESSION

CHAPTER 609

An Act to amend the Code of Virginia by adding in Title 33.2 a chapter numbered 18.2, consisting of sections numbered 33.2-1840 through 33.2-1844, relating to the Transit Capital Project Revenue Advisory Board; report.

[H 1359]

Approved April 1, 2016

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 33.2 a chapter numbered 18.2, consisting of sections numbered 33.2-1840 through 33.2-1844, as follows:

CHAPTER 18.2.

TRANSIT CAPITAL PROJECT REVENUE ADVISORY BOARD.

§ 33.2-1840. Transit Capital Project Revenue Advisory Board; purpose.

The Transit Capital Project Revenue Advisory Board (the Advisory Board) is established as an advisory board within the Department of Rail and Public Transportation in the executive branch of state government.

The purpose of the Advisory Board is to examine the impacts of the revenue reduction caused by the expiration of the 2007 Capital Project Revenue bonds that will leave transit systems in the Commonwealth without necessary funds for capital improvement, to identify possible sources of replacement revenue, and to develop methodologies for further prioritization of transit capital funds.

§ 33.2-1841. Membership; terms; quorum; meetings.

The Advisory Board shall have a total membership of seven members that shall consist of nonlegislative citizen members. Members shall be appointed by the Secretary of Transportation as follows: two shall be appointed upon the recommendation of the Virginia Transit Association, two shall be appointed upon the recommendation of the Department of Rail and Public Transportation, one shall be appointed upon the recommendation of the Virginia Municipal League, one shall be appointed upon the recommendation of the Community Transportation Association of Virginia, and one shall be appointed upon the recommendation of the Virginia Association of Counties. Members of the Advisory Board shall be citizens of the Commonwealth.

Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed.

No member shall serve more than two consecutive one-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

The Advisory Board shall elect a chairman and vice-chairman from among its membership. A majority of the members shall constitute a quorum. The Advisory Board shall meet no more than four times each year. The meetings of the Advisory Board shall be held at the call of the chairman or whenever the majority of the members so request.

§ 33.2-1842. Compensation; expenses.

Members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Department of Rail and Public Transportation.

§ 33.2-1843. Powers and duties of the Advisory Board.

The Transit Capital Project Revenue Advisory Board shall:

- 1. Examine the impacts of the loss of state transit capital funds;*
- 2. Identify additional sources of revenue to recover the capital losses;*
- 3. Develop a proposal for a statewide prioritization process for the use of additional sources of revenues identified by the Advisory Board pursuant to subdivision 2, funds allocated pursuant to § 33.2-365, and funds 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 a Six-Year Improvement Program for transit capital expenditures to be included in the Program adopted annually by the Commonwealth Transportation Board pursuant to § 33.2-214. Transit capital used for new transit projects or expansion of existing transit projects shall be evaluated using a prioritization process 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, environmental quality, and land use; and*
- 4. Develop a proposal to foster project-specific prioritization within the asset tiers of the tiered approach established by the Commonwealth Transportation Board for capital purposes based on asset*

need and anticipated state participation level and revenues, for which funding for the transit state of good repair program shall be allocated and distributed.

§ 33.2-1844. Staffing.

The Department of Rail and Public Transportation shall provide staff support to the Advisory Board. All agencies of the Commonwealth shall provide assistance to the Advisory Board, upon request.

2. That the director of the Department of Rail and Public Transportation and the chairman of the Advisory Board shall jointly submit to the Governor and the General Assembly an interim report containing an executive summary of the activity and work of the Advisory Board no later than January 1, 2017, for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports. The director of the Department of Rail and Public Transportation and the chairman of the Advisory Board shall jointly submit to the Governor and the General Assembly a final report containing an executive summary of the activity and recommendations of the Advisory Board no later than August 1, 2017. The executive summaries shall be submitted for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

3. That the provisions of this act shall expire on July 1, 2018.