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SENATE BILL NO. 852

Offered January 16, 2018

A *BILL to amend and reenact §§ 33.2-200 and 33.2-201 of the Code of Virginia, relating to composition of the Commonwealth Transportation Board.*

Patron—Wagner

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That §§ 33.2-200 and 33.2-201 of the Code of Virginia are amended and reenacted as follows:****§ 33.2-200. Commonwealth Transportation Board; membership; terms; vacancies.**

The Board shall have a total membership of 19 members that shall consist of 16 nonlegislative citizen members and three ex officio members as follows: the Secretary of Transportation, the Commissioner of Highways, and the Director of the Department of Rail and Public Transportation. The nonlegislative citizen members shall be appointed by the Governor as provided in § 33.2-201, subject to confirmation by the General Assembly. Appointments of nonlegislative citizen members shall be for terms of four years commencing on July 1, upon the expiration of the terms of the existing members, respectively. Vacancies shall be filled by appointment by the Governor for the unexpired term and shall be effective until 30 days after the next meeting of the ensuing General Assembly and, if confirmed, thereafter for the remainder of the term. No nonlegislative citizen member shall be eligible to serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining that member's eligibility for reappointment. Ex officio members of the Board shall serve terms coincident with their terms of office.

The Secretary shall serve as chairman of the Board and shall have voting privileges only in the event of a tie. The senior nonlegislative citizen member shall serve as vice-chairman of the Board and shall preside during the absence of the chairman. In the event that more than one nonlegislative citizen member of the Board may be considered the senior nonlegislative citizen member, the Board shall elect the vice-chairman from such senior nonlegislative citizen members. The Director of the Department of Rail and Public Transportation and the Commissioner of Highways shall not have voting privileges.

If the number of congressional districts is increased through redistricting, the Governor shall appoint a member to fill the Board from the newly created district. If a congressional district is lost through redistricting, the Governor shall remove the member from the lost congressional district. The addition or subtraction of the congressional member shall be from the membership of the at-large members. The effective date of revision in membership shall be July 1 of the year in which the district was created or lost.

§ 33.2-201. Appointment requirements; statewide interest.

Of the members appointed to the Board, one member shall be a resident of the territory now included in the Bristol highway construction district, one in the Salem highway construction district, one in the Lynchburg highway construction district, one in the Staunton highway construction district, one in the Culpeper highway construction district, one in the Fredericksburg highway construction district, one in the Richmond highway construction district, one in the Hampton Roads highway construction district, and one in the Northern Virginia highway construction each congressional district. Upon redistricting, any member who no longer resides in the congressional district that he was appointed to represent shall resign. The remaining five members shall be appointed from the Commonwealth at large, provided that at least two reside in metropolitan statistical areas and are designated as urban at-large members and at least two reside outside metropolitan statistical areas and are designated as rural at-large members. The at-large members shall be appointed to represent rural and urban transportation needs and to be mindful of the concerns of seaports and seaport users, airports and airport users, railways and railway users, and mass transit and mass transit users. Each appointed member of the Board shall be primarily mindful of the best interest of the Commonwealth at large instead of the interests of the highway construction district from which chosen or of the transportation interest represented.

2. That nothing in this act shall affect the term of any nonlegislative citizen member representing a highway construction district appointed to the Commonwealth Transportation Board prior to July 1, 2018, as long as such member is transitioned into a citizen member seat according to the congressional districts for the remainder of his term.

INTRODUCED

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