

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 33.2-1509 of the Code of Virginia, relating to funds for access roads to*  
3 *economic development sites; criteria for use of funds.*

4 [S 1253]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 33.2-1509 of the Code of Virginia is amended and reenacted as follows:**8 **§ 33.2-1509. Funds for access roads to economic development sites and airports; construction,**  
9 **maintenance, etc., of such roads.**

10 A. Notwithstanding any other provision of law, there shall be appropriated to the Board funds  
11 derived from taxes on motor fuels, fees and charges on motor vehicle registrations, road taxes, or any  
12 other state revenue allocated for highway purposes, which shall be used by the Board for the purposes  
13 specified in this section, after deducting the costs of administration before any of such funds are  
14 distributed and allocated for any road or street purposes.

15 Such funds shall be expended by the Board for constructing, reconstructing, maintaining, or  
16 improving access roads within localities to economic development sites on which manufacturing,  
17 processing, research and development facilities, distribution centers, regional service centers, corporate  
18 headquarters, or other establishments that also meet basic employer criteria as determined by the  
19 Virginia Economic Development Partnership in consultation with the Virginia Department of Small  
20 Business and Supplier Diversity will be built under firm contract or are already constructed and to  
21 licensed, public-use airports; in the event there is no such establishment or airport already constructed or  
22 for which the construction is under firm contract, a locality may guarantee to the Board by bond or  
23 other acceptable device that such will occur and, should no establishment or airport acceptable to the  
24 Board be constructed or under firm contract within the time limits of the bond, such bond shall be  
25 forfeited. The time limits of the bond shall be based on regular review and consideration by the Board.  
26 Towns that receive highway maintenance payments under § 33.2-319 shall be considered separately from  
27 the counties in which they are located when receiving allocations of funds for access roads.

28 B. *The Board, in consultation with the Secretary of Transportation and the Secretary of Commerce*  
29 *and Trade, shall develop guidelines for the use of funds for access roads to an economic development*  
30 *site pursuant to this section. Such guidelines shall require consideration of the number of jobs that will*  
31 *be created by the economic development project, the proposed capital investment by the private sector*  
32 *at the economic development site, and any other relevant criteria related to the economic development*  
33 *project.*

34 C. In deciding whether or not to construct or improve any such access road, and in determining the  
35 nature of the road to be constructed, the Board shall base its considerations *on the guidelines developed*  
36 *pursuant to subsection B and on the cost thereof in relation to the volume and nature of the traffic to be*  
37 *generated as a result of developing the airport or the economic development site. Within any economic*  
38 *development site or airport, the total volume of traffic to be generated shall be taken into consideration*  
39 *in regard to the overall cost thereof. No such access road shall be constructed or improved on a*  
40 *privately owned economic development site.*

41 ~~C.~~ D. Any access road constructed or improved under this section shall constitute a part of the  
42 secondary state highway system or the road system of the locality in which it is located and shall  
43 thereafter be constructed, reconstructed, maintained, and improved as other roads or highways in such  
44 system.