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SENATE BILL NO. 325

Senate Amendments in [] — February 7, 1994

A BILL to amend the Code of Virginia by adding a section numbered 33.1-23.03:01, relating to allocation of certain transportation funds.

Patron—Gartlan

Referred to the Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 33.1-23.03:01 as follows:****§ 33.1-23.03:01. Distribution of certain federal funds.**

[A.] Notwithstanding other provisions of this chapter, the Commonwealth Transportation Board is authorized to enter into project agreements with the government of the United States to secure the maximum level of federal funding for transportation programs in the Commonwealth, including agreements that provide for the allocation of funds (i) necessary to comply with federal law but (ii) in a manner different from formulas provided by Virginia law in the following areas:

1. Funds apportioned under federal law to the National Highway System shall be treated, for the purposes of Virginia allocation formulas, as interstate highway system construction funds as provided in § 33.1-23.1.

2. Funds apportioned under federal law for congestion mitigation and air quality improvement shall be allocated to designated transportation projects in air quality nonattainment areas of the Commonwealth in addition to funds allocated to such areas pursuant to § 33.1-23.1.

3. Funds apportioned under federal law for the Surface Transportation Program shall be distributed and administered in accordance with federal requirements as follows:

a. Ten percent shall be set aside for a statewide safety program, with grants made on a competitive basis;

b. Ten percent shall be set aside for a statewide enhancement program, with grants made on a competitive basis;

c. Fifty percent shall be allocated on the basis of population as prescribed by federal law; and

d. Thirty percent shall be allocated pursuant to § 33.1-23.1.

4. Federal requirements shall be followed regarding the portion of Equity Funds that are apportioned to the Commonwealth and are to be apportioned on the basis of population, including minimum allocations, hold-harmless allocations, reimbursements, payment guarantees, and donor state bonuses.

5. The balance of Equity Funds apportioned to the Commonwealth shall be allocated to eligible projects at the discretion of the Commonwealth Transportation Board.

6. Funds allocated pursuant to subdivisions 2 and 3 of subsection B of § 33.1-23.1 may be used on any project eligible under Title 23 United States Code Section 133, upon request of the local governing body and approval of the Commonwealth Transportation Board.

7. Federal funds provided to the National Highway System, Surface Transportation Program, and Congestion Mitigation and Air Quality categories as well as the required state matching funds may be allocated by the Commonwealth Transportation Board for transit purposes under the same rules and conditions authorized by federal law.

8. Metropolitan Planning Organizations (MPOs) as defined under Title 23 U.S.C. 134 and Section 8 of the Federal Transit Act shall be authorized to develop and approve transportation plans and improvement programs to the full extent permitted by federal law. Further, MPOs are authorized to receive and expend federal, state, local, and other revenues without restriction or limitation other than as provided under the Code of Federal Regulations and the Virginia Procurement Act.

[B. Out of federal funds obligated from the Surface Transportation Efficiency Act of 1991, one million dollars shall be allocated each year from Congestion Mitigation and Air Quality Improvement Program funding dedicated to the Richmond Metropolitan Planning District to be used for an initial planning/design study, capital improvements, and related service implementation costs for a multimodal commuter transportation center to include transit bus, intercity bus, car/van pool, taxis, and Amtrak service in the Central Virginia air quality nonattainment area, subject to (i) Amtrak's agreement to service the center, (ii) compliance with federal regulations, and (iii) an agreement with the Virginia Department of Transportation on the sharing of the local match.

C. The Commonwealth Transportation Board shall begin a program entitled the Transportation Efficiency Improvement Fund. The purpose of this Fund will be to encourage traffic demand

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60 management efforts in air quality nonattainment areas in the Commonwealth through innovative local
61 approaches to reducing traffic congestion and single occupant vehicle use. Funds shall be apportioned
62 from the Intermodal Surface Transportation Efficiency Act Congestion Management and Air Quality
63 account, as determined by the Commonwealth Transportation Board, to designated transportation
64 projects in air quality nonattainment areas in addition to funds allocated to these areas under other
65 provisions of this chapter. Total state funding for the Transportation Efficiency Improvement Fund shall
66 not exceed one million dollars per year. Eligible applicants for grants shall include local governing
67 bodies, transportation district commissions, planning district commissions, metropolitan planning
68 organizations, public service corporations, and transportation management associations whose grant
69 applications are approved by an eligible public recipient. Each project must be endorsed by resolution
70 of the transportation district commission, if one exists for the area, and the metropolitan planning
71 organization. At least fifty percent of all grants-in-aid shall be distributed to eligible public recipients
72 with a local match requirement left to the discretion of the Commonwealth Transportation Board.]