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## HOUSE BILL NO. 1392

Offered January 26, 1998

A *BILL to amend and reenact §§ 33-255.44:11, 33-255.44:13, 33-255.44:22, 33-255.44:26, and 33-255.44:28 of the Code of Virginia, continued in effect and carried by reference in § 33.1-320 of the Code of Virginia, and to repeal §§ 33-255.44:15.1, 33-255.44:24, 33-255.44:25, 33-255.44:27, and 33-255.44:29 of the Code of Virginia, relating to the Richmond Metropolitan Authority.*

Patrons—Ware; Senator: Watkins

Referred to Committee on Transportation

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 33-255.44:11, 33-255.44:13, 33-255.44:22, 33-255.44:26, and 33-255.44:28 of the Code of Virginia, continued in effect and carried by reference in § 33.1-320 of the Code of Virginia, are amended and reenacted as follows:**

§ 33-255.44:11. Definitions.

As used in this article, the following words and terms shall have the following meanings, unless the context shall indicate another or different meaning or intent:

(a) The word "Authority" shall mean the Richmond Metropolitan Authority created by §§ 33-255.44:12 of this article, or if the Authority shall be abolished, the board, body, commission or agency succeeding to the principal functions thereof or on whom the powers given by this article to the Authority shall be conferred by law, but shall not include the City of Richmond or the Counties of Chesterfield and Henrico.

(b) The words "Authority Facility" shall mean any or all facilities purchased, constructed or otherwise acquired by the Authority pursuant to the provisions of this article, and all extensions, improvements and betterments thereof.

(c) "Project" shall mean any single facility constituting an Authority Facility, as described in the resolution or Trust Agreement providing for the construction thereof, including extensions, improvements and betterments thereof.

(d) The word "cost" as applied to any Project shall include the cost of construction, landscaping and conservation, the cost of acquisition of all land, rights of way, property, rights, easements and interests acquired by the Authority for such construction, landscaping and conservation, the cost of demolishing or removing any buildings or structures on land so acquired, including the cost of acquiring any lands to which such buildings or structures may be moved, the cost of all machinery and equipment, financing charges, interest prior to and during construction and for a period of time after completion of construction as deemed advisable by the Authority, cost of traffic estimates and of engineering and legal services, plans, specifications, surveys, estimates of cost and of revenues, other expenses necessary or incident to determining the feasibility or practicability of constructing the Project, administrative expenses, payments to ~~The Richmond Petersburg Turnpike Authority or others~~ for services during the period of construction, initial working capital, debt service reserves, and such other expenses as may be necessary or incident to the construction of the Project, the financing of such construction and the placing of the Project in operation. Any obligation or expense incurred by the State Highway Commission or by the City of Richmond, or the Counties of Henrico or Chesterfield before or after the effective date of this article, for surveys, engineering, borings, plans and specifications, legal and other professional and technical services, reports, studies and data in connection with the construction of a Project shall be repaid or reimbursed by the Authority and the amounts thereof shall be included as a part of the cost of the Project.

(e) ~~The words "public highways" shall include public highways, roads and streets, whether maintained by the Commonwealth or the City of Richmond or by the Counties of Henrico or Chesterfield.~~

(f) The word "bonds" or the words "revenue bonds" shall mean revenue bonds or revenue refunding bonds of the Authority issued under the provisions of this article.

(g) The word "Owner" shall include all individuals, partnerships, associations, organizations and corporations, the City of Richmond, the County of Henrico, the County of Chesterfield and all public agencies and instrumentalities having any title or interest in any property, rights, easements and interests authorized to be acquired by this article.

(h) The words "controlled access highway" and "limited access highway" shall mean a highway especially designed for through traffic over or to which owners or occupants of abutting property or other persons have no easement of or right to light, air, view or access by reason of the fact that their

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60 property abuts upon such highway, and access to which highway is controlled by the Authority, the  
61 Commonwealth, the City of Richmond or the Counties of Henrico or Chesterfield so as to give  
62 preference to through traffic by providing access connections with selected public roads only and by  
63 prohibiting crossings at grade or direct private driveway connections.

64 (i) The word "revenues" shall mean any or all fees, tolls, rents, rates, receipts, moneys and income  
65 derived by the Authority through the ownership and operation of Authority Facilities, and shall include  
66 any cash contributions made to the Authority by the Commonwealth or any agency or department  
67 thereof, the City of Richmond and the Counties of Henrico and Chesterfield not specifically dedicated  
68 by the contributor for a capital improvement.

69 (j) The word "Commonwealth" shall mean the Commonwealth of Virginia.  
70 § 33-255.44:13. Powers of Authority.

71 To alleviate highway congestion, promote highway safety, expand highway construction, increase the  
72 utility and benefits and extend the service of public highways, including bridges, tunnels and other  
73 highway facilities, both free and to all, and otherwise contribute to the economy, industrial and  
74 agricultural development and welfare in the Commonwealth and the city of Richmond and Counties of  
75 Henrico and Chesterfield, the *The* Authority shall have the following powers:

76 (a) To contract and be contracted with; to sue and be sued; and to adopt and use a seal and to alter  
77 the same at its pleasure;

78 (b) To acquire and hold real or personal property necessary or convenient for its purposes;

79 (c) To sell, lease or otherwise dispose of any personal or real property or rights, easements or estates  
80 therein deemed by the Authority not necessary for its purposes;

81 (d) To purchase, construct or otherwise acquire, maintain, repair and operate, or cause to be repaired,  
82 maintained and operated, controlled access express highways or superhighways, within the corporate  
83 limits of the City of Richmond and the Counties of Chesterfield and Henrico, including all bridges,  
84 tunnels, overpasses, underpasses, grade separations, interchanges, entrance plazas, approaches, approach  
85 roads, tollhouses and administration, storage and other buildings and facilities which the Authority may  
86 deem necessary or convenient for the operation of such controlled access express highway or  
87 superhighways. Title to any property acquired by the Authority shall be taken in the name of the  
88 Authority;

89 (e) With the approval of the Council of the City of Richmond and the Boards of Supervisors of the  
90 Counties of Henrico and Chesterfield to own, operate, maintain and provide rapid and other transit  
91 facilities and services for the transportation of the public, and to enter into contracts with said city and  
92 county or counties and any public service corporations doing business as common carriers of passengers  
93 and property for the use of Authority facilities for said purpose, and to enter into contracts for the  
94 transportation of passengers and property over facilities of jurisdictions other than the Authority, as well  
95 as the property and facilities of the Authority, and construct, acquire, operate and maintain any other  
96 properties and facilities, including such offices and commercial facilities in connection therewith as are  
97 deemed necessary or convenient by the Authority, for the relief of traffic congestion, or to provide  
98 vehicular parking, or to promote transportation of persons or property, or to promote the flow of  
99 commerce that the Council of the City of Richmond and the Boards of Supervisors of the Counties of  
100 Chesterfield and Henrico may request the Authority to provide;

101 (e1) With the approval of the Council of the City of Richmond and the Boards of Supervisors of the  
102 Counties of Henrico and Chesterfield to acquire land; construct, own and operate sports facilities of any  
103 nature including facilities reasonably related thereto and own a baseball stadium of sufficient seating  
104 capacity and quality for the playing of baseball at the level immediately below major league baseball  
105 and to lease such land, stadium, sports facilities and attendant facilities under such terms and conditions  
106 as the Authority may prescribe. In the event of a conflict between the provisions of this subsection (e1)  
107 and any bond indenture to which the Authority is subject, the provisions of the bond indenture shall be  
108 controlling;

109 (f) The Authority is ~~authorized and empowered to~~ *may* acquire by the exercise of the power of  
110 eminent domain any lands, property, rights, rights of way, franchises, easements and other property,  
111 including public lands, parks, playgrounds, reservations, highways, or parkways, or parts thereof or  
112 rights therein, of any person, copartnership, association, railroad, public services, public utility or other  
113 corporation, or of any municipality, county or other political subdivision, deemed necessary or  
114 convenient for the construction or the efficient operation of the project or necessary in the restoration,  
115 replacement or relocation of public or private property damaged or destroyed, whenever a reasonable  
116 price cannot be agreed upon with the governing body of such municipality, county or other political  
117 subdivision as to such property owned by it, or whenever the Authority cannot agree on the terms of  
118 purchase or settlement with the owner or owners because of the incapacity of such owner or owners or  
119 because of the inability to agree on the compensation to be paid or other terms of settlement or  
120 purchase, or because such owner or owners are nonresidents of the Commonwealth, or are unknown, or  
121 are unable to convey valid title to such property. Such proceedings shall be in accordance with and

subject to the provisions of any and all laws of the Commonwealth applicable to the exercise of the power of eminent domain in the name of the Commonwealth Transportation Commissioner and subject to the provisions of § 25-233 of the Code of Virginia, 1950, as fully as if the Authority were a corporation possessing the power of eminent domain; however, title to any property condemned by the Authority shall immediately vest in the Authority and the Authority shall be entitled to the immediate possession of such property upon the deposit with the clerk of the court in which such condemnation proceedings are originated, of the total amount of the appraised price of the property and court costs and fees as provided by said laws, notwithstanding that any of the parties to such proceedings shall appeal from any decision in such condemnation proceeding. Whenever the Authority shall make such deposit in connection with any condemnation proceeding, the making of such deposit shall not preclude the Authority from appealing any decision rendered in such proceedings. Upon the deposit with the clerk of the court of the appraised price, any person or persons entitled thereto may, upon petition to the court, be paid his or their pro rata share of ninety percent of such appraised price. The acceptance of such payment shall not preclude such person or persons from appealing any decision rendered in such proceedings. If the appraisal is greater or less than the amount finally determined by the decision in such proceeding or by an appeal, the amount of the increase or decrease shall be paid by or refunded to the Authority.

The terms "appraised price" and "appraisement" as used in this section mean the value determined by two competent real estate appraisers appointed by the Authority for such purposes.

The acquisition of any such property by condemnation or by the exercise of the power of eminent domain shall be and is hereby declared to be a public use of such property;

(g) To determine the location of any controlled access express highway or super highways constructed or acquired by the Authority, subject to the approval of the Commonwealth Board and to determine the design standards and materials of construction of such highway;

(h) To designate with the approval of the Commonwealth Transportation Board the location in the City of Richmond and in the Counties of Henrico and Chesterfield, and establish, limit and control such points of ingress to and egress from any limited access highway constructed by the Authority within the corporate limits of said city and counties as may be necessary or desirable in the judgment of the Authority to ensure the proper operation and maintenance of such highway; to prohibit entrance to and exit from such highway from any point or points not so designated; and to construct, maintain, repair and operate service roads connecting with points of ingress to and egress from such highway at such localities in the City of Richmond and in the Counties of Henrico and Chesterfield as may be designated by the Authority;

(i) To connect any highway constructed or acquired by the Authority with The Richmond-Petersburg Turnpike with the approval of the Commonwealth Transportation Board and The Richmond-Petersburg Turnpike Authority, at such location or locations as shall be mutually agreed upon;

(j) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this article, including contracts or agreements authorized by this article with the Commonwealth Transportation Board, the City of Richmond, the Counties of Henrico and Chesterfield and The Richmond-Petersburg Turnpike Authority;

(k) To construct grade separations at intersections of any limited access highway constructed by the Authority with public highways, streets or other public ways or places, and to change and adjust the lines and grades thereof so as to accommodate the same to the design of the grade separation; the cost of such grade separations and any damage incurred in changing and adjusting the lines and grades of such highways, streets, ways and places shall be ascertained and paid by the Authority as a part of the cost of such highway;

(l) To vacate or change the location of any portion of any public highway street or other public way or place, public utility, sewer, pipe, main, conduit, cable, wire, tower, pole and other equipment and appliance of the Commonwealth, the City of Richmond or of the Counties of Henrico and Chesterfield, and to reconstruct the same in such new location as shall be designated by the Authority, and of substantially the same type and in as good condition as the original highway, street, way, place, public utility, sewer, pipe, main, conduit, cable, wire, tower, pole, equipment or appliance; the cost of such reconstruction and any damage incurred in vacating or changing the location thereof shall be ascertained and paid by the Authority as a part of the cost of the project in connection with which such expenditures were made; and any public highway, street or other public way or place vacated or relocated by the Authority shall be vacated or relocated in the manner provided by law for the vacation or relocation of public roads, and any damages awarded on account thereof shall be paid by the Authority as a part of the cost of said project;

(m) To enter upon any lands, waters and premises for the purpose of making such surveys, soundings, borings and examinations as the Authority may deem necessary or convenient for its purposes, and such entry shall not be deemed a trespass, nor shall an entry for such purposes be deemed

183 an entry under any condemnation proceedings; provided, however, the Authority shall pay any actual  
184 damage resulting to such lands, water and premises as a result of such entry and activities;

185 (n) To operate or permit the operation of vehicles for the transportation of persons or property for  
186 compensation on any limited access highway constructed or acquired by the Authority, provided the  
187 State Corporation Commission or the Interstate Commerce Commission shall not be divested of  
188 jurisdiction to authorize or regulate the operation of such carriers;

189 (o) To establish reasonable regulations for the installation, construction, maintenance, repair, renewal,  
190 relocation and removal of pipes, mains, sewers, conduits, cables, wires, towers, poles and other  
191 equipment and appliances (herein referred to as "public utility facilities") of the City of Richmond and  
192 the Counties of Henrico and Chesterfield and of public utility and public service corporations and of any  
193 person, firm or other corporation rendering similar services, owning or operating public utility facilities  
194 in, on, along, over or under highways constructed by the Authority; and whenever the Authority shall  
195 determine that it is necessary that any public utility facilities should be relocated or removed, the  
196 Authority may relocate or remove the public utility facilities in accordance with the regulations of the  
197 Authority and the cost and expense of such relocation or removal, including the cost of installing the  
198 public utility facilities in a new location or locations and the cost of any lands or any rights or interests  
199 in lands and any other rights acquired to accomplish such relocation or removal shall be paid by the  
200 Authority as a part of the cost of such highway, and the owner or operator of the public utility facilities  
201 may maintain and operate the public utility facilities with the necessary appurtenances in the new  
202 location or locations for as long a period and upon the same terms and conditions as it had the right to  
203 maintain and operate the public utility facilities in their former location or locations;

204 (p) To borrow money and issue bonds, notes or other evidences of indebtedness for any of its  
205 corporate purposes, such bonds, notes or other evidences of indebtedness for any of its corporate  
206 purposes, such bonds, notes, or other evidences of indebtedness to be payable solely from the revenues  
207 or other unencumbered funds available to the Authority which are pledged to the payment of such  
208 bonds, notes, or other evidences of indebtedness;

209 (q) To fix, charge and collect fees, tolls, rents, rates and other charges for the use of Authority  
210 facilities and the several parts or sections thereof;

211 (r) To establish rules and regulations for the use of any of the Authority facilities as may be  
212 necessary or expedient in the interest of public safety with respect to the use of Authority facilities and  
213 property under the control of the Authority;

214 (s) To employ consulting engineers, attorneys, accountants, construction and financial experts,  
215 superintendents, managers, trustees, depositaries, paying agents and such other employees and agents as  
216 may be necessary in the discretion of the Authority to construct, acquire, maintain and operate Authority  
217 facilities and to fix their compensation;

218 (t) To receive and accept from any federal agency for or in aid of the construction of any Authority  
219 facility or for or in aid of any Authority undertaking authorized by this article and to receive and accept  
220 from the Commonwealth, the City of Richmond or the Counties of Henrico and Chesterfield and from  
221 any other source, grants, contributions or other aid in such construction or undertaking, or for operation  
222 and maintenance, either in money, property, labor, materials or other things of value; and

223 (u) To do all other acts and things necessary or convenient to carry out powers expressly granted in  
224 this article.

225 § 33-255.44:22. General Powers of City of Richmond and Counties of Henrico and Chesterfield.

226 The city of Richmond and the counties of Henrico and Chesterfield are hereby authorized and  
227 empowered to may enter into and perform contracts or agreements with the Authority providing for  
228 furnishing to the Authority one or more of the following cooperative undertakings or any combination  
229 thereof:

230 (a) The preparation, acquisition, loan or exchange of survey, engineering, borings, construction and  
231 other technical reports, studies, plans and data;

232 (b) The providing of engineering, planning and other professional and technical services, labor or  
233 other things of value;

234 (c) The construction, in whole or in part, of public highways, bridges, tunnels, viaducts, interchanges,  
235 connecting roads, grade crossings and other highway facilities;

236 (d) The providing of funds in lump sums or installments to assist in paying the cost of any Authority  
237 facility or any Authority undertaking authorized by this article or the operation and maintenance thereof;

238 (e) The acquisition and transfer to the Authority of land, including easements, rights of way or other  
239 property, useful in the construction, operation or maintenance of any Authority facility; and

240 (f) The making of payments or contributions to the Authority for the use of or in compensation for  
241 the services rendered by any Authority facility in lieu of the payment of tolls or other charges therefor,  
242 and such payments and contributions shall be deemed revenues of the project to the same extent as the  
243 tolls, rentals, fees and other charges collected in the operation of the project;

244 (g) When requested by the Authority to vacate or change the location of any public highway, street

or other public way or place, or any portion thereof, public utility, sewer, pipe, main, conduit, cable, wire, tower, pole and other equipment or appliance owned or controlled by or under the jurisdiction of either the city of Richmond or the counties of Henrico and Chesterfield, and to construct the same in such new location as shall be designated by the governing body of the city of Richmond or the counties of Henrico or Chesterfield, and the cost of vacating or changing the location or reconstruction thereof and any damages resulting therefrom required to be paid by the city of Richmond or counties of Henrico or Chesterfield shall be reimbursed by the Authority as a part of the cost of the project in connection with which such expenditures have been made; and

(h) The connection of any project of the Authority with the streets, highways, roads and other public ways in the city of Richmond and in the counties of Henrico and Chesterfield.

§ 33-255.44:26. Acquisition of Property.

(a) The Authority is hereby authorized and empowered to *may* acquire solely from funds provided under the provisions of this article, such lands, structures, property, rights, rights-of-way, franchises, easements and other interests in lands, including lands lying under water and riparian rights, as it may deem necessary or convenient for the construction and operation of Authority Facilities, upon such terms and at such prices as may be considered by it to be reasonable and can be agreed upon between it and the owner thereof.

(b) The City of Richmond, the Counties of Henrico and Chesterfield, The Richmond-Petersburg Turnpike Authority and, with the approval of the Governor, public agencies and commissions of the Commonwealth, notwithstanding any contrary provision of law, are hereby authorized and empowered to lease, lend, grant or convey to the Authority at its request upon such terms and conditions as the governing bodies of the City of Richmond, the Counties of Henrico and Chesterfield, The Richmond-Petersburg Turnpike Authority or the proper authorities of such agencies or commissions of the Commonwealth may deem reasonable and fair and without the necessity of any advertisement, order of court or other action or formality, other than the regular and formal action of the governing bodies or authorities concerned, any real property which may be necessary or convenient for the effectuation of the authorized purposes of the Authority, including public highways and any other real property already devoted to public use; provided, The Richmond-Petersburg Turnpike Authority shall not lease, lend, grant or convey any part of the right-of-way of The Richmond-Petersburg Turnpike in violation of the provisions of the Act creating said Authority, or the provisions of the Indenture securing the payment of the bonds issued by said Authority.

(c) The City of Richmond and the Counties of Henrico and Chesterfield are hereby authorized and empowered, subject to the provisions of § 25-233 of the Code of Virginia, to acquire by the exercises of the power of eminent domain granted to or conferred upon them, and in accordance with the procedure prescribed therefor, any real property which may be necessary or convenient for the effectuation of the authorized purposes of the Authority and to lease, lend, grant or convey such property to the Authority upon such terms and conditions as the governing bodies of the City of Richmond or Counties of Henrico and Chesterfield may deem reasonable and fair; provided, neither the Authority, the City of Richmond nor the Counties of Henrico or Chesterfield may acquire by the exercise of the power of eminent domain any lands or property, or easement or right therein, owned by The Richmond-Petersburg Turnpike Authority; the acquisition of such real property by the exercise of the power of eminent domain and the disposition of same to the Authority as herein provided shall be and is hereby declared to be for a public use of such property.

(d) In any eminent domain proceedings by the Authority, the City of Richmond or the Counties of Henrico or Chesterfield under this article, the court having jurisdiction of the suit, action or proceeding may make such orders as may be just to the Authority, the City of Richmond or Counties of Henrico or Chesterfield, as the case may be, and to the owners of the property to be condemned, and may require an undertaking or other security to secure such owners against any loss or damage by reason of the failure of the Authority or the City of Richmond or Counties of Henrico or Chesterfield to accept and pay for the property, or by reason of the taking of property occupied by such owners, but neither such undertaking or security nor any act or obligation of the Authority or the City of Richmond or Counties of Henrico or Chesterfield shall impose any liability upon the Commonwealth.

(e) If the owner, lessee or occupier of any property to be condemned or otherwise acquired pursuant to this article shall refuse to remove his property therefrom or give up possession thereof, the Authority or the City of Richmond or Counties of Henrico or Chesterfield, as the case may be, may proceed to obtain possession in any manner provide by law.

(f) When the Authority or the City of Richmond or the Counties of Henrico or Chesterfield proposes to construct a highway across the tracks of any railroad, the exercise of the general power of eminent domain over the property of a railroad granted by § 33-255.44:13 of this article shall be limited with respect to the property, right-of-way, facilities, works or appurtenances upon which the tracks at such proposed crossing are located, to the acquisition only of an easement therein, which crossing shall be

constructed either sufficiently above or below the grade of any such railroad track or tracks so that neither the crossing then under construction nor any part thereof, including any bridge abutments, columns, supporting structures and appurtenances, nor any traffic upon it shall interfere in any manner with the use, operation or maintenance of the trains, tracts, works or appurtenances of the railroad nor interfere with or endanger the movement of the trains or traffic upon the tracks of the railroad. Prior to the exercise of the power of eminent domain for such an easement, plans and specifications of that portion of the project to be constructed across the railroad tracks showing compliance with such requirements and showing sufficient and safe plans and specifications for such overhead or underground structure and appurtenances shall be submitted to the railroad for examination and approval. If the railroad fails or refuses within thirty days to approve the plans and specifications so submitted, the matter shall be submitted by the Authority or the City of Richmond or Counties of Henrico or Chesterfield, as the case may be, to the State Corporation Commission, whose decision, arrived at after due consideration in accordance with its usual procedure, shall be final as to the sufficiency and safety of such plans and specifications and as to such elevations or distances above or below such tracks. The overhead or underground structures and appurtenances shall be constructed in accordance with such plans and specifications and in accordance with such elevations or distances above or below such tracks so approved by the railroad or the State Corporation Commission, as the case may be. A copy of the plans and specifications approved by the railroad or the State Corporation Commission shall be filed as an exhibit upon the institution of any proceedings brought in the exercise of the power of eminent domain.

(g) The Commonwealth hereby consents, subject to the approval of the Governor, to the use by the Authority of any other lands or property owned by the Commonwealth, including lands lying under water, which are deemed by the Authority to be necessary for the construction or operation of any project being constructed by the Authority.

§ 33-255.44:28. Miscellaneous.

(a) Any money set aside for the payment of the principal of or interest on any bonds issued by the Authority not claimed within two years from the day the principal of such bonds is due by maturity or by call for redemption shall be paid into the treasury of the Commonwealth. No interest shall accrue on such principal or interest from the day the same is due as aforesaid. The Comptroller of the Commonwealth shall keep an account of all money thus paid into the treasury, and it shall be paid to the individual copartnership, association or corporation entitled thereto upon satisfactory proof that such individual, copartnership, association or corporation is so entitled to such money. If the claim so presented is rejected by the Comptroller, the claimant may proceed against the Comptroller for recovery in the circuit court of the City of Richmond. An appeal from the judgment of the circuit court shall lie to the Supreme Court of Appeals as in actions at law, and all laws and rules relating to practice and procedure in actions at law shall apply to proceedings authorized hereunder. No such proceedings shall be filed after ten years from the day the principal of or interest on such bonds is due as aforesaid; provided, if the individual having such claim is an infant or insane person or is imprisoned at such due date, such proceedings may be filed within five years after the removal of such disability, notwithstanding the fact that such ten year period shall have expired.

(b) The Authority may contract with the City of Richmond, the Counties of Henrico and Chesterfield and the Department of State Police for the policing of any or all Authority Facilities, and the City of Richmond, the Counties of Henrico and Chesterfield and the Department of State Police are hereby authorized to enter into contracts with the Authority for such purpose. Police officers providing police services pursuant to such contracts shall be under the exclusive control and direction of the authority providing such officers, and shall be responsible to that authority exclusively for the performance of their duties and the exercise of their powers. The Authority shall reimburse the City of Richmond or Counties of Henrico and Chesterfield or the Commonwealth, as the case may be, in such amounts and at such times or times as shall be mutually agreed upon, for providing police service. Such officers shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, protection of the rights of persons and property, and enforcement of the laws of the rights of persons and property, and enforcement of the laws of the Commonwealth and all rules and regulations of the Authority made in accordance herewith, and such officers shall have all the rights and duties of police officers as provided by the general laws of the Commonwealth. The violation of any such rule or regulation shall be punishable as follows: If such a violation would have been a violation of law if committed on any public road, street or highway in the City of Richmond or Counties of Henrico or Chesterfield, it shall be punishable in the same manner as if it had been committed on such public road, street or highway; otherwise it shall be punishable as a misdemeanor. All other police officers of the Commonwealth and of the City of Richmond and Counties of Henrico and Chesterfield shall have the same powers and jurisdiction within the areas of operations agreed upon by the parties that they have beyond such limits and shall have access to all such areas at any and all times without interference for the purpose of exercising such powers and jurisdiction. For the purpose of enforcing such laws, rules

and regulations the court or courts having jurisdiction for the trial of criminal offenses committed in the City of Richmond or in the Counties of Henrico and Chesterfield within whose boundaries any crime is committed shall have jurisdiction to try any person charged with the violation of any such laws, rules and regulations within such boundaries. A copy of the rules and regulations of the Authority, attested by the Secretary or Secretary-Treasurer of the Authority, may be admitted as evidence in lieu of the original. Any such copy purporting to be sealed and signed by such Secretary or Secretary-Treasurer may be admitted as evidence without any proof of the seal or signature, or of the official character of the person whose name is signed to it.

(c) All actions at law and suits in equity and other proceedings, actions and suits against the Authority, or any other person, firm or corporation, growing out of the construction, maintenance, repair, operation and use of any Authority Facility, or growing out of any other circumstances, events or causes in connection therewith, unless otherwise provided herein, shall be brought and conducted in the court or courts having jurisdiction of such actions, suits and proceedings in the City of Richmond or Counties of Henrico or Chesterfield within whose boundaries the causes of such actions, suits and proceedings arise, and jurisdiction is hereby conferred on such court or courts for that purpose. All such actions, suits and proceedings on behalf of the Authority shall be brought and conducted in the Circuit Court of the City of Richmond, except as herein otherwise provided, and exclusive jurisdiction is hereby conferred on such court for the purpose. Eminent domain proceedings instituted and conducted by the Authority shall be brought and conducted in the court or courts having jurisdiction of such proceedings in the City of Richmond or Counties of Henrico and Chesterfield within whose boundaries the land or other property to be so acquired or the major portion thereof is situated, and jurisdiction is hereby conferred on such courts for such purpose.

(d) On or before the thirtieth day of September in each year, the Authority shall prepare a report of its activities for the twelve months' period ending the preceding July 1 of such year and shall file a copy thereof with the ~~State Highway Commission~~ *Commonwealth Transportation Board*, the City of Richmond and the Counties of Henrico and Chesterfield. Each such report shall set forth an operating and financial statement covering the Authority's operations during the twelve months' period covered by such report. The Authority shall cause an audit of its books and accounts to be made at least once in each year by certified public accountants to be selected by the Authority and the cost thereof shall be treated as a part of the cost of construction and operation of the project.

(e) The records, books and accounts of the Authority shall be subject to examination and inspection by duly authorized representatives of the State Highway Commission, the governing bodies of the City of Richmond and the Counties of Henrico and Chesterfield and any bondholder or bondholders at any reasonable time, provided the business of the Authority is not unduly interrupted or interfered with thereby.

(f) Any member, agent or employee of the Authority who contracts with the Authority or is interested, either directly or indirectly, in any contract with the Authority or in the sale of any property, either real or personal, to the Authority shall be guilty of a misdemeanor and shall be subject to a fine of not more than one thousand dollars or imprisonment in jail for not more than one year, either or both. Exclusive jurisdiction for the trial of such misdemeanors is hereby conferred upon the ~~Hustings~~ *Circuit Court* of the City of Richmond; provided, that the term "contract", as used herein, shall not be held to include the depositing of funds in, or the borrowing of funds from or the serving as agent or trustee by, any bank in which any member, agent or employee of the Authority may be a director, officer or employee or have a security interest; ~~nor shall such term include contracts or agreements with the Richmond-Petersburg Turnpike Authority or the purchase of services from, or other transactions in the ordinary course of business with, public service corporations.~~

**2. That §§ 33-255.44:15:1, 33-255.44:24, 33-255.44:25, 33-255.44:27, and 33-255.44:29 of the Code of Virginia are repealed.**

**3. That any and all power to acquire, construct, and/or operate highways and/or bridges, including the authority to charge and collect tolls for the use of such facilities, hitherto vested in the Richmond Metropolitan Authority, is hereby transferred to the Virginia Department of Transportation.**

**4. That the Virginia Department of Transportation, upon the transfer of toll facilities to its control under this act, shall forthwith cease collection of any and all tolls heretofore charged for use of any of those facilities.**

**5. That the provisions of this act shall take effect upon the redemption and retirement of all outstanding bonded indebtedness and other obligations of the Richmond Metropolitan Authority, pursuant to an appropriation by the General Assembly, in the 1998-2000 general appropriation act, of a sum sufficient for such redemption and retirement.**