

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 33.1-23.1 of the Code of Virginia, relating to allocation of highway*
3 *construction funds for rail projects that will result in mitigation of highway congestion.*

4
5 Approved

[S 193]

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

7 **1. That § 33.1-23.1 of the Code of Virginia is amended and reenacted as follows:**

8 § 33.1-23.1. Allocation of funds among highway systems.

9 A. The Commonwealth Transportation Board shall allocate each year from all funds made available
10 for highway purposes such amount as it deems reasonable and necessary for the maintenance of roads
11 within the interstate system of highways, the primary system of state highways, the secondary system of
12 state highways and for city and town street maintenance payments made pursuant to § 33.1-41.1 and
13 payments made to counties which have withdrawn or elect to withdraw from the secondary system of
14 state highways pursuant to § 33.1-23.5:1.

15 B. After funds are set aside for administrative and general expenses and pursuant to other provisions
16 in this title which provide for the disposition of funds prior to allocation for highway purposes, and after
17 allocation is made pursuant to subsection A of this section, the Commonwealth Transportation Board
18 ~~shall~~ *may* allocate each year *up to 10% of the funds remaining for highway purposes for the undertaking*
19 *and financing of rail projects that, in the Board's determination, will result in mitigation of highway*
20 *congestion. After the forgoing allocations have been made, the Board shall allocate* the remaining funds
21 available for highway purposes, exclusive of federal funds for the interstate system, among the several
22 highway systems for construction first pursuant to §§ 33.1-23.1:1 and 33.1-23.1:2 and then as follows:

23 1. Forty percent of the remaining funds exclusive of federal-aid matching funds for the interstate
24 system shall be allocated to the primary system of state highways, including the arterial network, and in
25 addition, an amount shall be allocated to the primary system as interstate matching funds as provided in
26 subsection B of § 33.1-23.2.

27 2. Thirty percent of the remaining funds exclusive of federal-aid matching funds for the interstate
28 system shall be allocated to urban highways for state aid pursuant to § 33.1-44.

29 3. Thirty percent of the remaining funds exclusive of federal-aid matching funds for the interstate
30 system shall be allocated to the secondary system of state highways.

31 C. Notwithstanding the foregoing provisions of this section, the General Assembly may, through the
32 general appropriations act, permit the Governor to increase the amounts to be allocated to highway
33 maintenance, highway construction, either or both.

ENROLLED

SB193ER