

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: SB1137

House of Origin X Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Petersen

3. Committee: Senate Local Government

4. Title: **Transportation; supplemental funding for Northern Virginia.**

5. Summary: The proposed legislation would add the City of Fairfax to the localities in Northern Virginia who are eligible to use certain revenues received from the Northern Virginia Transportation Authority (the Authority) for public transportation purposes.

The Code of Virginia directs that of the total funding received by the Authority, 40 percent is to be distributed back to the member localities on a pro rata basis. The Code currently directs that the first 50 percent of such funds are to be used by Alexandria, Falls Church and Arlington solely for urban or secondary road construction and improvements and for public transportation purposes. The remaining member localities are to use the first 50 percent of their funds for urban or secondary road construction and improvements.

The remaining 50 percent is to be used either for additional urban or secondary road construction; for other transportation capital improvements which have been approved by the most recent long range transportation plan adopted by the Authority; or for public transportation purposes, as determined solely by the applicable locality.

The proposed legislation would add the City of Fairfax to the localities which are eligible to use the first 50 percent of their funds for public transportation purposes.

6. No Fiscal Impact. Preliminary.

7. Budget Amendment Necessary: None.

8. Fiscal Implications: The proposed legislation would allow the City of Fairfax to use a portion of the funding they receive from the Authority for public transportation purposes. Currently, the Northern Virginia Transportation Authority is not collecting any funds to distribute to member localities. As part of HB 3202 (Chapter 896 of the 2007 Acts of Assembly), the Northern Virginia Transportation Authority was authorized to implement taxes and fees in localities in Northern Virginia. Revenue collection began in January 2008. In February 2008, the Virginia Supreme Court ruled that the authority to collect such taxes and fees was unconstitutional. The Authority returned any taxes and fees it collected. No additional funding source has been authorized for the Authority.

9. Specific Agency or Political Subdivisions Affected: City of Fairfax, Northern Virginia
Transportation Authority

10. Technical Amendment Necessary: None.

11. Other Comments: This bill is identical to HB1995.

Date: 1/27/2009 dpb/smc

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cc: Secretary of Transportation