

| ITEM 447. | Item Details(\$) | | Appropriations(\$) | |
|---|--|-----------------------|----------------------|-----------------------|
| | First Year FY2011 | Second Year FY2012 | First Year FY2011 | Second Year FY2012 |
| Department of Rail and Public Transportation (505) | | | | |
| 447. | Financial Assistance for Public Transportation (60900) ... | | \$292,273,380 | \$317,229,869 |
| | Public Transportation Programs (60901) | \$275,504,668 | \$300,362,662 | |
| | Congestion Management Programs (60902) | \$9,344,000 | \$9,344,000 | |
| | Human Service Transportation Programs (60903) | \$7,424,712 | \$7,523,207 | |
| | Fund Sources: Special | \$774,662 | \$790,156 | |
| | Commonwealth Transportation | \$291,498,718 | \$316,439,713 | |

Authority: Titles 33.1 and 58.1, Code of Virginia.

A.1. Except as provided in Item 446 A, the Commonwealth Transportation Board shall allocate all monies in the Commonwealth Mass Transit Fund, as provided in § 58.1-638, Code of Virginia. The total appropriation for the Commonwealth Mass Transit Fund is \$151,542,592 the first year and \$156,110,283 the second year from the Transportation Trust Fund. From these funds, the following estimated allocations shall be made:

a. \$113,094,635 the first year and \$116,374,670 the second year to statewide Formula Assistance as provided in § 58.1-638, Code of Virginia. The allocation of Formula Assistance to each recipient shall be limited to the recipient's maximum eligibility as defined in § 58.1-638, Code of Virginia. When the initial allocation to a recipient is greater than the recipient's eligibility to receive Formula Assistance, the Commonwealth Transportation Board may transfer the surplus funds to the statewide Capital Assistance program for distribution under that program. The Commonwealth Transportation Board may hold harmless from a reduction in state formula assistance any transit system that maintains service levels from the previous year.

b. \$30,624,979 the first year and \$31,740,638 the second year from the Commonwealth Mass Transit Fund to statewide Capital Assistance.

c. Notwithstanding the provisions of paragraph A.1.a and A.1.b of this item, prior to the annual adoption of the Six-Year Improvement Program, the Commonwealth Transportation Board may allocate up to 20 percent of the Commonwealth Mass Transit Fund dedicated for capital purposes to transit operating assistance if operating funds for the next fiscal year are estimated to be less than the current fiscal year's allocation, in an effort to maintain transit operations at approximately the same level as the previous fiscal share.

2. Included in this Item is \$2,500,000 the first year and ~~\$2,500,000~~ \$1,500,000 the second year from the Commonwealth Mass Transit Trust Fund. These allocations are designated for "paratransit" capital projects and enhanced transportation services for the elderly and disabled.

3. From the amounts appropriated in this Item from the Commonwealth Mass Transit Fund, \$1,837,498 the first year and \$1,904,438 the second year is the estimated

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allocation to statewide Special Programs as provided in § 58.1-638, Code of Virginia.

4. Not included in this appropriation is an amount estimated at \$24,845,625 the first year and \$24,998,405 the second year allocated to transit agencies from federal sources for the Surface Transportation Program (STP) and the Minimum Guarantee program.

B. The Commonwealth Transportation Board shall operate a program entitled the Transportation Efficiency Improvement Fund (TEIF). The purpose of the TEIF program is to reduce traffic congestion by supporting transportation demand management programs and projects designed to reduce the movement of passengers and freight on Virginia's highway system. Using transportation revenues generally available to the Board, funds shall be apportioned as determined by the Board to designated transportation projects in addition to funds allocated pursuant to § 33.1-23.1, Code of Virginia. Total TEIF program funding shall not exceed \$4,000,000 the first year and \$4,000,000 the second year.

C. Funds from a stable and reliable source, as required in Public Law 96-184, as amended, are to be provided to Metro ~~Rail~~ from payments authorized and allocated in this program and pursuant to § 58.1-1720, Code of Virginia. *Notwithstanding any other provision of law, funds allocated to Metro under this program may be disbursed by the Department of Rail and Public Transportation directly to Metro or to any other transportation entity that has an agreement to provide funding to Metro as deemed appropriate by the Department. In appointing the Virginia members of the board of directors of the Washington Metropolitan Area Transit Authority (WMATA), the Northern Virginia Transportation Commission shall include the Secretary of Transportation or his designee as a principal member on the WMATA board of directors.*

D. Funds appropriated to the Department of Rail and Public Transportation and allocated to the Northern Virginia Transportation Commission to be allocated to its member jurisdictions are held in trust by the commission for those jurisdictions until released by specific authorization from the governing bodies of the jurisdictions for the purpose for which funds were appropriated.

E. All Commonwealth Mass Transit Funds appropriated for Financial Assistance for Public Transportation shall be used only for public transportation purposes as defined by the Federal Transit Administration or outlined in § 58.1-638.4, subparagraphs b. through g., or in § 58.1-638.5, Code of Virginia.