

ITEM 448.	Item Details(\$)		Appropriations(\$)	
	First Year FY2011	Second Year FY2012	First Year FY2011	Second Year FY2012

Department of Rail and Public Transportation (505)

448.	Financial Assistance for Rail Programs (61000).....			\$46,074,000	\$51,187,000
	Rail Industrial Access (61001).....	\$3,000,000	\$3,000,000		
	Rail Preservation Programs (61002).....	\$5,287,000	\$6,287,000		
	Rail Enhancement Programs (61003).....	\$37,787,000	\$41,900,000		
	Fund Sources: Commonwealth Transportation	\$46,074,000	\$51,187,000		

Authority: Title 33.1, Code of Virginia.

A. Except as provided in Item 446 A., the Commonwealth Transportation Board shall operate the Shortline Railway Preservation and Development Program in accordance with § 33.1-221.1:1.2, Code of Virginia. The board may allocate funds pursuant to § 33.1-23.1, Code of Virginia, to the Shortline Railway Preservation and Development Fund.

B. The Commonwealth Transportation Board shall operate the Rail Industrial Access Program in accordance with §33.1-221.1:1, Code of Virginia. The board may allocate funds pursuant to §33.1-23.1, Code of Virginia, to the fund for construction of industrial access railroad tracks.

C. Because of the overwhelming need for the development of a balanced transportation system in the Commonwealth, upon approval by the Commonwealth Transportation Board and notwithstanding the provisions of § 33.1-221.1:1.1, Code of Virginia, the 30 percent match requirement for the Rail Enhancement Fund is hereby waived exclusively for funding allocated from such fund for improvements for the Richmond/Hampton Roads Passenger Rail Project between Richmond and Norfolk in the 2010-2012 biennium.

D. Of the amounts available in the Rail Enhancement Fund, up to \$6,000,000 is hereby authorized to be utilized for the operation of the Amtrak Virginia three-year demonstration project initiated in fiscal year 2010. Because of the overwhelming need for this passenger rail service for the public purpose of the development of a balanced transportation system in the Commonwealth, the requirements of § 33.1-221.1:1.1, Code of Virginia, are hereby waived for these funds.

E. 1. Not later than December 31, 2010, the Director shall provide the Commonwealth Transportation Board an assessment of the anticipated ridership and funding required to support a pilot project of daily bus connector service from the Roanoke Valley to the Kemper Street Station in Lynchburg as part of the on-going three year passenger rail demonstration project. Any support of this transit connector service shall be terminated if the Route 29 rail corridor project is not continued at the conclusion of the three year demonstration period.

2. *Of the amount included in this item, \$150,000 in the second year is provided to the City of Roanoke for a one-year ridership demonstration project of this service.*

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F. Of the funds available in the second year for Rail Industrial Access pursuant to § 33.1-221.1:1, Code of Virginia, up to \$325,000 in the second year is hereby authorized for the development of rail access in Caroline County to serve the U.S. Army special passenger troop train shuttle operation between Fort Lee and Fort A.P. Hill. In the allocation of funds for this project by the Commonwealth Transportation Board, the requirements of § 33.1-221.1:1, Code of Virginia, with the exception of § 33.1-221.1:1F., are waived. The provisions of this paragraph shall take effect only if the U.S. Army enters into a service agreement with Amtrak and the serving railroad.

G.1. Prior to July 1, 2011, the director, Department of Rail and Public Transportation, with the approval of CSX Transportation, shall initiate infrastructure improvement projects which reduce the average dwell times of hazardous material shipments subject to regulation under Title 49 CFR Part 174 et seq. within rail yards, depots, sidings, and other intermediate terminals or facilities and properties located in the City of Fredericksburg to not longer than 24 hours. These improvements may include, but are not limited to, those that (i) increase capacity at existing storage facilities terminating near Fredericksburg; (ii) increase the physical distance between commodity storage areas and residential communities; and (iii) transfer intermediate storage of commodities to locations closer to terminus of the shipment.

2. Out of the funds available for Rail Industrial Access pursuant to § 33.1-22.1:1, Code of Virginia, up to \$450,000 in the first year and up to \$450,000 in the second year is hereby authorized for associated infrastructure improvements in the City of Fredericksburg and Spotsylvania County. Such funds may be awarded to CSX Transportation or other entities or political subdivisions identified by the Department as having responsibility for implementing the associated infrastructure improvement. In the allocation of funds for this project by the Commonwealth Transportation Board, the requirements of § 33.1-22.1:1, Code of Virginia, with the exception of § 33.1-22.1:1 F., are waived.

3. Not later than September 1, 2011, and December 31, 2011, the director, Department of Rail and Public Transportation, shall report to the Chairmen of the Senate Finance and House Appropriations Committees on the progress in implementing these improvements. The report shall include specific dates by which infrastructure improvements or other means of reducing average dwell times of hazardous material shipments are anticipated to be implemented or placed in service. In addition, this report shall also assess the adequacy of training provided by CSX Transportation to local first responders and regional hazmat response teams and establish a plan for enhanced training on addressing railroad and hazmat incidents including the development of a comprehensive emergency response plan.

4. In implementing this report, the Director,

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Department of Rail and Public Transportation, shall solicit the input and involvement of the affected jurisdictions. All agencies of the Commonwealth, upon request, shall provide necessary technical expertise.