

VIRGINIA ACTS OF ASSEMBLY -- 2015 SESSION

CHAPTER 243

An Act to amend the Code of Virginia by adding in Title 33.2 a chapter numbered 18.1, consisting of a section numbered 33.2-1830, relating to the Interstate 73 Transportation Compact.

[S 847]

Approved March 17, 2015

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 33.2 a chapter numbered 18.1, consisting of a section numbered 33.2-1830, as follows:

CHAPTER 18.1.

INTERSTATE 73 TRANSPORTATION COMPACT.

§ 33.2-1830. Interstate 73 Transportation Compact; form of compact.

The Interstate 73 Transportation Compact (the Compact) is enacted into law and entered into with all other states legally joining therein in the form substantially as follows:

Article 1.

Short Title.

This act shall be known and may be cited as the Interstate 73 Transportation Compact.

Article 2.

Agreement.

The Commonwealth of Virginia may enter into an agreement with one or more signatory states and, upon adoption of this Compact, agree as follows:

1. To study, develop, and promote a plan for the design, construction, financing, and operation of the Interstate 73 corridor through the Commonwealth of Virginia and the states of South Carolina, North Carolina, West Virginia, Ohio, and Michigan;

2. To coordinate efforts to establish a common legal framework in all the signatory states to authorize and facilitate design, construction, financing, and operation of the Interstate 73 corridor or through public-private partnerships similar to those authorized and facilitated by Virginia's Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq. of the Code of Virginia);

3. To advocate for federal funding to support the establishment of the Interstate 73 corridor;

4. To make available to the Interstate 73 corridor project funding and resources that are or may be appropriated and allocated for that purpose; and

5. To do all things necessary or convenient to facilitate and coordinate the design, construction, financing, and operation of the Interstate 73 corridor to the extent that such plans and programs are not inconsistent with federal law and the laws of the Commonwealth of Virginia or other signatory states.

Article 3.

Compact Commission Established; Membership; Chairman; Meetings; and Report.

Each signatory state to the Compact shall establish a compact commission. In Virginia, the Interstate 73 Transportation Compact Commission (the Commission) shall be established as a regional instrumentality and common agency of the Commonwealth of Virginia and the signatory states. The compact commissions of each signatory state shall be empowered to carry out the purposes of its respective Compact.

The Commission shall consist of seven members from each signatory state to be appointed as follows:

1. From the Commonwealth of Virginia, two members of the Senate of Virginia to be appointed by the Senate Committee on Rules, three members of the House of Delegates to be appointed by the Speaker of the House in accordance with the principles of proportional representation contained in the Rules of the House of Delegates, the chairman of the Commonwealth Transportation Board, and another member of the Commonwealth Transportation Board to be appointed by the Governor. Members of the Virginia delegation to the Commission shall serve terms coincident with their terms of office and may be reappointed; and

2. From each other signatory state, seven members to be appointed pursuant to the laws of the signatory state.

The chairman of the Commission shall be elected by the members of the Commission from among its membership. The chairman shall serve for a term of one year, and the chairmanship shall rotate among the signatory states.

The Commission shall meet not less than twice annually; however, the Commission shall not meet more than once annually in the same state. The Commission shall issue an annual report of its activities to the governor and legislature of each signatory state.

Article 4.

Powers and Duties of the Commission.

In order to carry out the purposes of the Compact, the Commission shall be authorized to or may authorize a private entity to fix and revise a schedule of toll rates and to collect such tolls to provide for the design, acquisition, construction, reconstruction, operation, and maintenance of any Interstate 73 transportation project undertaken by the signatory states in accordance with applicable state and federal laws and as approved by the Commission and the legislature of the signatory state in which such toll is to be collected.

Article 5.

Funding and Compensation.

The Commission may utilize for its operation and expenses funds appropriated to it for such purposes by the General Assembly of Virginia and the legislatures of the other signatory states, federal funds, and revenues collected for the use of any project approved by the Commission.

Legislative members of the Virginia delegation to the Commission shall receive such compensation as provided in § 30-19.12 of the Code of Virginia and shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties to the Commission as provided in §§ 2.2-2813 and 2.2-2825 of the Code of Virginia. However, all such compensation and expenses shall be paid from existing appropriations, federal funds, or other revenues collected for the use of any project approved by the Commission. Members of the Commission representing other signatory states shall receive compensation and reimbursement of expenses incurred in the performance of their duties to the Commission in accordance with the applicable laws of the respective signatory states.

Article 6.

Staff Support.

The Virginia Department of Transportation and the appropriate transportation agencies of the other signatory states shall provide staff support to the Commission.

Article 7.

Withdrawal.

The Compact shall continue in force and remain binding on each state enacting it until the legislature or the governor of such state withdraws therefrom by giving written notice to the other parties. Such action shall be effective six months after notice thereof has been sent by the legislature or the governor of the state desiring to withdraw to the governor of all states then parties to the Compact.

The Compact may be amended by the concurrent action of the parties hereto.

2. That the provisions of this act shall become effective only upon its enactment by the Commonwealth of Virginia and the other signatory states and upon the consent of Congress.