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SENATE BILL NO. 847**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the Senate Committee on Transportation
on January 28, 2015)

(Patron Prior to Substitute—Senator Stanley)

A *BILL* 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 Transportation Compact.

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 TRANSPORTATION COMPACT.****§ 33.2-1830. Interstate Transportation Compact; form of compact.**

The Interstate Transportation Compact is enacted into law and entered into with all other jurisdictions 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 Transportation Compact.

*Article 2.**Agreement.*

The Commonwealth of Virginia may enter into 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 interstate transportation projects of strategic interest to the signatory states;

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 such projects either as publicly operated transportation facilities 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 interstate transportation projects of interest to all signatory states;

4. To make available to such interstate transportation projects 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 transportation plans and programs of the Commonwealth of Virginia and the other signatory states to the extent 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 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 the signatory states shall be empowered to carry out the purposes of their respective Compacts.

The Interstate Transportation Compact Commission shall consist of five 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 and 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. Members of the Virginia delegation to the Commission shall serve terms coincident with their terms of office and may be reappointed.

2. From each other signatory state, five 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, revise, and collect a schedule of toll rates to provide for the design, acquisition, construction, reconstruction, operation, and maintenance of any interstate transportation project undertaken by the signatory states in accordance with applicable state and federal laws and as approved by the Commission.

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.

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 ratifying 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 upon its enactment by the Commonwealth of Virginia and the other signatory states in accordance with federal law.