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HOUSE BILL NO. 1

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation
on February 9, 2016)

(Patron Prior to Substitute—Delegate LeMunyon)

*A BILL to amend and reenact § 33.2-309 of the Code of Virginia, relating to tolls on Interstate 66.***Be it enacted by the General Assembly of Virginia:****1. That § 33.2-309 of the Code of Virginia is amended and reenacted as follows:****§ 33.2-309. Tolls for use of Interstate System components.**

A. Notwithstanding any contrary provision of this title and in accordance with all applicable federal and state statutes and requirements, the Board may impose and collect tolls from all classes of vehicles in amounts established by the Board for the use of any component of the Interstate System within the Commonwealth. However, prior approval of the General Assembly shall be required prior to the imposition and collection of any toll for use of all or any portion of Interstate 81. Prior approval of the General Assembly shall also be required prior to the imposition or collection of any toll for use of Interstate 95 south of Fredericksburg pursuant to the Interstate System Reconstruction or Rehabilitation Pilot Program. ~~Such funds so collected shall be deposited into the Transportation Trust Fund established pursuant to § 33.2-1524, subject to allocation by the Board as provided in this section~~ *No toll shall be imposed or collected for the use of any existing component of Interstate 66 east of mile marker 67 until additional lanes are added to such portion of Interstate 66, at which time such additional lanes may be tolled. Such toll shall only (i) be priced according to distance traveled and traffic volume at the time a particular vehicle is using the highway; (ii) be imposed east of Route 7 and east of any entrance to the West Falls Church Metro Station; (iii) be imposed only on single occupancy vehicles no more than four hours per day in the morning eastbound and the evening westbound; and (iv) be imposed Monday, Tuesday, Wednesday, Thursday or Friday, except holidays.*

B. The toll facilities authorized by this section shall be subject to the provisions of federal law for the purpose of tolling motor vehicles to finance interstate construction and reconstruction, promote efficiency in the use of highways, reduce traffic congestion, and improve air quality and for such other purposes as may be permitted by federal law.

C. In order to mitigate traffic congestion in the vicinity of the toll facilities, no toll facility shall be operated without high-speed automated toll collection technology designed to allow motorists to travel through the toll facilities without stopping to make payments. Nothing in this subsection shall be construed to prohibit a toll facility from retaining means of nonautomated toll collection in some lanes of the facility. The Board shall also consider traffic congestion and mitigation thereof and the impact on local traffic movement as factors in determining the location of the toll facilities authorized pursuant to this section.

D. The revenues collected from each toll facility established pursuant to this section shall be deposited into segregated subaccounts in the Transportation Trust Fund and may be allocated by the Board as the Board deems appropriate to:

1. Pay or finance all or part of the costs of programs or projects, including the costs of planning, operation, maintenance, and improvements incurred in connection with the toll facility, provided that such allocations shall be limited to programs and projects that are reasonably related to or benefit the users of the toll facility. The priorities of metropolitan planning organizations, planning district commissions, local governments, and transportation corridors shall be considered by the Board in making project allocations from such revenues deposited into the Transportation Trust Fund.

2. Repay funds from the Toll Facilities Revolving Account or the Transportation Partnership Opportunity Fund.

3. Pay the Board's reasonable costs and expenses incurred in the administration and management of the toll facility.

2. That the Commonwealth Transportation Board shall immediately take action to add lanes to Interstate 66 east of mile marker 67 as soon as practicable. At such time that additional lanes are made available to the public, the Commonwealth Transportation Board may impose a toll to be collected by electronic means from single occupancy vehicles.

3. That design and construction of additional lanes shall permit direct access from Interstate 66 to the West Falls Church Metro Station.

4. That revenue from the toll, after obligations to the Toll Facilities Revolving Account are met, shall be dispersed only by the Northern Virginia Transportation Authority to benefit the Interstate 66 corridor inside the Beltway in accordance with applicable federal law and state statutory and common law to improve person and vehicle throughput in the corridor.

- 60 5. That the variable toll price algorithm shall be subject to the Freedom of Information Act
61 (§ 2.2-3700 et seq. of the Code of Virginia).
- 62 6. That no provisions of this act shall restrict the use of additional funds to improve vehicle and
63 person throughput on Interstate 66.
- 64 7. That the Commonwealth Transportation Board shall engage in discussion with Arlington and
65 Fairfax Counties regarding use of air rights over Interstate 66 in their respective jurisdictions no
66 later than October 1, 2016.
- 67 8. That the Commonwealth Transportation Board shall initiate a review with appropriate federal
68 authorities, with invitation to Maryland and the District of Columbia, no later than October 1,
69 2016, to identify limitations of the Virginia portion of the National Capital Area transportation
70 network in the event of a terrorist attack or other homeland security emergency that would limit
71 the movement of people to safety and the mobility of civilian emergency responders and military
72 personnel. The review shall include capacity limitations of existing bridges over the Potomac River,
73 the potential benefits of the creation of new bridges over the Potomac River, and the capacity
74 limitations of Interstate 395 and Interstate 66 inside and outside the Beltway.
- 75 9. That the Commonwealth Transportation Board shall seek to enter into an agreement with the
76 Washington Metropolitan Area Transit Authority and Fairfax County to install parking garage
77 counters at the Vienna and West Falls Church Metro stations as soon as possible, without regard
78 to the highway widening schedule for Interstate 66, with the number of available spaces in each
79 parking garage readable from the Interstate 66 roadway in locations that will enable motorists to
80 park and ride.
- 81 10. That after any toll is imposed pursuant to the third enactment if this act, the Commonwealth
82 Transportation Board shall annually report to the Chairmen of the House and Senate Committees
83 on Transportation on the vehicle and person throughput during the tolled and untolled periods for
84 each tolled segment of the road as defined by the location of the toll gantries.