VIRGINIA ACTS OF ASSEMBLY -- 2021 SPECIAL SESSION I

CHAPTER 52

An Act to amend and reenact §§ 33.2-214.2 and 33.2-353 of the Code of Virginia, relating to transportation projects; resiliency.

[S 1350]

Approved March 11, 2021

Be it enacted by the General Assembly of Virginia:

1. That §§ 33.2-214.2 and 33.2-353 of the Code of Virginia are amended and reenacted as follows:

§ 33.2-214.2. Transparency in the development of the Six-Year Improvement Program, statewide prioritization process, and state of good repair program.

A. The Board shall develop the Six-Year Improvement Program pursuant to § 33.2-214 in a transparent manner that provides to the public, elected officials, and other stakeholders the opportunity to engage and comment in a meaningful manner prior to the adoption of such program.

B. No later than 150 days prior to a vote to include projects or strategies evaluated pursuant to § 33.2-214.1 in the Six-Year Improvement Program, the Office of Intermodal Planning and Investment shall make public, in an accessible format, (i) a recommended list of projects and strategies for inclusion in the Six-Year Improvement Program based on the results of such evaluation; (ii) the results of the screening of candidate projects and strategies, including whether such projects are located on a primary evacuation route; ~~and~~ (iii) *whether a project has been designed to be or the project sponsor has committed that the design will be resilient; and (iv)* the results of the evaluation of candidate projects and strategies, including the weighting of factors and the criteria used to determine the value of each factor.

C. The Department shall make public a recommended list of projects eligible for funds under the state of good repair program pursuant to § 33.2-369 from the listing of prioritized pavement and bridge needs published in the Commissioner's annual report pursuant to § 33.2-232 at least 150 days prior to the adoption of a Six-Year Improvement Program that includes new projects with funding from such program.

D. The Board may modify the recommended list of projects in subsection B or C through formal action.

§ 33.2-353. Commonwealth Transportation Board to develop and update Statewide Transportation Plan.

A. The Board shall, with the assistance of the Office of Intermodal Planning and Investment, conduct a comprehensive review of statewide transportation needs in a Statewide Transportation Plan setting forth assessment of capacity needs for all corridors of statewide significance, regional networks, and improvements to promote urban development areas established pursuant to § 15.2-2223.1. The assessment shall consider all modes of transportation. Such corridors shall be planned to include multimodal transportation improvements, and the plan shall consider corridor location in planning for any major transportation infrastructure, including environmental impacts and the comprehensive land use plan of the locality in which the corridor is planned. In the designation of such corridors, the Board shall not be constrained by local, district, regional, or modal plans.

The Statewide Transportation Plan shall be updated as needed but no less than once every four years. The plan shall promote economic development and all transportation modes, intermodal connectivity, environmental quality, accessibility for people and freight, *resiliency,* and transportation safety.

B. The Statewide Transportation Plan shall establish goals, objectives, and priorities that cover at least a 20-year planning horizon, in accordance with federal transportation planning requirements. The plan shall include quantifiable measures and achievable goals relating to, but not limited to, congestion reduction and safety, transit and high-occupancy vehicle facility use, job-to-housing ratios, job and housing access to transit and pedestrian facilities, air quality, movement of freight by rail, and per capita vehicle miles traveled. The Board shall consider such goals in evaluating and selecting transportation improvement projects for inclusion in the Six-Year Improvement Program pursuant to § 33.2-214.

C. The plan shall incorporate the measures and goals of the approved long-range plans developed by the applicable regional organizations. Each such plan shall be summarized in a public document and made available to the general public upon presentation to the Governor and General Assembly.

D. It is the intent of the General Assembly that this plan assess transportation needs and assign priorities to projects on a statewide basis, avoiding the production of a plan that is an aggregation of local, district, regional, or modal plans.

2. That the Commissioner of Highways shall ensure resiliency is incorporated into the design standards for new construction projects.