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# VIRGINIA STATE BUDGET

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2012 Special Session I

## Budget Bill - HB1300 (Chapter 2)

Bill Order » Office of Transportation » Item 452

Department of Transportation

Item 452	First Year - FY2011	Second Year - FY2012
<b>Highway System Acquisition and Construction (60300)</b>	<b>\$1,097,844,626</b>	<b><del>\$1,332,957,573</del> \$2,384,951,276</b>
Dedicated and Statewide Construction (60302)	\$405,819,327	<del>\$616,476,151</del> \$1,654,246,099
Interstate Construction (60303)	\$306,041,330	<del>\$365,814,273</del> \$314,071,458
Primary Construction (60304)	\$221,458,401	<del>\$188,126,624</del> \$233,348,661
Secondary Construction (60306)	\$64,669,474	<del>\$49,600,186</del> \$66,365,164
Urban Construction (60307)	\$64,646,250	<del>\$79,714,502</del> \$98,132,461
Highway Construction Program Management (60315)	\$35,209,844	<del>\$33,225,837</del> \$18,787,433
Fund Sources:		
General	\$32,700,000	<del>\$0</del> \$67,241,000
Commonwealth Transportation	\$885,122,398	<del>\$1,133,349,638</del> \$1,099,118,611
Trust and Agency	\$180,022,228	<del>\$199,607,935</del> \$1,218,591,665

Authority: Title 33.1, Chapter 1; Code of Virginia; Chapters 8, 9, and 12, Acts of Assembly of 1989, Special Session II.

A. Included in the amounts for dedicated and statewide construction is \$15,000,000 the first year and \$an amount determined by the Commonwealth Transportation Board, not less than \$15,000,000 and not to exceed \$200,000,000 the second year from the Commonwealth Transportation Fund, which shall be allocated to localities for revenue sharing. No additional amount shall be appropriated from the proceeds of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds for this program.

B. Notwithstanding § 33.1-23.1 of the Code of Virginia, the proceeds from the lease or sale of surplus and residue property purchased under this program in excess of related costs shall be applied to the system and locality where the residue property is located. This funding shall be provided as an increase to the allocations distributed to the systems and localities according to § 33.1-23.1 of the Code of Virginia.

C. The Director, Department of Planning and Budget, is authorized to increase the appropriation as needed to utilize amounts available from prior year balances in the dedicated funds.

D. Included in the amounts for dedicated and statewide construction is the reappropriation of \$81,200,000 the first

year and \$64,000,000 the second year from bond proceeds or dedicated special revenues for anticipated expenditure of amounts collected in prior years. The amounts will be provided from balances in the Northern Virginia Transportation District Fund, State Route 28 Highway Improvement District Fund, U.S. Route 58 Corridor Development Fund and the Priority Transportation Fund. These amounts were originally appropriated when received or forecasted and are not related to FY 2011 and FY 2012 estimated revenues.

E. Projects being developed and procured through adopted state, local or regional design-build provisions, other than those required by § 33.1-12(2)(b), Code of Virginia, may be considered for funding from the Transportation Partnership Opportunity Fund. In addition, an application requesting funding from the fund shall be limited to requesting only one form of assistance and the limitations included in § 33.1-221.1:8(E), Code of Virginia.

F. Upon issuance of a resolution by a local governing body that a property has been designated for school construction, and upon presentation of such resolution to the Commonwealth Transportation Board with an accompanying notification that such project is ready to move forward, the Commonwealth Transportation Board shall immediately reduce the speed limit on abutting primary and secondary roadways to 35 miles per hour or less.

G. 1. Of the amounts contained in this Item, \$32,700,000 the first year *and \$38,562,713 the second year* from the general fund shall be deposited in the Virginia Transportation Infrastructure Bank, created pursuant to legislation passed during the 2011 Session of the General Assembly, to provide direct loans to private and governmental entities for the construction and capital maintenance of the Commonwealth's transportation infrastructure and transit systems. In addition, \$250,000,000 from the Commonwealth Transportation Fund shall be deposited into the Virginia Transportation Infrastructure Bank. *\$9,884,426 of the general fund amounts deposited into the Virginia Transportation Infrastructure Bank in the second year shall be transferred to Item 447 for statewide transit formula assistance.*

2. These funds are not to be distributed through formulas designated by the Code of Virginia for the Commonwealth Transportation Fund or the Transportation Trust Fund. Notwithstanding § 33.1-23.03:2, Code of Virginia, the FY 2010 general fund surplus *and the FY 2011 general fund surplus* designated in accordance with § 2.2-1514, Code of Virginia, shall be used for the loan program.

3. The Secretary of Transportation and the Secretary of Finance are authorized to structure a program for the purpose of loaning the general and nongeneral fund appropriation to localities, governmental entities and authorities, railroads, transit companies, and private sector companies.

4. Notwithstanding any other provision of law, this item shall be the sole authority for capitalizing the bank. As a condition of this appropriation, and prior to the transfer of any general funds or Commonwealth Transportation funds to the bank, the Secretary of Transportation shall certify in writing to the Governor and the Chairman of the House Committees on Appropriations and Transportation and the Senate Committees on Finance and Transportation a plan that shall include, but not be limited to, identification of any specific project or program balance to be transferred to the bank as well as the corresponding fund source.

H. Included in the appropriation for this Item is \$50,000,000 the second year from the Commonwealth Transportation Fund for deposit into the Transportation Partnership Opportunity Fund.

I. Included in the amounts for dedicated and statewide construction the second year is funding provided for non-federal qualifying construction to be allocated based on Commonwealth Transportation Board priorities.

J. From the amounts in this item, the department shall provide funding to implement the provisions of Senate Bill 952 as adopted by the 2011 General Assembly.

K. *From the amount contained in this item, \$28,678,287 the second year from the general fund, designated in accordance with the provisions of § 2.2-1514, Code of Virginia, shall be deposited in the Intercity Passenger Rail*

*Operating and Capital Fund created pursuant to Chapter 868 of the 2011 Acts of Assembly. This deposit shall be permanent and nonreverting, and not subject to the provisions of § 33.1-23:03:2, Code of Virginia. This funding shall only be used for the operation and capital needs of Virginia intercity passenger rail services.*