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# VIRGINIA STATE BUDGET

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2014 Special Session I

## Budget Bill - HB5001 (Chapter 1)

Bill Order » Office of Transportation » Item 442

Department of Rail and Public Transportation

### Item 442

First Year - FY2013      Second Year - FY2014

<b>Financial Assistance for Rail Programs (61000)</b>	<b>\$57,587,000</b>	<b>\$50,062,000</b>
Rail Industrial Access (61001)	\$3,000,000	\$3,000,000
Rail Preservation Programs (61002)	\$7,987,000	\$7,887,000
Passenger and Freight Rail Financial Assistance Programs (61003)	\$46,600,000	\$39,175,000
Fund Sources:		
Commonwealth Transportation	\$57,587,000	\$50,062,000

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Authority: Title 33.1, Code of Virginia.

A. Except as provided in Item 440, the Commonwealth Transportation Board shall operate the Shortline Railway Preservation and Development Program in accordance with § 33.1-221.1:1.2, Code of Virginia. The board may allocate funds pursuant to § 33.1-23.1, Code of Virginia, to the Shortline Railway Preservation and Development Fund.

B. The Commonwealth Transportation Board shall operate the Rail Industrial Access Program in accordance with § 33.1-221.1:1, Code of Virginia. The board may allocate funds pursuant to § 33.1-23.1, Code of Virginia, to the fund for construction of industrial access railroad tracks.

C. Because of the overwhelming need for the development of a balanced transportation system in the Commonwealth, upon approval by the Commonwealth Transportation Board and notwithstanding the provisions of § 33.1-221.1:1.1, Code of Virginia, the 30 percent match requirement for the Rail Enhancement Fund is hereby waived exclusively for funding allocated from such fund for improvements for the Richmond/Hampton Roads Passenger Rail Project between Richmond and Norfolk in the 2012-2014 biennium.

D. Notwithstanding any other provision of law, in implementing the provisions of the Intercity Passenger Rail Operating and Capital Fund created pursuant to § 33.1-221.1:1.3, Code of Virginia, the Commonwealth Transportation Board may allocate such funds as it deems necessary from the Rail Enhancement Fund, created pursuant to § 33.1-221.1:1.1, Code of Virginia. Such funding shall not exceed \$6,700,000 the first year and \$19,400,000 the second year, unless additional funding shall be required in either year for capital improvements between Petersburg and Richmond in conjunction with the acquisition of slots two and three for regional passenger rail service initiating in Norfolk. Such request shall be made only if the Director notifies the Commonwealth Transportation Board of any verifiable action by any federal entity or agency, or any other state, to secure from CSX the slots Virginia would require for this service.

E. Included in the amounts for Passenger and Freight Rail Financial Assistance, \$150,000 in the ~~first~~ *second* year is provided for the continued operation of transit connector service from the Roanoke Valley to the Kemper Street Station in Lynchburg as part of the daily intercity passenger rail service. Receipt of this funding is contingent upon the Greater Roanoke Transit Service establishing AMTRAK reservation capabilities for the daily service. It is the

intent of the General Assembly that no additional funding in excess of normal transit formula distribution as awarded by the Department shall be appropriated in support of this service in any future years.

F.1. The director, Department of Rail and Public Transportation, with the approval of CSX Transportation, shall initiate infrastructure improvement projects which promote safety or reduce the average dwell times of hazardous material shipments subject to regulation under Title 49 CFR Part 174 et seq. within rail yards, depots, sidings, and other intermediate terminals or facilities and properties located in the City of Fredericksburg to not longer than 24 hours. These improvements may include, but are not limited to, those that (i) increase capacity at existing storage facilities terminating near Fredericksburg; (ii) increase the physical distance between commodity storage areas and residential communities; and (iii) transfer intermediate storage of commodities to locations closer to terminus of the shipment.

2. Out of the funds available for Rail Industrial Access pursuant to § 33.1-221.1:1, Code of Virginia, up to \$450,000 in the first year and up to \$450,000 in the second year is hereby authorized for associated infrastructure improvements which may be constructed in any location in Virginia so long as their use results in increased safety in Fredericksburg or reduced average dwell times of hazardous materials currently staged in Fredericksburg. Such funds may be awarded to CSX Transportation or other entities or political subdivisions identified by the Department as having responsibility for implementing the associated infrastructure improvement. In the allocation of funds for this project by the Commonwealth Transportation Board, the requirements of § 33.1-22.1:1, Code of Virginia, with the exception of § 33.1-22.1:1 F., are waived.

G. Of the funds appropriated pursuant to Chapters 1019 and 1044 of the 2000 Acts of Assembly for passenger rail capacity improvements in the I-95 passenger rail corridor between Richmond and the District of Columbia, the Director of the Department of Rail and Public Transportation is authorized to utilize any remaining funds along the described corridor for the development of intercity passenger rail enhancements to include rail improvements and passenger station facilities.

H. Notwithstanding any other provision of law, in implementing the provisions of the Intercity Passenger Rail Operating and Capital Fund created pursuant to § 33.1-221.1:1.3, Code of Virginia, the Commonwealth Transportation Board may allocate such funds as dedicated pursuant to § 58.1-638.3.A.2., Code of Virginia.