
VIRGINIA STATE BUDGET

2017 Session

Budget Bill - HB1500 (Chapter 836)

Bill Order » Office of Transportation » Item 448

Department of Rail and Public Transportation

Item 448	First Year - FY2017	Second Year - FY2018
Financial Assistance for Public Transportation (60900)	\$435,536,141	\$443,248,455
Public Transportation Programs (60901)	\$412,417,287	\$420,042,153
Congestion Management Programs (60902)	\$13,344,000	\$13,344,000
Human Service Transportation Programs (60903)	\$9,774,854	\$9,862,302
Fund Sources:		
Special	\$1,122,396	\$1,139,844
Commonwealth Transportation	\$434,413,745	\$442,108,611

Authority: Titles 33.2 and 58.1, Code of Virginia.

A.1. Except as provided in Item 450, the Commonwealth Transportation Board shall allocate all monies in the Commonwealth Mass Transit Fund, as provided in § 58.1-638, Code of Virginia. The total appropriation for the Commonwealth Mass Transit Fund is estimated to be \$247,794,000 the first year and \$255,422,000 the second year from the Transportation Trust Fund. From these funds, the following estimated allocations shall be made:

a. \$182,608,000 the first year and \$187,826,000 the second year to statewide Operating Assistance as provided in § 58.1-638, Code of Virginia.

b. \$55,837,000 the first year and \$58,030,000 the second year from the Commonwealth Mass Transit Fund to statewide Capital Assistance.

c. Notwithstanding the provisions of paragraph A.1.a and A.1.b. of this Item, prior to the annual adoption of the Six-Year Improvement Program, the Commonwealth Transportation Board may allocate funding from the Commonwealth Mass Transit Fund to implement the transit and transportation demand management improvements identified for the I-95 corridor. Such costs shall include only direct transit capital and operating costs as well as transportation demand management activities. Costs associated with additional park and ride lots required to be funded by the Commonwealth under the provisions of the Comprehensive Agreement for the Interstate 95 High Occupancy Toll Lanes project shall be borne by the Department of Transportation as set out in Item 455 of this act.

2. Included in this Item is \$1,500,000 the first year and \$1,500,000 the second year from the Commonwealth Mass Transit Trust Fund. These allocations are designated for "paratransit" capital projects and enhanced transportation services for the elderly and disabled.

3. a. From the amounts appropriated in this Item from the Commonwealth Mass Transit Fund, \$7,849,000 the first year and \$8,066,000 the second year is the estimated allocation to statewide Special Programs as provided in § 58.1-638, Code of Virginia.

b. From the amounts provided for Special Programs, the Commonwealth Transportation Board shall operate a program entitled the Transportation Efficiency Improvement Fund (TEIF). The purpose of the TEIF program is to reduce traffic congestion by supporting transportation demand management programs and projects designed to reduce the movement of passengers and freight on Virginia's highway system.

c. From the amounts appropriated in this Item from the Commonwealth Mass Transit Fund, up to \$1,975,000 the first year and up to \$1,975,000 the second year may be allocated by the Board for the expansion of vanpool service throughout the Commonwealth. Such efforts may include partnering with private operators to provide vanpool services on a statewide basis. All or a portion of any increase to the amounts appropriated in subparagraph B.5 of Item 436 as a result of the Federal Fixing America's Surface Transportation (FAST) Act may also be allocated by the Board for this purpose.

4. Not included in this appropriation is an amount estimated at \$25,583,000 the first year and \$25,583,000 the second year allocated to transit agencies from federal sources for the Surface Transportation Program (STP).

B. 1. Funds from a stable and reliable source, as required in Public Law 96-184, as amended, are to be provided to Metro from payments authorized and allocated in this program and pursuant to §§ 58.1-1720 and 58.1-2295, Code of Virginia. Notwithstanding any other provision of law, funds allocated to Metro under this program may be disbursed by the Department of Rail and Public Transportation directly to Metro or to any other transportation entity that has an agreement to provide funding to Metro as deemed appropriate by the Department. In appointing the Virginia members of the board of directors of the Washington Metropolitan Area Transit Authority (WMATA), the Northern Virginia Transportation Commission shall include the Secretary of Transportation or his designee as a principal member on the WMATA board of directors.

2. To ensure that all revenues provided to support the Washington Metropolitan Area Transit Authority (WMATA) are used efficiently and appropriately, the WMATA Board of Directors shall submit to the Director, Department of Rail and Public Transportation, and the Chairmen of the House and Senate Transportation Committees and the House Appropriations and Senate Finance Committees, a report on the actions taken to address all the recommendations cited in the Federal Transit Administration of the U. S. Department of Transportation's "Full Scope of Systems Review of the Washington Metropolitan Transit Authority" dated June 10, 2014. Such reports shall be submitted no more than 30 days after the close of each quarter of the fiscal year, and shall include any further findings issued by the appropriate compliance officer of the Federal Transit Administration. In addition, the WMATA Board of Directors shall provide, immediately upon its issuance, a copy of the audited financial statements and shall submit a plan to remedy any deficiencies within 30 days of receipt of the report.

C. All Commonwealth Mass Transit Funds appropriated for Financial Assistance for Public Transportation shall be used only for public transportation purposes as defined by the Federal Transit Administration or outlined in § 58.1-638 A.4. or in § 58.1-638 A.5., Code of Virginia.

D. It is the intent of the General Assembly that no transit operating assistance funding be used to support any new transit system or route at a level higher than such project would be eligible for under the allocation formula set out in § 58.1-638 A 4. e., Code of Virginia, beyond the first two years of its operation.

E.1. The Department of Rail and Public Transportation, in conjunction with the Transit Capital Project Revenue Advisory Board, shall develop a proposal to be submitted to the Commonwealth Transportation Board and the General Assembly for a statewide prioritization process for the use of funds allocated pursuant to § 33.2-365, or allocated to the Commonwealth Mass Transit Fund established pursuant to subdivision A 4 of § 58.1-638. Such prioritization process would be used for the development of a Six-Year Improvement Program for transit capital expenditures to be included in the Program adopted annually by the Commonwealth Transportation Board pursuant to § 33.2-214. The proposal development should be undertaken with input from localities, metropolitan planning organizations, transit authorities, transportation authorities, and other stakeholders.

2. Any prioritization process should be based on an objective and quantifiable analysis. For transit capital projects that establish new transit service or expand existing service, the prioritization process should consider, at a minimum, the following factors relative to the cost of the project or strategy: congestion mitigation, economic development, accessibility, safety, environmental quality, and land use. For state of good repair projects, the prioritization process should consider asset condition and other factors determined to be appropriate by the Department. Such a process for the allocation and distribution of funding would be in addition to the tiered approach established by the Commonwealth Transportation Board for capital purposes based on asset need and anticipated state participation level and revenues and is intended to foster project-specific prioritization within the asset tiers.

3. The Department shall submit its report on the feasibility and proposed content of such a prioritization scheme to the Chairmen of the House and Senate Transportation Committees, the House Appropriations Committee and the Senate Finance Committee not later than August 1, 2017.

F. The Director, Department of Planning and Budget, is hereby authorized, upon request by the Secretary of Transportation, to transfer an amount not to exceed \$6,214,575 in the first year and \$6,214,575 in the second year from the amounts appropriated in Item 453 of this act to the Department of Rail and Public Transportation. Such transfers shall be considered loans, and are intended to hold harmless transit agencies that operate in the Commonwealth that receive urbanized transit funds pursuant to 49 U.S.C 5307 whose funds have been withheld by the Federal Transit Administration until the certification of the Metro Safety Commission by the Federal Transit Administration. The Department may disburse, subject to appropriate repayment terms, such funds to affected transit agencies in an amount not to exceed the funds withheld by the Federal Transit Administration. To the extent repayment is not made as required by the agreement between the Department and an affected transit agency, the Department is directed to withhold the payment amount due from funds provided to such transit agency pursuant to §58.1-638 A 4 b 1 (c) of the Code of Virginia in order to return such amounts to the Department of Transportation. However, no funds from such loan shall be disbursed to any transit agency until such agency has expended all funds available for their use from federal fiscal year 2016. The specific terms and structure of any loan shall be approved by the Secretary of Transportation, upon consultation with the Chairmen of the House Appropriations and Senate Finance Committees, or their designees.