2022 Special Session I

Budget Bill - HB30 (Chapter 2)

Bill Order » Office of Transportation » Item 458

Department of Transportation

Item 458	First Year - FY2023	Second Year - FY2024
Administrative and Support Services (69900)	**$305,362,913**	**$310,049,997**
General Management and Direction (69901)	$162,055,925	$164,545,298
Information Technology Services (69902)	$110,234,802	$111,998,558
Facilities and Grounds Management Services (69915)	$21,403,612	$21,746,070
Employee Training and Development (69924)	$11,668,574	$11,760,071
Fund Sources:		
Commonwealth Transportation	$305,362,913	$310,049,997

Authority: Title 33.2, Code of Virginia.

A. Notwithstanding any other provision of law, the highway share of the Transportation Trust Fund shall be used for highway maintenance and operation purposes prior to its availability for new development, acquisition, and construction.

B. Administrative and Support Services shall include funding for management, direction, and administration to support the department's activities that cannot be directly attributable to individual programs and/or projects.

C. Out of the amounts for General Management and Direction, allocations shall be provided to the Commonwealth Transportation Board to support its operations, the payment of financial advisory and legal services, and the management of the Commonwealth Transportation Fund.

D. Notwithstanding any other provision of law, the department may assess and collect the costs of providing services to other entities, public and private. The department shall take all actions necessary to ensure that all such costs are reasonable and appropriate, recovered, and understood as a condition to providing such service.

E. Each year, as part of the six-year financial planning process, the commissioner shall implement a long-term business strategy that considers appropriate staffing levels for the department. In addition, the commissioner shall identify services, programs, or projects that will be evaluated for devolution or outsourcing in the upcoming year. In undertaking such evaluations, the commissioner is authorized to use the appropriate resources, both public and private, to competitively procure those identified services, programs, or projects and shall identify total costs for such activities.

F. Notwithstanding § 4-2.03 of this act, the Virginia Department of Transportation shall be exempt from recovering statewide and agency indirect costs from the Federal Highway Administration until an indirect cost plan can be evaluated and developed by the agency and approved by the Federal Highway Administration.

G. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the

Virginia Department of Transportation to reflect changes in the official revenue estimates for commonwealth transportation funds.

H. Notwithstanding any other provisions of law, the Commonwealth Transportation Commissioner may enter into a contract with homeowner associations for grounds-keeping, mowing, and litter removal services.

I. Notwithstanding the provisions § 2.2-2402 of the Code of Virginia, no construction, erection, repair, upgrade, removal or demolition of any building, fixture or structure located or to be located on property of the Commonwealth of Virginia under the control of the Virginia Department of Transportation (VDOT) and within the secured area of a residency, area headquarters or district complex shall be subject to review or approval by the Art and Architectural Review Board as contemplated by that section. However, for changes to any building or fixture located on property owned or controlled by VDOT that has been designated or is under consideration for designation as a historic property, then VDOT shall submit such changes to the Art and Architectural Review Board for review and approval by the Board.

J. 1. At such time as the Virginia Department of Transportation (VDOT) determines that the VDOT Residency office, on five acres, at 626 Waddell Street, in the City of Lexingon is no longer required for VDOT's purposes, it shall offer to transfer the property to the City of Lexington prior to offering the property for transfer or sale to any other public or private agency or entity or individual, on such terms and conditions as provided below.

2. The Virginia Department of Transportation and the City of Lexington shall each obtain a separate appraisal of the property, each performed by an appraiser licensed by the Commonwealth of Virginia as Certified General Real Property Appraisers, who must meet the competency provisions of the Uniform Standards of Professional Appraisal Practice.

3. VDOT shall offer the property to the City of Lexington at a value which shall be determined by averaging the values from the two appraisals obtained in L.2. above. Any other conditions of the transfer shall be based on usual and customary terms for such intergovernmental transfers.

4. If the Virginia Department of Transportation and the City of Lexington cannot agree on the terms of the transfer of the property, VDOT may transfer or sell the property to any other public or private agency or entity or individual on such terms as it determines are in the best interest of the Virginia Department of Transportation, however it will present those terms to the City of Lexington for its consideration prior to finalizing any transfer or sale to any other party.

5. Any proceeds from the sale of the Waddell Street property may be used for the construction, staff relocation and other expenses related to the renovation of the VDOT Annex Building located at 1401 East Broad Street, Richmond, VA and any proceeds not so used shall be deposited in the Transportation Trust Fund.

K. Notwithstanding any other provisions of law, the Virginia Department of Transportation (VDOT) is hereby authorized to market, sell and convey all or a portion of the Fulton property at 503 and 890 Bickerstaff Road and 421 Old Osborne Turnpike in Henrico, Virginia, containing 21.35 acres, more or less, as shown on a plat of survey entitled, “Commonwealth of Virginia Department of Highways and Transportation Fulton Depot” made by J.D. Hensdill, State Certified Engineer or Land Surveyor, dated October 1976. Any proceeds from the sale of the Fulton property may be used for the construction, staff relocation and other expenses related to the renovation of the VDOT Annex Building located at 1401 East Broad Street, Richmond, VA and any proceeds not so used shall be deposited in the Transportation Trust Fund.

L. Notwithstanding any other provisions law, in addition to the marketing, sale and conveyance of any property pursuant to item C- 41.10 of the 2017 Appropriations Act, the Virginia Department of Transportation (VDOT) is hereby authorized to market, sell and convey all or a portion of the Hampton Roads District Bartlett Area Headquarters in Isle of Wight County, Virginia, containing 10.42 acres, more or less, as shown on a plat of survey

entitled, “Newport Magisterial District Isle of Wight Count, Virginia subdivision of property of: Thomas L. Newton, Jr. &Thomas S. Word, Jr. Trustees” made by W. L. Jessee, State Certified Engineer or Land Surveyor, dated January 8, 1981. Any proceeds from the sale of the Bartlett Area Headquarters as well as any proceeds from the sale of any properties pursuant to item C- 41.10 of the 2017 Appropriations Act may be used for the acquisition, construction and other expenses related to the relocation of the Hampton Roads District Office Complex and any proceeds not so used shall be deposited in the Transportation Trust Fund.

M. Notwithstanding any other provision of law, the Commissioner of Highways is hereby authorized to convey to Norfolk Southern Railway Company by deed without consideration a variable width easement for right of way beneath the existing Interstate 264 overpass in the area of the relocated freight rail facilities, across a parcel approximately 0.5 acres in size, on terms acceptable to the Virginia Department of Transportation, Norfolk Southern Railway Company, and the Federal Highway Administration. The conveyance shall be in a form approved by the Office of the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.