2023 Special Session I

Budget Bill - HB6001 (Chapter 1)

Department of Transportation

Item 456	First Year - FY2023	Second Year - FY2024
Financial Assistance to Localities for Ground Transportation (60700)	**$541,727,128**	**$548,996,955**
Financial Assistance for City Road Maintenance (60701)	$445,796,577	$451,642,072
Financial Assistance for County Road Maintenance (60702)	$77,627,241	$78,825,506
Financial Assistance for Planning, Access Roads, and Special Projects (60704)	$18,303,310	$18,529,377
Fund Sources:		
Commonwealth Transportation	$541,727,128	$548,996,955

Authority: Title 33.2, Chapter 1, Code of Virginia.

A. Out of the amounts for Financial Assistance for Planning, Access Road, and Special Projects, $7,000,000 the first year and $7,000,000 the second year from the Commonwealth Transportation Fund shall be allocated for purposes set forth in §§ 33.2-1509, 33.2-1600, and 33.2-1510, Code of Virginia. Of this amount, the allocation for Recreational Access Roads shall be $1,500,000 the first year and $1,500,000 the second year. It is the intent of the General Assembly that up to $250,000 of the funds allocated by the Commonwealth Transportation Board for Recreational Access Roads in this Item shall be prioritized for handicapped accessibility improvements at Virginia State Parks, including improvements to handicapped access points and parking facility enhancements as may be requested by the Department of Conservation and Recreation.

B. The prioritization process developed under § 33.2-214.1, Code of Virginia, shall not apply to use of funds provided in this Item from federal apportionments in the Metropolitan Planning Program.

C. Consistent with § 33.2-366, Code of Virginia, the Commonwealth Transportation Board, when establishing annual rates of payments to Counties that have elected to withdraw from the secondary highway system, shall adjust such rate annually with i) procedures established for adjusting payments to cities, and ii) lane mileage adjustments. It is the express intent of the General Assembly that under no circumstance shall the addition of lane miles to one jurisdiction result in the direct or indirect reduction in the calculation of payment to any other jurisdiction receiving payment from funds appropriated for Financial Assistance for County Road Maintenance (60702).

D. The Department of Transportation shall report on an annual basis to the Commonwealth Transportation Board on the impact of adjusting the payments made as part of Financial Assistance to Localities distributions for inflation consistent with adjustments for highway system maintenance and operations.

E. Of the amounts in this item, $1,000,000 the first year and $1,000,000 the second year from the Commonwealth Transportation Fund is appropriated for service charges to be paid to localities in which the Virginia Port Authority owns tax-exempt real estate for roadway maintenance activities in the jurisdictions hosting Virginia Port Authority facilities. These payments shall be treated the same as other Commonwealth Transportation Board payments to localities for highway maintenance. These funds shall not be used for other activities nor shall they supplant other

local government expenditures for roadway maintenance. These funds shall be distributed to the localities on a pro rata basis in accordance with the formula set out in § 58.1-3403 D, Code of Virginia; however, the proportion of the funds distributed based on cargo traveling through each port facility shall be distributed on a pro rata basis according to twenty-foot equivalent units.

F. Notwithstanding the provisions of § 33.2-1509, Code of Virginia, and consistent with the provisions of § 4-13.00 of this Act, no locality that has been allocated funds for a bonded project by the Commonwealth Transportation Board pursuant to § 33.2-1509, Code of Virginia, shall be required to repay such funds during the 48-month period beginning on the effective date of Chapter 552, 2021 Acts of Assembly, Special Session I, provided that all of the other conditions of the Commonwealth Transportation Board's economic development access policy are met.

G. The Department of Transportation shall conduct an evaluation of the conditions of city streets. The evaluation shall include (i) an assessment of the current conditions of pavements and bridges on city-maintained streets throughout the Commonwealth, (ii) a review of the current formula used for distributing city street payments including comparisons of age, condition, vehicles miles traveled relative to per mile payments, (iii) opportunities for efficiency through partnerships with the Department, and (iv) recommendations, if any, for revisions to the formula for the distribution of city street payments. The evaluation shall be complete no later than December 1, 2023. All costs for conducting the evaluation shall be borne by the Department and under no circumstance shall funds appropriated for Financial Assistance for City Road Maintenance (60701) be reduced related to the costs of conducting the evaluation.