

Transportation

Amendments, as adopted, for the Transportation secretariat for the 2010-12 biennium include increases of \$32.7 million GF and \$560.7 million NGF. The general fund increase is derived from the statutorily-required one-time deposit of FY 2010 year-end surplus revenues. The majority of the nongeneral fund increases, totaling \$512.0 million, reflect adjustments to the transportation revenue forecast from an increase in the base resulting from FY 2010 revenues in excess of the forecast, as well as the December 2010 reforecast of Commonwealth Transportation Fund revenues. In addition, the Virginia Port Authority appropriation is increased \$47.8 million as a result of revenues anticipated to be generated from the lease of the APM Maersk Terminal by the Virginia Port Authority.

The 2010-12 biennial budget amendments provide a total of \$8.8 billion to Transportation agencies, which includes \$114.6 million GF and \$8.5 billion NGF for the biennium.

- **Secretary of Transportation**

- ***Transfer Position and Funding from VDOT for PPTA “Czar”.*** Provides 1.0 FTE position and \$175,000 NGF each year from VDOT revenues to fund a Public Private Transportation Act (PPTA) “Czar” position within the Secretary’s office.
- ***Flexibility for State Matching Funds.*** Eliminates the requirement that the Commonwealth Transportation Board rescind state matching funds for the federal Regional Surface Transportation Program (RSTP) in urban areas when those state funds are not expended within 36 months. The amendment provides the Commonwealth Transportation Board the discretion to make this determination on a project-by-project basis.
- ***Transfer Responsibility for Commercial Space Flight Authority.*** Synthesizes the complimentary roles of Virginia's Commercial Space Flight Authority and the Transportation Secretariat by transferring oversight and funding responsibility for the Authority from the Secretary of Commerce and Trade to the Secretary of Transportation. Implementation of this transfer requires that the Secretary of Transportation, prior to December 1, 2011, review the roles of the Authority and the Aerospace Advisory Council and make recommendations on operational and competitive needs to improve the standing of the aerospace industry within the region and nationally. Beginning in FY 2012, \$1.5 million in Transportation Trust Funds are provided to the Virginia Commercial Space Flight Authority.

- **Department of Motor Vehicles (DMV)**

- ***Transfer Appropriation for Washington Metropolitan Area Transit Commission.*** Transfers funding totaling \$297,052 NGF in FY 2012 from the Department of Rail and Public Transportation to the Department of Motor Vehicles. This commission is responsible for the oversight of taxi operations in the Washington, D.C. metropolitan area and DMV holds a seat on the Commission.

- ***Review of DMV Select Program Operations.*** Requires that DMV undertake a comprehensive review of DMV Customer Service Centers and DMV Select locations prior to making any changes to the operations of the DMV Select Programs. In assessing both the cost-effectiveness and equitable availability of DMV services, the Commissioner shall consider factors including location, workloads and wait times, the length of time any existing DMV Select Agent has served in that capacity, and the ability of a DMV Select office to meet both the current and future business needs of the program.
- **Department of Rail and Public Transportation (DRPT)**
 - ***Transfer Appropriation for Washington Metropolitan Area Transit Commission.*** As a companion to the DMV amendment listed above, the NGF funding for the Washington Metropolitan Area Transit Commission is transferred from DRPT to DMV.
 - ***Washington Metropolitan Area Transit Authority Board Membership.*** Directs the Northern Virginia Transportation Commission to directly appoint the Secretary of Transportation or his designee as a principal member of the WMATA Board of Directors.
 - ***Authorize Direct Payment to Washington Metropolitan Area Transit Authority.*** Allows the department to make payments allocated to Metro directly to WMATA or other eligible entities. Under this program, the department may provide funding directly to Metro or to any other transportation entity that has an agreement to provide funding to Metro if deemed appropriate by the department.
 - ***Restriction on Expenditure of Mass Transit Funds.*** This language specifies that no Commonwealth Mass Transit Funds may be used for the purposes defined by the Federal Transit Administration or the *Code of Virginia*.
 - ***Revert Unexpended Paratransit Balances.*** Reduces the public transportation funding set aside for paratransit capital projects by \$1.0 million to allow for these funds to flow-through the transit formula to all transit properties across the state. Requests for grants from this program have been under-subscribed and the funds can be put to immediate use for transit formula assistance. Total funding for paratransit capital projects in FY 2012 will be \$1.5 million.
 - ***Central Virginia “Troop Train.”*** Directs that up to \$325,000 in rail access development funds be used to provide rail access in Caroline County to serve the U.S. Army special passenger troop train shuttle operation for the movement of troops between Fort Lee and Fort A.P. Hill, provided the Army is successful in entering into an agreement with Amtrak and CSX.
 - ***Roanoke “Bus-Bridge” Ridership Demonstration Project.*** Provides \$150,000 to the City of Roanoke to operate a ridership demonstration project for a “bus-

bridge" connection service between Roanoke and the daily Northeast Corridor passenger rail service originating in Lynchburg.

- ***Reduce Hazardous Materials Dwell Times.*** Authorizes \$450,000 in both FY 2011 and FY 2012 from existing Rail Industrial Access Funds for projects that reduce the amount of time that hazardous or explosive materials can be stored on rail properties in the City of Fredericksburg to no longer than 24 hours. These projects include, but are not limited to: options for increasing capacity at existing storage facilities; improvements that increase distance between commodity storage areas and residential communities; and options for transferring intermediate storage of commodities to locations closer to terminus of the shipment. Additionally, the amendment requires DRPT to assess the adequacy of the training provided to local first responders and regional hazmat response teams in addressing railroad and hazmat incidents.

- **Department of Transportation (VDOT)**

- ***Reflect Commonwealth Transportation Fund (CTF) Reforecast.*** Includes two actions reflecting adjustments to the CTF forecast since Chapter 874 was adopted by the 2010 General Assembly. First, an additional \$104.3 million in FY 2011 and \$31.4 million in FY 2012 is appropriated to reflect the NGF revenues included in the Six Year Financial Plan adopted by the Commonwealth Transportation Board last June, which reflects base adjustments to FY 2010 CTF collections. Also included is an additional \$377.1 million NGF in FY 2012, reflecting the December 2010 reforecast of transportation funds.
- ***Realign Maintenance Budget.*** Reverses the action taken in 2010 separating the operational components of maintenance – including the funding of traffic management, roadside maintenance, snow-removal, and other non-infrastructure improvement items – from infrastructure improvements. This will revert to prior practice where VDOT's maintenance program was distributed only among the three state-maintained roadway systems – Interstate, Primary, and Secondary. Further, the amendment reduces the amount of funding available to be used for the general management and operations of the maintenance program.
- ***Conform Revenue Sharing Program Funding Level to Statute.*** Adjusts the reference to the VDOT revenue sharing program's funding level to reflect changes to the program's size adopted pursuant to Chapters 830 and 868 of the 2011 Acts of Assembly. The program's size will be determined by the Commonwealth Transportation Board, but will not be less than \$15.0 million or more than \$20.0 million.
- ***Virginia Transportation Infrastructure Bank.*** Provides \$32.7 million GF to be deposited into the Virginia Transportation Infrastructure Bank created pursuant to legislation adopted by the 2011 General Assembly reflecting the provisions of § 2.2-1514 of the *Code of Virginia*, which requires that two-thirds of the FY 2010 general fund surplus be deposited to transportation. The introduced budget had

proposed \$150.0 million for this purpose. Additionally, the amendment authorizes depositing \$250.0 million in Commonwealth Transportation Fund balances into the bank and requires the Secretary of Transportation to certify any specific project or program balances transferred into the bank.

- ***Appropriation of End of Year Balances.*** Eliminates proposed language giving the Comptroller authority to appropriate any unexpended general fund balances at the end of FY 2011 designated for transportation purposes under § 2.2-1514 of the *Code of Virginia* as soon as such balances are available. These balances must be appropriated to the Transportation Trust Fund by the General Assembly.
- ***Lake Anna Bridges.*** Provides funding to implement the provisions of Chapter 144 of the 2011 Acts of Assembly which serves to improve public safety by providing funding to place identification markers on six bridges over certain tributaries of Lake Anna. This funding, expected to be approximately \$12,500, is directed to come off the top of highway construction funds.

- **Motor Vehicle Dealer Board (MVDB)**

- ***Increase Appropriation for VITA Rates.*** Allows the Board to retain an additional \$42,650 NGF in each year of the biennium from the revenues they generate to support the information technology operations costs of the agency.

- **Virginia Port Authority (VPA)**

- ***Appropriates Funds for the APM Maersk Terminal.*** Appropriates \$46.8 million NGF in FY 2012 to provide payments for the costs of the lease of the APM Maersk Terminal now operated by the VPA. Also included is \$900,000 NGF in FY 2012 for contract security at the terminal. These costs are covered by revenues generated by Port operations at the facility.
- ***Increase Appropriation for VPA Defined Benefit Plan Deficit.*** Appropriates \$1.0 million NGF in FY 2012 to provide for deficit contributions to the agency's defined benefit plan. VPA operates a retirement system outside of the VRS.
- ***Construct Warehouse Facilities.*** Authorizes the VPA to use proceeds from the planned July 2011 issuance of Commonwealth Port Fund bonds for the construction of warehouses on a Port of Virginia property. These bonds were previously authorized for construction of Craney Island facilities; however, the long-term lease of the APM-Maersk facility has extended the timeframe for construction of the new Craney Island facilities.
- ***Reduce Craney Island Bond Authorization.*** Reduces the authority provided in Chapter 890 of the 2011 Acts of Assembly for issuance of Virginia Port Authority bonds from up to \$155.0 million to \$125.0 million based on reported revisions in issuance needs for the Authority due to the new capacity arising from the long-term lease of the APM Terminal in Portsmouth.