

# **2005 Legislative Program**

## **Northern Virginia Transportation Authority**

### **December 16, 2004**

#### State Legislative Items:

#### **Additional Transportation Funding**

According to the *VTrans2025* report, given current transportation funding levels and the on-going needs for highway maintenance, debt service, and administration from 2005 to 2025, there will be an estimated \$3.7 billion in unfunded highway construction needs annually, based on existing revenue sources. In addition, without increased revenues, by 2014, VDOT will not be able to match all the federal funding it is eligible to receive.

In the same report, the Department of Rail and Public Transportation estimates that the statewide shortfall for transit capital funding from 2005 to 2025 is up to \$18.5 billion, or \$925 million annually, depending on the scenario used. The unmet transit operating needs for the same period are up to \$12.2 billion or \$610 million annually, depending on the scenario used.

It has been 18 years since the last significant increase in state transportation funding. During those years, the following have occurred:

- Number of vehicle miles traveled has grown by 79 percent, and the number of registered vehicles has increased by 53 percent
- Transit ridership has increased by 64 percent
- Buying power of Virginia's gas tax has declined by 40 percent

In addition:

- Federal revenues now make up 60 percent of the construction program – federal funds come with restrictions and additional requirements
- Over \$400 million of construction funds have been used for maintenance
- Debt service now accounts for 13 percent of construction funds

There is also the hidden cost of congestion that is often overlooked. According to The Road Information Program, the annual average cost of congestion and increase vehicle operating costs that result from inadequate roads and vehicle accidents is \$2,131 per year for drivers in the Washington, D.C., metropolitan area.

The Washington, D.C., region is consistently listed as one of the worst areas in the country in terms of congestion and delays suffered by motorists. Although Washington Metropolitan Area Transit Authority (WMATA) and other local and regional transit agencies are doing their part to ease congestion, they too are near capacity levels during peak periods and will soon suffer the same level of congestion and crowding. WMATA is the only major transit provider in the country without a dedicated revenue source for significant part of their revenue base. A Blue Ribbon Panel on Metro Funding has been established to study and recommend appropriate sources of dedicated funding. The Blue Ribbon Panel released its recommendations on December 14, 2004.

The State has failed to pay the 95 percent of transit capital costs that the General Assembly authorized. Most years, the state funds less than 38 percent of transit capital costs, forcing localities to carry the remaining burden. Also, the state is currently reimbursing only 48 percent of transit operating costs.

In addition to the transit capital and operational costs borne by the localities, the localities have had to spend local funds for roadway and transit improvements as well. The Northern Virginia voters have authorized **\$1.185 billion** in General Obligation Bonds for transportation improvements since 1981. The debt service on these bonds competes directly with funds needed for schools, public safety, and other important services and the need to keep the real estate taxes in check.

NVTA has developed a list of the top regional transportation priorities that require funding in the short-term, similar to project lists developed for the Northern Virginia Transportation District Bond Program in the past. This list is intended to set regional priorities for both state and federal funding. The projects on the list were also included in the Northern Virginia 2020 Transportation Plan which was adopted in 1999. In general, funding is identified to complete the projects within a six year period. The list is intended to address transit, highway, pedestrian and safety needs and reflects a regional balance.

Position: NVTA calls upon the Governor and the General Assembly to make transportation the primary focus of the 2005 session of the General Assembly and to significantly increase transportation funding. Given the failure of the General Assembly to address this issue during the 2004 session and the consequent decline in transportation funding, the Commonwealth is experiencing disinvestments in its transportation infrastructure. Absent a major infusion of new and sustained investment in transportation, Northern Virginia jurisdictions fear a congestion and mobility crisis that will strangle economic growth and profoundly and negatively affect the quality of life of all our citizens. NVTA requests that the Commonwealth take the following actions:

1. Significantly increase transportation funding for all modes from a stable, reliable, and permanent source(s).
2. Meet the Commonwealth's statutory 95 percent share of transit operating and capital costs (net of fares and federal assistance). This would require at least \$133 million annually in new funds for the limited transit projects and eligible operating costs included in CTB's six-year program.
3. Increase Northern Virginia's two percent motor fuels tax to four percent.
4. Consider the Blue Ribbon Panel's recommendations for a dedicated funding source for Metro.

The NVTA supports the attached regional list of priority projects for the next six years.

### **Photo Red**

In the mid 1990s, the General Assembly granted several jurisdictions, mostly in Northern Virginia, the authority to implement photo red programs. The authority for all of these programs will expire on July 1, 2005, unless the sunset is extended or removed. Jurisdictions that have implemented photo red programs have seen significant reductions in the number of vehicles running red lights at intersections where a photo red camera was installed. In addition, surveys conducted before and

after the implementation of these programs show strong public support for them. In December 2004, the Virginia Transportation Research Council released a review of the six current photo red programs in Virginia. The report concluded that the programs are technically and operationally feasible and recommended their continuation.

Position: NVTa supports legislation that would extend photo red authority for existing jurisdictions at least through June 30, 2007, so that outstanding issues raised in the VTRC report can be addressed.

### **Stop for Pedestrians**

Recent events throughout the region have highlighted a growing concern for the safety of pedestrians attempting to cross streets. Many Northern Virginia jurisdictions are exploring a variety of means to effectively provide for pedestrian safety while avoiding both the potential for serious vehicular accidents and the potential for creating a false sense of security for the pedestrians. Last year several Northern Virginia jurisdictions and agencies sought legislation that would require drivers to stop for pedestrians in a crosswalk at unsignalized intersections where the speed limit is 35 miles per hour or lower. This legislation passed the Senate, but was not approved by the House of Delegates. Due to last year's results, it appears that an updated, independent review of Virginia's pedestrian laws will be the most effective way to build support for changing them.

Position: The Virginia Transportation Research Council has agreed to update their 1995 study of pedestrian legislation to reflect the current situation and recommend changes to the Virginia Code to improve the pedestrian environment and reduce pedestrian injuries and fatalities. Based on the outcome of the study, NVTa will consider whether or not to endorse legislation for the 2006 General Assembly Session.

### **Transfer of Development Rights for Jurisdictions in Ozone Non-Attainment Areas, as defined by the Clean Air Act Amendments of 1990**

The Alternative Transportation and Land Use Activity Strategies (ATLAS) Committee has been reviewing the ATLAS Report prepared for the Transportation Coordinating Council (TCC). One strategy that the Committee feels has potential for assisting Northern Virginia in addressing congestion is to develop a program to permit the voluntary transfer of development rights from lower density areas of a jurisdiction to areas within the jurisdiction where transportation infrastructure may accommodate the increased density, such as around transit stations and centers. It appears that local jurisdictions will need enabling authority from the General Assembly to implement such a program when a specific zoning action is not involved.

Position: NVTa supports legislation that would permit the voluntary transfer of development rights from lower density areas to areas around transit stations and regional activity centers even when specific zoning actions are not involved.

### **High Occupancy Vehicle (HOV) Lane Enforcement**

Transportation Secretary Whittington Clement and Public Safety Secretary John Marshall created a task force to review High Occupancy Vehicle (HOV) lane enforcement. Among other things, the task force found that 68 percent of the vehicles in the I-95 HOV lane south of Newington are non-

HOV during the first half hour of the morning restricted period. The task force presented its initial recommendations in September 2003. These recommendations included stricter enforcement of rules restricting access to the HOV lanes during published times, higher fines for violators, demerit points for multiple HOV violations and increased funding for enforcement. Many of these recommendations were adopted by the General Assembly in 2004. The Task Force is working on additional recommendations for the 2005 General Assembly session.

Position: NVTa supports legislation, based on the HOV Task Force's recommendations, that reduces HOV violations and enhances HOV operations, thereby helping to ensure that the legitimate users of the HOV lanes retain a time savings advantage over driving alone.

### Federal Legislative Items:

#### **Federal Funding for Metro**

The Metro Matters campaign identified \$1.5 Billion in urgent short term funding needs to keep the existing Metrobus, Metrorail and MetroAccess systems in a "state of good repair" and address ridership growth on the existing system. The program also includes funding for increased security measures. To fully fund the Metro Matters Program, the region will need an additional \$260 million in new federal funding and \$144 million for security measures over the next four years.

In addition to these short term needs, the recent Blue Ribbon Panel on Metro Funding identified an average annual shortfall in Metro funding of \$304 million per year from FY 2006 through FY 2015. This amount is above existing funding levels and the Metro Matters Program. The Panel recommended that half of this shortfall should be paid by the federal government. The Panel noted that during the peak-hour nearly half of Metro's riders are federal workers.

Position: NVTa calls upon Congress to provide a minimum of \$260 million over the next four years to help the region fully fund the Metro Matters program and provide \$144 million to assist Metro in increasing its security capabilities, and to provide approximately \$150 million in additional federal funding annually to meet Metro's unfunded needs to ensure that the system can continue to operate efficiently.

#### **Funds for Transportation Emergency Preparedness**

In light of the heightened terror alert that applies to specific areas of the country (including Washington), and the fact that Washington will likely continue to be a potential terrorist target in the future, additional funding is needed for regional transportation communication and coordination to improve transportation providers ability to respond to a future terrorist attack. Metro's needs have been identified as part of the Metro Matters program, but the other transportation agencies' needs have not included.

Position: NVTa calls upon Congress to provide increased security funding to local and regional transportation agencies in the metropolitan Washington area.

## **Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) Reauthorization**

The reauthorization of TEA-21 will define the federal transportation program for the next six years. A number of national associations, such as the American Public Transportation Association (APTA) and the American Association of State Highway and Transportation Officials (AASHTO), as well as the Commonwealth of Virginia, the Transportation Planning Board (TPB) and some local jurisdictions have adopted policy positions for the reauthorization process. TPB's position statement identifies funding for the Washington Metropolitan Area Transit Authority as a top regional priority. The Commonwealth of Virginia's position statement includes a request for funding for the Dulles Corridor rail extension.

During 2004, both the House and Senate passed reauthorization bills that provided significantly more money for transportation than the Bush Administration's reauthorization proposal, Safe, Accountable, Flexible, Efficient Transportation Equity Act of 2003 (SAFETEA). However, the Senate bill contained significantly higher funding levels than the House version, called the Transportation Equity Act: A Legacy for Users (TEA LU). Although a conference committee met during the summer and fall to try to resolve the funding differences, it now appears likely that reauthorization will not be completed by the Congress prior to adjournment. New reauthorization bills will be introduced after the new Congress takes office in January.

Position: NVTA supports the Commonwealth's and TPB's reauthorization positions (attached) and increased transportation funding, in general. In addition, NVTA supports the Senate language regarding value pricing, particularly the provisions that allow regions that convert existing High Occupancy Vehicle (HOV) lanes to High Occupancy Toll (HOT) Lanes to continue to claim these lanes in the transit funding formula and to use HOT Lane surpluses to fund transit services.

### **Commuter Benefits**

Legislation has been proposed that would increase the level of tax free transit benefits employers can provide to employees above the \$100 per month currently authorized. Several different levels are being considered. In addition, Senator Paul Sarbanes and Representative Jim Moran have introduced legislation that would extend the current \$100 per month transit benefit to all branches of the federal government. The current program has resulted in significant ridership increases for the Washington Metropolitan Area Transit Authority, the Virginia Railway Express and many local transit systems.

Position: NVTA supports legislation that would increase the level of tax-free transit benefits employers can provide to employees above the current \$100 per month, as a way to make transit service more attractive to commuters who currently drive alone. In addition, NVTA supports legislation to permanently extend the current transit benefit to all branches of the federal government.

### **Amtrak Restructuring**

The Bush Administration has developed a proposal for restructuring Amtrak that would divide Amtrak into three parts, a private operating company that would provide service to states and multi-state compacts, an infrastructure company to manage and maintain railroad corridors Amtrak currently owns, and government entity that would retain Amtrak operating rights over freight

railroads and make them and the Amtrak name available to the states and multi-state compacts. The proposal would shift significant funding responsibilities to the states and introduce competition for provision of service on many routes.

Position: NVTA opposes legislation that shifts the funding responsibility for Amtrak services to individual states or coalitions of states. Under such scenarios, Amtrak would likely be forced to compete for already scarce transit funding. In addition, NVTA advocates that any Amtrak reauthorization legislation ensure VRE's continued access to Washington Union Station and storage yards.

### **Funding for Construction of I-66 Truck Inspection and Weigh Stations**

Currently, there are no Truck Inspection and Weigh Stations on I-66 between I-81 and the nation's capital. Consequently, trucks can approach the nation's capital from the west with much less scrutiny than trucks traveling along I-95, where Truck Inspection and Weigh Stations are already in place north and south of the capital. Homeland Security Act funding may be available for this project.

Position: NVTA advocates that funding be included in the Homeland Security budget for these I-66 inspection and weigh stations.

**Recommended Northern Virginia Transportation Authority Transportation Priorities  
December 16, 2004**

<b>Proposed Projects</b>	<b>Approved 2004 Amount (\$000)</b>	<b>2005 Proposal (\$000)</b>
<u>Highway Projects - Interchange/Intersection Improvements</u>		
Arlington Blvd: Bridge Replacement & Improvements at Washington Blvd.	\$20,000	
Multimodal Traffic Improvement Chain Bridge Road/Eaton Place [1]	\$1,500	\$1,500
Fairfax County Pkwy Improvements (Fair Lakes/Monument Interchange) [1]	\$30,900	\$26,700
Franconia/South Van Dorn Street Interchange	\$76,700	\$76,700
Route 29/Gallows Road Intersection Improvements	\$19,000	\$39,000
I-66/Route 29 - Gainesville Interchange, including grade separation [2]	\$105,500	\$53,800
<u>Roadway Projects - Capacity Improvements</u>		
Eisenhower Avenue Widening (Holland Street to Stovall Street)		\$0
Richmond Highway Roadway Improvements	\$40,500	\$40,500
Route 7 Improvements - Falls Church - Falls Church		\$2,000
South Elden Street Improvements (Dulles Toll Road to Herndon Parkway) [1]	\$9,500	\$10,300
East Elden Street Improvements (East Town Limits to Van Buren Street) [1,3]		\$2,000
Widen Route 7/15 Bypass to 6 lanes; Complete Intchg at Rt. 15 [3]	\$15,000	\$30,000
Widen Route 7/15 Bypass (Route 15 to Route 9) [3]	\$30,000	\$15,000
Battlefield Parkway/Route 7 South Segment	\$15,000	\$25,000
Widen Route 50 to 6 lanes between Fairfax Co. Line and Poland Road	\$15,000	\$15,000
I-66 Additional/HOV Lane Extension (Route 234 to U.S. Route 29)		\$63,300
Route 28 Widening (Godwin Drive to Vint Hill Road) [2]		\$20,000
<b>Total Roadway</b>	<b>\$358,600</b>	<b>\$420,800</b>
<u>Transit Projects [4]</u>		
Alexandria DASH Buses (Replacement and Expansion)		\$13,885
Alexandria DASH Maintenance Facility	\$29,000	
North Station Entrance - Eisenhower Avenue Metrorail Station		\$18,000
Ballston Metrorail Station (West Entrance)		\$20,000
Columbia Pike Transit Improvements		\$5,000
South Eads Street HOV Access Improvements		\$500
Crystal City/Potomac Yards Transitway - Min. Operable Segment	\$20,000	\$20,000
Expansion Buses for Fairfax Connector		\$10,000
Fairfax County Pkwy Improvements (North HOV lane)	\$30,900	\$29,365
Richmond Highway Public Trans. Initiative [1]	\$37,000	\$37,500
Burke Centre VRE Parking Garage [1]	\$9,000	\$0
Herndon Monroe Park-and-Ride		\$30,000
I-66 / Vienna Metrorail Accessibility and Capacity Improvements		\$30,000
Springfield Area Park-and-Ride Facilities [3]		\$9,000
West Ox Bus Garage	\$15,000	\$15,000
Loudoun County Bus Service Expansion and New Service		\$7,000
PRTC - Bus Facility Expansion and Buses	\$10,000	\$11,550
VRE - Rail cars [5]		\$20,000

VRE - Parking [5]		\$6,000
VRE - Midday Storage [5]	\$7,000	
VRE - Tier II Locomotives (18 units) [5]	\$20,500	\$8,200
VRE - Platform Extensions		\$4,000
WMATA - Infrastructure Renewal Program [5]	\$67,000	\$0
WMATA - System Access Program [5]	\$155,000	\$0
WMATA - Metro Matters (Virginia's share)		\$252,200
<b>Total Transit</b>	<b>\$400,400</b>	<b>\$547,200</b>
<u>Pedestrian/Bicycle Projects</u>		
Pedestrian and Bicycle Projects in Arlington County - Arlington	\$5,000	\$5,000
Route 7 Pedestrian Improvements - Seven Corners/Bailey's Crossroads Area - Fairfax County	\$1,000	\$2,000
On-Road Bike Access - Tysons Corner - Fairfax County		\$10,000
<u>Safety Projects</u>		
Rail Safety Improvements (Grade Separations in Manassas) [3] - Manassas	\$15,000	\$15,000
<b>Total</b>	<b>\$780,000</b>	<b>\$1,000,000</b>

[1] Project includes pedestrian and/or bicycle improvements

[2] Cost reference project construction only.

[3] Allocated amount reflects partial funding

[4] The Dulles Corridor rail project is an important priority for Northern Virginia. If the local share of the project can not be funded elsewhere, this project needs to be included on this list.

[5] Projects assume 80 percent federal participation. If this federal money is not received, the VRE needs will be: rail cars - \$100,000,000; parking - \$30,000,000; locomotives - \$41,000,000 and parking - \$20,000,000.