2007 Legislative Program
Northern Virginia Transportation Authority
Approved: November 10, 2006

State Legislative Items:

Additional Transportation Funding

Position: The Northern Virginia Transportation Authority supports additional state transportation funding for highway, transit, bicycle and pedestrian improvements. Specifically, NVTA asks the General Assembly to:

- Significantly increase transportation funding for all modes from a stable, reliable, and permanent source(s).
- Meet the Commonwealth's statutory 95 percent share of transit operating and capital costs (net of fares and federal assistance). This would require approximately $230 million annually in new funds for the limited transit projects and eligible operating costs included in CTB's six-year program.
- Approve a dedicated funding source for the Washington Metropolitan Area Transit Authority (WMATA). NVTA endorses a one-quarter percent increase on the sales and use tax in the five WMATA jurisdictions, subject to approval by governing bodies representing 90 percent of the population in these five jurisdictions. However, NVTA is open to other approaches to providing this funding.

Background: Northern Virginia believes that Virginia's transportation system is experiencing a major funding crisis that must be acted upon during the 2007 session of the General Assembly. According to the VTRANS 2025 report, "by 2025, capital and maintenance needs across all modes will exceed $203 billion. Best estimates of available revenues are less than half that figure at $95 billion. This is an under-investment of over $108 billion." The findings in the VTRANS 2025 report are consistent with previous transportation needs assessments that the Commonwealth has completed over the past twenty years. Unless the 2007 General Assembly approves increased revenues for transportation that are separate, reliable and permanent, Virginia will face a congestion and mobility crisis that will restrict economic growth and profoundly and negatively affect the quality of life of all residents.

The *VTrans2025* report also notes that 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, in the next several years, without increased revenues, 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 20 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 71 percent, and the number of registered vehicles has increased by 56 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.

Dedicated Funding for Metro

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 or even exceed capacity levels during peak periods and will soon suffer the same level of congestion and crowding experienced on the roadways. WMATA is the only major transit provider in the country without a dedicated revenue source for significant part of their revenue base. In September 2004, a Blue Ribbon Panel on Metro Funding was established to study and recommend appropriate sources of dedicated funding. The Blue Ribbon Panel released its recommendations on December 14, 2004. They strongly recommended that a dedicated funding source be established to meet WMATA's unfunded needs. Subsequently, Rep. Tom Davis introduced legislation that would provide $1.5 billion for WMATA over ten years, if the region adopts a dedicated funding source(s) and provides an additional $1.5 billion to match the federal funds.

On October 3, 2005, leaders from Virginia, Maryland and the District of Columbia met to discuss the WMATA's needs, and concurred that a dedicated funding source is necessary. The NVTA recommends that the General Assembly increase the state sales and use tax by one-quarter cent in the Northern Virginia Transportation Commission (NVTC)'s five jurisdictions that support WMATA, subject to an affirmative vote by the local governing bodies representing at least 90 percent of the population of the five jurisdictions supporting Metro in which the tax will be levied. Once these local actions have been taken and the tax is in effect, the legislation should state that the tax can only be eliminated by action of local governing bodies representing at least 90 percent of the population of those five jurisdictions. The proceeds should be dedicated to Metro and held in trust by NVTC on a point-of-sale basis. The Commonwealth should be required to maintain its financial level of effort to ensure that the new tax revenues result in a net increase in available transit funding in Northern Virginia. Although NVTA supports this broad-based approach to raising dedicated funding for WMATA in Northern Virginia, the NVTA is willing to consider other approaches for providing this funding.

Transit Funding

The State also has failed to pay the 95 percent of eligible transit capital costs that the General Assembly authorized. Although the matching ratio in FY 2006 was 63 percent, due to a one-time infusion of transportation funds by the 2005 General Assembly, in most years, the state funds less than 38 percent of transit capital costs, forcing localities to carry the remaining burden, primarily from property taxes. The capital matching ratio for FY 2007 is 23 percent. Also, the state is currently reimbursing only 48 percent of eligible transit operating costs (i.e. fuels, tires and maintenance only).

Northern Virginia strongly urges the state to aggressively promote and fund public transit and to provide equity in fundraising for each transportation mode. Such equity would provide an additional $230 million annually for public transit. This number reflects the amount of money needed to fully fund the state transit program to the 95 percent state share permitted by law. Greater funding and public awareness will help increase transit ridership and reduce roadway congestion. It will also help address the capacity constraints many Northern Virginia systems are experiencing due to increased ridership that has resulted from significantly higher gas prices.

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 more than **$1.567 billion** in General Obligation Bonds for transportation improvements since 1981. The debt service on these bonds is paid for with real estate taxes. These bonds compete directly with funds needed for schools, public safety, and other important services and the need to keep the real estate taxes in check.

A recent scientific poll conducted for NVTA indicated that Northern Virginia residents are willing to pay for additional transportation improvements. Overall, respondents said they would pay more money to have their top transportation priority built. More than 85 percent were willing to pay more money to expand public transportation service and reduce crowding on Metro and the Virginia Railway Express.

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 TransAction 2030, the region's long range transportation plan that was adopted in September 2006. 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.

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

Base Realignment and Closure (BRAC) Recommendations

Position: Support the inclusion of sufficient funding in the 2006-2008 biennium budget amendments to ensure significant fiscal resources to address the enormous planning and transportation issues associated with the Base Realignment and Closure Commission recommendations.

Background: The BRAC Commission recommended the relocation of an estimated 22,000 defense workers to Fort Belvoir and 3,000 defense workers to USMC Quantico. These recommendations were signed by the President in September 2005 and must be implemented by 2011. Assistance for recovery of the considerable economic impacts of the BRAC process is needed. Specifically, from a transportation perspective, the General Assembly should ensure that sufficient funding for transportation improvements required to implement the BRAC recommendations and appropriate consultation between the Army, the Marine Corps, the Department of Defense and local governments on planning and land use decisions.

Stop for Pedestrians

Position: The NVTA supports legislation that would require motorists to stop for pedestrians in marked crosswalks at unsignalized intersections on roads where the speed is 35 mph or less.

Background: 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. For several years, Northern Virginia jurisdictions and agencies have 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.

Secondary Road Program

Position: NVTA opposes any legislative or regulatory moratorium on the transfer of newly constructed secondary roads to VDOT for the purposes of ongoing maintenance. In addition, NVTA opposes any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties.

Background: During the 2006 General Assembly special session on transportation, legislation was introduced to prohibit VDOT from accepting any new secondary roads into the state system for maintenance. The legislation is the result of a perception that a major reason VDOT's maintenance costs are increasing is that a significant number of new secondary streets are being added to the state system each year. While new subdivision streets are being added to the state system, this is primarily because the counties do not have the authority to deny applications for subdivision plats or building permit approval based on inadequate transportation or deny acceptance of streets that meet VDOT standards. While there is a need to better coordinate transportation and land use decisions, a moratorium on acceptance of secondary streets is not the answer. It would amount to an unfunded mandate on local governments.

In addition, members of the General Assembly and the administration have suggested that "devolving" responsibility for the entire secondary road system to counties would help address the coordination issues between transportation and land use. This approach is also flawed, because the main reason the state took over the secondary road system in the 1930s was to ensure that they were adequately maintained to a uniform standard. Prior to the state take over, the secondary system was not uniformly maintained and the condition of the roadway network was raising concerns about the ability to conduct commerce. Based on the current transportation funding shortfalls, it is unlikely that the state would provide adequate funding to counties to maintain their secondary systems. The counties would be required to supplement the state funds with their own general funds, primarily generated by property taxes. This approach would also be an unfunded mandate on local governments.

Photo Red

Position: NVTA supports legislation that would reinstate photo red authority for jurisdictions that previously had this authority and permit adjacent jurisdictions to institute photo red programs.

Background: 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 expired on July 1, 2005. Jurisdictions that implemented photo red programs saw 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.

Revenue Sharing

Position: NVTA supports legislation that caps the state's revenue sharing program at $50 million; eliminates the priorities for funding approved by the General Assembly in 2006 and clarifies that proffers can be used for the entire local match.

Background: Prior to 2005, the state's revenue sharing program was open to only counties. The program was capped at $15 million per year and each jurisdiction was limited to $500,000 unless not all the $15 million was requested. In 2005, the General Assembly opened the program to cities and town and for one year raised the program to $40 million. The maximum award was $1 million per jurisdiction. In practice, the maximum received was $750,000, due to the number of requests. In 2006, the General Assembly amended the program to raise the funding level to $50 million; however, the CTB has not been able to fund the program at the $50 million level without jeopardizing the ability to match federal funds. In addition, the General Assembly added a set of prioritization criteria that appear difficult to administer and change the program into a competitive program. The General Assembly also added language to limit the amount of local match that can come from proffers to 50 percent.

Federal Legislative Items:

Federal Funding for Metro

Position: NVTA calls upon Congress to provide a minimum of $160 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. In addition, the NVTA supports federal legislation to provide for Metro's needs beyond the Metro Matters Program. This represents approximately $150 million in additional federal funding annually to meet Metro's unfunded needs to ensure that the system can continue to operate efficiently.

Background: 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 needed 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.

The reauthorization of the federal surface transportation program, called SAFETEA-LU, provided authorization for $100 million toward the $260 million requested from the federal government for the Metro Matters Program. In addition, Representative Tom Davis introduced legislation that would provide $1.5 billion for Metro over a ten year period, if the region adopts dedicated funding for Metro and makes several changes to the Metro Compact. The legislation requires an equivalent $1.5 billion non-federal match. This legislation passed the House and is pending in the Senate.

Federal Funding for VRE

Position: NVTA calls upon Congress to provide funding for the following Virginia Railway Express priorities: locomotives ($41 million), parking expansions, requested by individual jurisdictions ($30 million), platform extension and additions ($20 million) and mid-day storage ($10 million). In addition, the NVTA supports federal legislation to provide for potential growth of the VRE system beyond the current operating limitations.

Background: NVTA has previously supported VRE's capital needs as identified within their Reauthorization submission. Now that funding for VRE's railcar purchase has been identified, VRE is seeking to finance other critical needs in its capital improvements program.

The new locomotives are the highest priority, because these locomotives will replace aging locomotives VRE purchased used in the early 1990s to start its service. More powerful locomotives are needed to haul VRE's bi-level equipment. The new locomotives will also facilitate service expansion. New locomotives will meet stricter emissions standards that will help the region meet federal air quality requirements.

Funds for Transportation Emergency Preparedness

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

Background: 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.

Commuter Benefits

Position: NVTA supports legislation that would increase the level of tax-free transit benefits employers can provide to employees above the current $105 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.

Background: As part of SAFETEA-LU Congress considered an increase in the level of tax free transit benefits employers can provide to employees above the $105 per month currently authorized. However, the final legislation did not include any increase in these benefits. 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.

Amtrak Restructuring

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. This would be detrimental to local transit systems, particularly if additional state funding for transit is not identified. In addition, NVTA advocates that any Amtrak reauthorization legislation ensure continued VRE access to Washington Union Station and yards.

Background: 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.

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

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

Background: 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.