



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

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*Agenda item # 5*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

June 23, 2021

#### MOTION

**Made By:** Mr. Rucker, **Seconded By:** Ms. Hynes  
**Action:** Motion carried, unanimously

**Title: Action on Fiscal Year 2022 Annual Budgets  
Commonwealth Transportation Fund, Department of Rail and Public Transportation and  
the Virginia Department of Transportation**

**WHEREAS**, the Commonwealth Transportation Board is required by §§ 33.2-214 (B) and 33.2-221 (C) of the *Code of Virginia (Code)* to administer and allocate funds in the Transportation Trust Fund, based on the most recent official Commonwealth Transportation Fund revenue forecast; and

**WHEREAS**, § 33.2-1524.1 of the *Code* requires a portion of the funds in the Transportation Trust Fund to be set aside and distributed to construction programs pursuant to § 33.2-358, the Commonwealth Mass Transit Fund, Commonwealth Rail Fund, the Commonwealth Port Fund, the Commonwealth Aviation Fund, the Commonwealth Space Flight Fund, the Priority Transportation Fund and a special fund within the Commonwealth Transportation Fund to be used to meet the necessary expenses of the Department of Motor Vehicles; and

**WHEREAS**, § 33.2-358 (A) of the *Code* requires the Board to allocate each year from all funds made available for highway purposes such amount as it deems reasonable and necessary for the maintenance of roads within the interstate system of highways, the primary system of state highways, the secondary system of state highways and for city and town street maintenance payments made pursuant to § 33.2-319 and payments made to counties which have withdrawn or elect to withdraw from the secondary system of state highways pursuant to § 33.2-366; and

**WHEREAS**, §33.2-358 (B) of the *Code* requires the Board to allocate available funds for construction and other non-maintenance activities by formula; and

**WHEREAS**, other sections of the *Code of Virginia* and the current Appropriation Act require certain allocations; and

**WHEREAS**, pursuant to § 33.2-214 (B), the Commonwealth Transportation Board has established the updated project allocations for the fiscal years 2022 through 2027 in the Six-Year Improvement Program; and

**WHEREAS**, § 2.2-2100 of the *Code* allows the Board to review and comment on budget items not specifically enumerated to the Board by statute.

**NOW, THEREFORE, BE IT RESOLVED** by the Commonwealth Transportation Board that the recommended allocations and expenditures required by the various statutes as contained in the budgets for the Commonwealth Transportation Fund, Department of Rail and Public Transportation, and the Department of Transportation for Fiscal Year 2022 are approved.

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## CTB Decision Brief

### Fiscal Year 2022 Annual Budgets

#### Commonwealth Transportation Fund, Department of Rail and Public Transportation and the Department of Transportation

**Issue:** Each year, the Commonwealth Transportation Board (CTB or Board) is required by §§ 33.2-214 (B) and 33.2-221 (C) of the *Code of Virginia* to administer, distribute and allocate funds in the Transportation Trust Fund based on the most recent official Commonwealth Transportation Fund revenue forecast; by § 33.2-1524.1, to provide the statutory funding to the Commonwealth Mass Transit Fund, Commonwealth Rail Fund, Commonwealth Port Fund, the Commonwealth Aviation Fund, the Commonwealth Space Flight Fund the Priority Transportation Fund and a special fund in the Commonwealth Transportation Fund to meet the expenses of the Department of Motor Vehicles; and by § 33.2-358 (A) to allocate from all funds made available for highway purposes such amount as it deems reasonable and necessary for the maintenance of roads within the interstate, primary and secondary system of highways and for city and town street maintenance payments and payments to counties that have elected to withdraw from the secondary state highway system. Board approval and finalization of the FY 2022 budgets necessary to effectuate the lawful distribution of available Commonwealth Transportation Fund revenues is sought.

**Facts:** The CTB must adopt a budget that distributes the available revenues of the Commonwealth Transportation Fund to the statutorily defined funds and purposes. The budget shall be based on the most recent official revenue forecasts and debt policy. There are three separate budgets in addition to the Six-Year Improvement Program:

- 1) Commonwealth Transportation Board's Commonwealth Transportation Fund Budget which includes all transportation revenues, including those allocated to the construction program, Commonwealth Transit Fund, Commonwealth Rail Fund, Commonwealth Aviation Fund, Space Flight Fund, Commonwealth Port Fund, the Priority Transportation Fund and the special fund for the Department of Motor Vehicles. It is a summary level budget.
- 2) The Department of Rail and Public Transportation (DRPT) Annual Budget which provides details on estimated expenditures and the related revenues that support the estimated expenditures that are directly provided to the agency for its programs and activities.
- 3) The Department of Transportation (VDOT) Annual Budget which provides details on revenue and allocations that are directly provided to the agency for its programs and activities.

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**Recommendations:** VDOT and DRPT recommend the approval of the Fiscal Year 2022 Annual Budgets for the Commonwealth Transportation Fund, the Department of Transportation, and the Department of Rail and Public Transportation.

**Action Required by CTB:** The CTB will be presented with a resolution for a formal vote to approve the Fiscal Year 2022 Annual Budgets.

**Options:** Approve, Deny or Defer. If the CTB chooses not to approve a budget resolution, it will be in violation of state law.

**Public Comments/Reactions:** The public expects the CTB to utilize the funds dedicated to transportation to address transportation needs.