



COMMONWEALTH TRANSPORTATION BOARD

REGIONAL TRANSPORTATION AUTHORITIES

Presented to the Commonwealth Transportation Board

Office of the Attorney General



Julie M. Whitlock, Section Chief/SAAG

S. Michael Westermann, SAAG

L. Daniel Bidwell, AAG

March 17, 2021

EVOLUTION OF AUTHORITIES

- **Washington Metropolitan Area Transit Authority (1966)**
- **Northern Virginia Transportation Authority (2002)**
- **Williamsburg Area Transit Authority (2006)**
- **Charlottesville-Albemarle Regional Transit Authority (2009)**
- **Richmond Metropolitan Transportation Authority (2009)**
- **Hampton Road Transportation Accountability Commission (2014)**
- **Central Virginia Transportation Authority (2020)**

SCOPE OF TODAY'S PRESENTATION

- **Northern Virginia Transportation Authority (2002)**
Va. Code § 33.2-2500, et seq.
- **Hampton Roads Transportation Accountability Commission (2014)**
Va. Code § 33.2-2600, et seq.
- **Central Virginia Transportation Authority (2020)**
Va. Code § 33.2-3700, et seq.

COMMON ATTRIBUTES

- Regional focus
- Regional revenue
- Some tolling authority and the ability to issue debt
- Membership includes elected representatives from several localities, as well as Commissioner of Highways and Director of DRPT
- Authorized to employ chief executive officer and staff
 - VDOT and DRPT to make staff available upon request

NVTA - COMPOSITION

-Counties of Arlington, Fairfax, Loudoun, and Prince William; Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park

-17 members:

- **chief elected officer from each of the nine counties/cities (or designee)**
- **two members of House of Delegates (appointed by Speaker)**
- **one member of the Senate (appointed by Committee on Rules)**
- **one non-legislative citizen member who has “significant experience in transportation planning, finance, engineering, construction, or management” (appointed by Governor)**
- **one CTB member (appointed by Governor)**
- **three nonvoting *ex officio* members:**
 - Commissioner of Highways (or designee)
 - Director of DRPT (or designee)
 - Chief elected officer of one town (currently the Mayor of Leesburg)

NVTA - REVENUE SOURCES

I. Northern Virginia Transportation Authority Fund - Dedicated regional sales tax revenues and:

- \$20 million per year from Northern Virginia Transportation District Fund (Va. Code § 33.2-2400(E))
- Interstate Operations and Enhancement Program (Va. Code § 33.2-372(F))
- Regional Congestion Relief Fee (Va. Code § 58.1-802.4)

II. Distribution

- **70% to fund regional transportation projects selected by NVTA**
 - Projects ranked and selected based primarily on congestion relief (similar process to Smart Scale)
- **30% distributed *pro rata* to localities**
 - Additional highway construction, capital improvements that reduce congestion, projects approved by the most recent LRTP, or for public transportation purposes

NVTA - KEY FUNCTIONS AND POWERS

- **Evaluate all significant transportation projects in Planning District 8 (Va. Code § 33.2-2500 (2))**
- **Prepare regional transportation plan (Va. Code § 33.2-2500 (1))**
 - Long-range transportation planning (Va. Code § 33.2-2508)
 - Develop regional priorities and allocate funds to priority regional transportation projects (Va. Code § 33.2-2512)
 - Recommend regional transportation priorities to federal, state, and regional agencies (Va. Code § 33.2-2512)
 - Provide general oversight of regional programs and provide long-range regional planning (Va. Code § 33.2-2512)
- **Issue bonds (Va. Code § 33.2-2511)**
- **Limited authority to impose and collect tolls for new construction/reconstruction with solely NVTA revenues or NVTA-controlled revenues (Va. Code § 33.2-2512)**

NVTA - KEY INTERACTIONS WITH CTB

- **Overlapping membership between CTB/NVTA**
- **Must consult with CTB and VDOT to avoid duplication of efforts or to combine efforts (Va. Code § § 33.2-2510(C)(3), 33.2-1928(A))**
- **Annual joint public meeting (Va. Code § 33.2-214.3)**
 - **Includes NVTA, CTB, NVTC, and VRE**
- **Seek CTB-controlled state or federal funding for priority regional transportation projects (Va. Code § 33.2-2512)**
- **I-66 Outside the Beltway Concession Payment Account Projects (under 2018 MOA with CTB)**
- **VDOT and DRPT**
 - **VDOT can provide planning, engineering, ROW acquisition, and construction services (Va. Code § 33.2-2510(D))**
 - **May combine efforts with VDOT and CTB to complete specific projects (Va. Code § 33.2-2510(C)(3))**

HRTAC - COMPOSITION

-Counties of Isle of Wight, James City, Southampton, and York; Cities of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg

-23 members:

- **chief elected officer from each of the 10 cities**
- **elected official from governing board of each of the 4 counties (appointed by resolution)**
- **three members of the House of Delegates (appointed by the Speaker)**
- **two members of the Senate (appointed by the Committee on Rules)**
- **one CTB member (appointed by Governor)**
- **three *ex officio* nonvoting members:**
 - Commissioner of Highways (or designee)
 - Director of DRPT (or designee)
 - Executive Director of Virginia Port Authority (or designee)

HRTAC - REVENUE SOURCES

- I. **Hampton Roads Transportation Fund (HRTF) (Va. Code § 33.2-2600) - Dedicated regional sales and fuels tax revenues**
 - used to support new construction projects on new or existing highways, bridges, and tunnels

- II. **As of 2020, HRATC also manages the Hampton Roads Regional Transit Fund (Va. Code § 33.2-2600.1)**
 - dedicated transient occupancy tax revenues for development, maintenance, improvement, and operation of network of transit routes and related infrastructure (Va. Code § 58.1-1743)

- III. **Future Tolling of Hampton Road Express Lanes Network**
 - Legislation in 2020 (Va. Code § 33.2-2612) expands HRTAC's limited tolling authority to include segment of I-64
 - *Master Tolling Agreement* among HRTAC, VDOT, and CTB in August of 2020

In all cases, revenues to be used solely for benefit of localities embraced by HRTAC (Va. Code § 33.2-2611)

HRTAC - KEY FUNCTIONS AND POWERS

- **Approve projects using Hampton Roads Transportation Fund (Va. Code § 33.2-2600)**
- **Approve disbursements of the Hampton Roads Regional Transit Fund (Va. Code § 33.2-2600.1(C))**
- **Issue bonds (Va. Code § 33.2-2606)**
- **Tolling**
 - Tolling authority (impose and collect tolls for certain new or improved highway, bridge, or tunnel under Va. Code § 33.2-2607)
 - HRTAC may impose and collect tolls on HOT Lanes on I-64 after entering into agreement with CTB and VDOT (Va. Code § 33.2-2612)
 - Primary responsibility for HRELN tolling policies, operations, and maintenance under *Master Tolling Agreement*

HRTAC - KEY INTERACTIONS WITH CTB

- **Overlapping membership**
- **HTRAC must consult with CTB on projects (33.2-2608(A)(8))**
 - HRTAC may seek CTB-controlled sources of funding in addition to HRTF to support HRTAC projects
- **Initial and Future Tolling Policy for HRELN**
 - Ensures safe and efficient operations of the network
- **Key HRTAC/VDOT project agreements authorized by CTB**
 - Standard Project Agreement for projects administered by VDOT
 - Custom Project Agreement for Funding and Administration for HRBT Expansion Project

CVTA - COMPOSITION

- **Counties of Henrico, Chesterfield, Goochland, Hanover, New Kent, Powhatan, and Charles City; City of Richmond; Town of Ashland**
- **16 members:**
 - **chief elected officer of Richmond and Ashland (or designee)**
 - **chief elected officer of each of 7 counties (or designee)**
 - **one member of House of Delegates (appointed by Speaker)**
 - **one member of Senate (appointed by Committee on Rules)**
 - **one CTB member (appointed by Governor)**
 - **four *ex officio* nonvoting members:**
 - Commissioner of Highways (or designee)
 - Director of DRPT (or designee)
 - Chief Executive Officer of Greater Richmond Transit Company
 - Chief Executive Officer of the Richmond Metropolitan Transportation Authority

CVTA - REVENUE SOURCES

- I. Central Virginia Transportation Fund (CVTF) - Dedicated regional sales and fuels tax revenues**
- **35% retained by CVTA and used for regional projects**
 - **15% distributed to GRTC**
 - **50% returned to localities to be used to improve local mobility, which may include construction, maintenance, or expansion of roads, sidewalks, trails, mobility services, or transit located in the locality**

In all cases, revenues to be used solely for benefit of localities embraced by CVTA (Va. Code § 33.2-3701)

CVTA - KEY FUNCTIONS AND POWERS

- **Develop prioritization process for, and approve, projects using the 35% of the CVTF retained for regional projects (Va. Code § 33.2-3701(F) and (H))**
- **Localities and GRTC must demonstrate to CVTA annually the proper use of the allocated funds (Va. Code § 33.2-3701(E) and (G))**
- **Issue bonds (Va. Code § 33.2-3707)**
- **Limited tolling authority (impose and collect tolls for certain new or improved highway, bridge, or tunnel under Va. Code § 33.2-3709)**

CVTA - KEY INTERACTIONS WITH CTB

- **Overlapping membership**
- **Must consult with CTB for projects that encompass a state highway (Va. Code § 33.2-3708(8))**
- **2020 Programmatic MOA between CVTA and VDOT**
 - **Establishes basic roles and responsibilities between CVTA and VDOT**
 - **Establishes *Standard Project Agreement* as form agreement under which VDOT may administer CVTA projects**

HOW ARE NVTA, HRTAC, AND CVTA SIMILAR?

- **Serve similar purpose generally**
- **Each manages a fund with dedicated regional tax revenues**
- **Each approves uses of the corresponding fund for regional transportation projects**
- **Each has similar powers that include limited tolling authority and the ability to issue debt**
- **Have similar membership structures, overlapping with CTB**

HOW ARE NVTA, HRTAC, AND CVTA UNIQUE?

NVTA	HRTAC	CVTA
<ul style="list-style-type: none"> • 17 members • Long-range transportation planning function • Annual joint public meeting with CTB, NVTC, VRE • 70/30 split of revenues (regional/local) • Selects projects funded through I-66 OTB Concession Payment Account 	<ul style="list-style-type: none"> • 23 members • Focus on “new construction” • No mandatory redistribution of funds to localities • Oversees two funds (HRTF and HR Regional Transit Fund) • Has targeted statutory tolling authority for HRELN • Will receive toll revenues generated from HRELN in future; responsible for tolling O&M 	<ul style="list-style-type: none"> • 16 members • No mandate to prioritize congestion relief • 35/15/50 split of revenues (regional/transit/local) • Actions require affirmative vote representing at least 4/5 of the population embraced by CVTA

Questions?