



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

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Chairman

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Agenda item # 16

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

December 9, 2015

MOTION

Made By: Mr. Kasprowicz, Seconded By: Mr. Dyke

Action: Motion Carried, Unanimously

Title: Authorization to Impose Tolls on I-66 Inside the Beltway, Advancement/Allocation of Toll Facilities Revolving Account Funds, and Approval of a Memorandum of Agreement with the Northern Virginia Transportation Commission Relating to the Transform66: Inside the Beltway Project

WHEREAS, the Commonwealth Transportation Board (“CTB”), the Virginia Department of Transportation (“VDOT”), and the Virginia Department of Rail and Public Transportation (“DRPT”) have embarked upon a multimodal transportation program, Transform66, which includes, in part, the Transform66: Inside the Beltway Project (“Transform66: Inside the Beltway Project” or “Project”); and

WHEREAS, I-66 Inside the Beltway is unique in that it is the only interstate in the United States that consists solely of HOV lanes during rush hours in the peak direction: and

WHEREAS, the Project involves multimodal transportation improvements in the I-66 corridor benefitting I-66 from I-495 (the Capital Beltway) to U.S. Route 29 in the Rosslyn area of Arlington County, Virginia; and

WHEREAS, the goals of the Transform66: Inside the Beltway Project are to (1) move more people; (2) enhance transportation connectivity; (3) improve transit service; (4) reduce roadway congestion; and (5) increase travel options (collectively, the “Improvement Goals”), all of which are reasonably expected to benefit the users of the portion of I-66 beginning at the Capital Beltway and ending at U.S. Route 29 in the Rosslyn area of Arlington County, Virginia (the “Facility”); and

Resolution of the Board

WHEREAS, the Transform66: Inside the Beltway Project is intended to achieve the Improvement Goals by (1) converting the existing Facility to a tolled facility with dynamic tolling during the rush hours in the peak direction; (2) allowing mass transit and commuter buses to ride free at all times (3) permitting HOV-2 vehicles to ride free at all times until the later of 2020 or until any increase to HOV-3 occupancy requirements for HOV lanes of I-66 Outside the Beltway; (4) thereafter permitting HOV-3 vehicles to ride free at all times; (5) improving transit services; and (6) improving the Facility, including widening of I-66 eastbound from two lanes to three lanes between Exit 67 at the Dulles Connector Road (“Exit 67”) and Exit 71, the Fairfax Drive/Glebe Road exit (“Exit 71”) when necessary; and

WHEREAS, the Project will facilitate implementation of recommendations from VDOT’s June 2012 *Final Report of the I-66 Multimodal Study Inside the Beltway*, and the further refinements found in the *August 2013 Supplemental Report*, as well as recommendations from DRPT’s 2009 Transportation Demand Management/Transit Report, and projects in the region’s constrained long range plan, as such plan may be updated from time to time, including but not limited to multimodal transportation improvements to the roadways and associated transportation and transit facilities in the vicinity of the Facility (“Components”) as described in the aforesaid VDOT and DRPT reports (such area together with the Facility, the “Corridor”); and

WHEREAS, the National Capital Region Transportation Planning Board has maintained a policy, since 2010, of increasing the occupancy requirements on all HOV lanes, including along I-66 during morning eastbound and evening westbound rush hours from 2 to 3 passengers, which is included in the Constrained Long Range Plan for 2020 and further, there are plans for discontinuing use of the HOV lanes by non-HOV clean fuel vehicles throughout the I-66 Corridor because portions of the roadway demonstrate a degraded condition in regards to operating speed, as defined by federal law, during rush hour periods; and

WHEREAS, widening of I-66 as proposed in the Transform66: Inside the Beltway project is limited to between Exit 67 at the Dulles Connector Road and Exit 71, the Fairfax Drive/Glebe Road exit due to travel patterns that demonstrate a plurality of eastbound commuters travel to Arlington, significant physical constraints in the Rosslyn area, and operational and physical constraints on the Roosevelt Bridge and in the District; and

WHEREAS, analysis has found that the Transform66: Inside the Beltway project will help move 40,000 more people per day through the I-66 corridor by 2040 compared to the region’s constrained long-range plan; and

Authorization and Approval Relating to Tolling, Advancement/Allocation of Toll Facilities
Revolving Account Funds and MOA with Northern Virginia Transportation Commission for
Transform66: Inside the Beltway Project
December 9, 2015
Page Three

WHEREAS, the Transform66: Inside the Beltway project has been evaluated through the HB599 Congestion Rating process and the evaluation found that the project (i) will reduce more than 26,000 person hours of delay a day in 2040 and (ii) has a high level of congestion benefits compared to other key regional projects; and

WHEREAS, pursuant to section 33.2-309 of the *Code of Virginia*, the CTB may, in accord with federal and state statutes and requirements, impose and collect tolls from all classes of vehicles in amounts established by the Board for the use of any component of the Interstate System within the Commonwealth; and

WHEREAS, one of the Components of this Project is to convert the existing Facility to a tolled facility with dynamic tolling during the peak periods to deliver free-flowing and more reliable travel, and support multimodal improvements that benefit the users of the I-66 corridor; and

WHEREAS, the CTB desires to delegate to the Northern Virginia Transportation Commission (NVTC) the authority to select and administer the implementation of Components designed specifically to attain the Improvement Goals to be financed from a portion of the toll revenues of the Facility transferred to NVTC pursuant to a Memorandum of Agreement (MOA) between VDOT, the CTB and the NVTC; and

WHEREAS, it is contemplated that VDOT, on behalf of the CTB, will control and manage tolling on the Facility, with the toll revenues being utilized and distributed to support the tolling operations and tolling maintenance of the Facility, and to fund Components selected by NVTC and approved by the CTB for the Project designed specifically to attain the Improvement Goals; and

WHEREAS, the NVTC and the Commonwealth have negotiated the terms of a MOA outlining the duties of the CTB, VDOT and the NVTC relating to Transform66: Inside the Beltway, which is attached hereto as Exhibit A; and

WHEREAS, as a potential toll facility, the Commonwealth Transportation Board may provide advance funding for this effort from the Toll Facilities Revolving Account pursuant to Section 33.2-1529 of the *Code of Virginia*; and

NOW THEREFORE, BE IT RESOLVED by the Commonwealth Transportation Board, that dynamic tolling of the I-66 corridor beginning at the intersection of I-66 and the

Resolution of the Board

Authorization and Approval Relating to Tolling, Advancement/Allocation of Toll Facilities
Revolving Account Funds and MOA with Northern Virginia Transportation Commission for
Transform66: Inside the Beltway Project
December 9, 2015
Page Four

Capital Beltway and ending at U.S. Route 29 in the Rosslyn area of Arlington County is hereby authorized at such rates as are necessary to comply with federal law.

BE IT FURTHER RESOLVED by the Commonwealth Transportation Board that an amount up to \$60 million be advanced from the Toll Facilities Revolving Account and allocated for purposes of constructing, implementing, maintaining and operating tolling facilities on the Facility and for development and implementation of other Project Components.

BE IT FURTHER RESOLVED by the Commonwealth Transportation Board that the Toll Facilities Revolving Account shall be reimbursed for the advanced funding authorized herein in accord with section 33.2-1529 of the *Code of Virginia* out of toll revenues.

BE IT FURTHER RESOLVED by the Commonwealth Transportation Board that the MOA between the CTB, VDOT and the NVTC relating to implementation of Transform66: Inside the Beltway attached hereto as Exhibit A is hereby approved and the Secretary and Commissioner are authorized to execute the MOA on behalf of the Board and VDOT, respectively, and further, that the Secretary is authorized to make such changes to the MOA as are necessary, provided such changes do not change the overall substance of the terms of the MOA.

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