

**RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD**

October 28, 2015

MOTION

**Made By: _____, Seconded By: _____,
Motion Carried,**

Title: Rail Enhancement Fund Policy Update

Location: Commonwealth of Virginia

WHEREAS, § 33.2-1601 establishes the Rail Enhancement Fund; and

WHEREAS, in § 33.2-1601 the General Assembly declared it to be in the public interest that railway preservation and development of railway transportation facilities are an important element of a balanced transportation system of the Commonwealth for freight and passengers; and

WHEREAS, pursuant to § 33.2.-1601, the General Assembly further declared it to be in the public interest that the retention, maintenance, improvement, and development of freight and passenger railways are essential to the Commonwealth's continued economic growth, vitality, and competitiveness in national and world markets; and

WHEREAS, the Department of Rail and Public Transportation ("the Department") administers the Rail Enhancement Fund (REF), subject to the approval of the Commonwealth Transportation Board (CTB) and their finding that project benefits exceed the amount of Rail Enhancement funds invested in a project; and

WHEREAS, pursuant to Chapter 684 of the 2015 Acts of Assembly (House Bill 1887), the General Assembly directed the Commonwealth Transportation Board to develop no later than December 1, 2015, a proposal to revise the public benefit requirements of the Rail Enhancement Fund; and

WHEREAS, pursuant to Section 427 Subsection O of the FY2016 and FY2017 Appropriations Act (Chapter 665 of the 2015 Acts of Assembly (HB 1400)) the Secretary of Transportation, in conjunction with the Department, shall provide a comprehensive review to the Chairmen of the House and Senate Transportation Committees, House Appropriations Committee and Senate Finance Committee on the usage of monies deposited in the Rail Enhancement Fund since its establishment in fiscal year 2006; and, that such a review shall include the amounts of funds allocated to rail freight projects, the amounts allocated to rail passenger projects, and the outstanding commitments to each type of project by year, accounting

for funds transferred into and out of the REF and the Intercity Passenger Rail Operating and Capital Fund, and that such a review shall assess the outstanding needs for rail projects and any needed modifications to the rail programs of the Commonwealth; and

WHEREAS, the CTB Rail Committee worked with the Department to review rail grant funding programs, solicit stakeholder input, revise policy goals, clarify prioritization criteria, and adjust administrative practices; and

WHEREAS, the results of the CTB Rail Committee's review efforts pursuant to House Bill 1887 and the Appropriations Act directive are summarized in the "Rail Programs Legislative, Policy Goals, and Expenditures Review of 2015" report; and

WHEREAS, the CTB Rail Committee recommends updating the Rail Enhancement Fund policy goals adopted by the CTB on October 20, 2005 based on the findings presented in the "Rail Programs Legislative, Policy Goals, and Expenditures Review of 2015" report;

NOW THEREFORE, BE IT RESOLVED, that the Commonwealth Transportation Board hereby adopts the findings and recommendations of the CTB Rail Committee presented in the "Rail Programs Legislative, Policy, and Expenditure Review of 2015" report, provided as Attachment A to this resolution, which recommends a legislative proposal to the General Assembly pursuant to House Bill 1887 to transfer uncommitted Rail Enhancement funds to the Rail Preservation Fund and to provide better funding support for the Rail Preservation Fund; and

BE IT FURTHER RESOLVED, that the Commonwealth Transportation Board hereby adopts the "Rail Enhancement Fund 2015 Policy Goals" provided as Attachment B to this resolution, which supersedes and replaces the Rail Enhancement Fund Policy Goals adopted on October 20, 2005.

####