



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

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Richmond, Virginia 23219

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Agenda item # 6

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

October 25, 2022

MOTION

**Made By: Mr. Brown Seconded By: Mr. Kasprowicz
Action: Motion carried, unanimously**

Title: Action on the Second Revised Fiscal Year 2023 Annual Budgets for the Commonwealth Transportation Fund and Virginia Department of Transportation

WHEREAS, the Commonwealth Transportation Board (the “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 (TTF); and

WHEREAS, the Board approved a Revised Commonwealth Transportation Fund Budget, Virginia Department of Transportation Budget, and DRPT Budget for Fiscal Year 2022 on January 12, 2022, which included certain legislatively proposed uses of \$115,796,000 in General Fund dollars dedicated to transportation (Fiscal Year 2022 General Fund Dollars); and

WHEREAS, the Board approved the Commonwealth Transportation Fund Budget, the Virginia Department of Transportation Budget, and the DRPT Budget for Fiscal Year 2023 on June 21, 2022 and approved Revised Budgets for the same on July 20, 2022; and

WHEREAS, the Governor and General Assembly included actions in Chapters 1 and 2 of the 2022 Special Session I that impacted transportation agencies; and

WHEREAS, on September 20, 2022, the Commonwealth Transportation Board was briefed on recommended updates to incorporate actions of the General Assembly and Governor to provide General Fund dollars and legislative direction for transportation initiatives.

NOW, THEREFORE, BE IT RESOLVED by the Commonwealth Transportation

Resolution of the Board

Action on the Second Revised Fiscal Year 2023 Annual Budgets for the Commonwealth
Transportation Fund and Virginia Department of Transportation

October 25, 2022

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Board that the second revised budgets for the Commonwealth Transportation Fund and the
Department of Transportation for Fiscal Year 2023, as attached hereto, are approved.

BE IT FURTHER RESOLVED by the Commonwealth Transportation Board that the
Fiscal Year 2022 General Fund Dollars previously budgeted and allocated for prescribed uses are
hereby restated in these second revised Fiscal Year 2023 budgets, for the uses depicted in Exhibit
A, based on project readiness: \$30 million for Virginia Commercial Space Flight Authority for
improvements to the Mid-Atlantic Regional Spaceport and \$85,796,000 to improve Interstate 64
between exit 205 and exit 234.

####

CTB Decision Brief

Action on the Second Revised Fiscal Year 2023 Annual Budgets for the Commonwealth Transportation Fund and for the Virginia Department of Transportation

Issue: The Commonwealth Transportation Board (the “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 (TTF). The Board approved the Commonwealth Transportation Fund Budget (CTF), the Virginia Department of Transportation Budget (VDOT) and the Department of Rail and Public Transportation (DRPT) Budget for Fiscal Year 2023 on June 21, 2022 and Revised Budgets on July 20, 2022.

The Board has been briefed on recommendations to implement certain funding adjustments in FY 2023. Revised CTF and VDOT budgets are required to adopt these recommendations.

Facts:

The Board approved the CTF, VDOT and DRPT Budgets for Fiscal Year 2023 on June 21, 2022 and revised the budgets on July 20, 2022.

The Governor and General Assembly considered and adopted Chapters 1 and 2 during the 2022 Special Session I (Appropriations Acts). The Appropriations Acts amended Fiscal Year 2022 (Chapter 1) and adopted appropriation assumptions for the 2022-2024 Biennium, or Fiscal Years 2023 and 2024. These assumptions included General Fund dollars for transportation initiatives. Other budgetary actions that impacted VDOT included additional funding for Financial Assistance to Localities (\$15 million in FYs 2023 and 2024) and additional administrative budget funding needed for Employee Bonuses in FY 2023.

It is noted that in January 2022, the Board had adopted a Revised Fiscal Year 2022 Budget that included updated revenue assumptions and the proposed use of General Fund dollars dedicated to transportation. Certain uses of these funds, totaling \$115,796,000, were included in the Introduced Budget Bill for the 2022 Regular Session. When the budget responsibilities of the General Assembly were completed in June 2022, the recommendations in the enacted legislation included additional General Fund dollars dedicated to transportation but the uses of the funds were updated from the Introduced Budget Bill. This detail/these uses from the Introduced Budget Bill were included in the FY 2022 Board Approved Budgets and VDOT recommends reclassifying the allocation of these funds in the CTF and VDOT FY 2023 Budgets as outlined in the table below, based on the reason stated.

<i>(\$ in millions)</i>	FY 2022 Budget (January 2022)	Reclassification of FY 2022 based on Final Recommendations/ Readiness	TOTAL
Mid-Atlantic Regional Spaceport	\$30.0	\$ -	\$30.0
Regional Multi-Use Trails	25.8	(25.8)	-
Air Terminal Interchange	20.0	(20.0)	-
I-64 Gap	20.0	65.8	85.8
TPOF Restoration	10.0	(10.0)	-
Wildlife Habitat	10.0	(10.0)	-
TOTAL	\$115.8	-	\$115.8

The recommendations for the Second Revised 2023 CTF and VDOT Budgets also include updated revenue assumptions for the Commonwealth Transportation Fund based on year-end performance for Fiscal Year 2022 and updates for Fiscal Year 2023 forecasted revenue.

Recommendations: VDOT recommends the approval of the Second Revised Fiscal Year 2023 Annual Budgets for the Commonwealth Transportation Fund and the Department of Transportation.

Action Required by CTB: Adopt a Resolution setting forth the recommended actions/approvals.

Result if Approved: Revised budgets reflecting the recommended changes will be established with allocations to programs outlined in the attached budgets.

Options: Approve, Deny, or Defer.

Public Comments/Reactions: N/A

**Action on the Second Revised Fiscal Year 2023 Annual Budgets for the Commonwealth
Transportation Fund and for the Virginia Department of Transportation**
EXHIBIT A

<i>(\$ in millions)</i>	FY 2022 Budget (January 2022)	Reclassification of FY 2022 based on Final Recommendations/ Readiness	TOTAL
Mid-Atlantic Regional Spaceport	\$30.0	\$ -	\$30.0
Regional Multi-Use Trails	25.8	(25.8)	-
Air Terminal Interchange	20.0	(20.0)	-
I-64 Gap	20.0	65.8	85.8
TPOF Restoration	10.0	(10.0)	-
Wildlife Habitat	10.0	(10.0)	-
TOTAL	\$115.8	-	\$115.8

Second Revised FY 2023

Commonwealth Transportation Fund Budget
October 2022



Virginia Department of Transportation

Budget and Funds Management Division

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During its 2020 session, the Virginia General Assembly enacted the Governor's Omnibus Transportation Bill, Chapter 1230 (House Bill 1414), which revised the composition of and increased available revenues for transportation funding in the Commonwealth. Under Chapter 1230, the Commonwealth Transportation Fund (CTF) serves as the fund to which all transportation revenues are deposited and then distributed to programs and funds. These transportation revenues include: (i) motor vehicles fuels taxes and road taxes for diesel fuel; (ii) vehicle registration fees; (iii) highway use fee; (iv) 0.5% statewide sales and use tax; (v) 0.3% statewide sale and use tax for transportation; (vi) 4.15% percent motor vehicles sales and use tax; (vii) motor vehicle rental tax (10 percent of gross proceeds from rentals for most passenger vehicles); (viii) \$0.03 of the \$0.25 per \$100 of assessed value of the statewide recordation tax; (ix) tax on liquid alternative fuel, set at the rate for gasoline; (x) International Registration Plan fees; and (xi) one-third of the revenue from insurance premium taxes.

Chapter 1230 also amends the allocation of funds. Before funds are distributed between the Transportation Trust Fund and the Highway Maintenance and Operating Fund ("HMO Fund"), (i) \$40 million annually will be deposited into the Route 58 Corridor Development Fund; (ii) \$40 million annually will be deposited into the Northern Virginia Transportation District Fund; and (iii) \$80 million annually (as adjusted annually based on changes in consumer price index for urban consumers) will be deposited into the Special Structure Fund. Enactment Clause 11 of Chapter 1230 provides the Commonwealth Transportation Board the ability to take actions deemed necessary in fiscal years 2021, 2022, and 2023 to ensure funds for modal programs and the highway maintenance and operating fund are at least equal to the amounts provided for in the six-year financial plan for the Commonwealth Transportation Fund as in effect on January 1, 2020.

Toll revenue and concession payments to the Commonwealth under the Public-Private Transportation Act of 1995 also would be deposited to the Commonwealth Transportation Fund and allocated to the Transportation Trust Fund (for defined purposes and not available for further distribution). Interest, dividends, and appreciation accrued to the Transportation Trust Fund or the HMO Fund also would be allocated to the Commonwealth Transportation Fund and distributed two-thirds to the Virginia Transportation Infrastructure Bank and one-third to the Transportation Partnership Opportunity Fund.

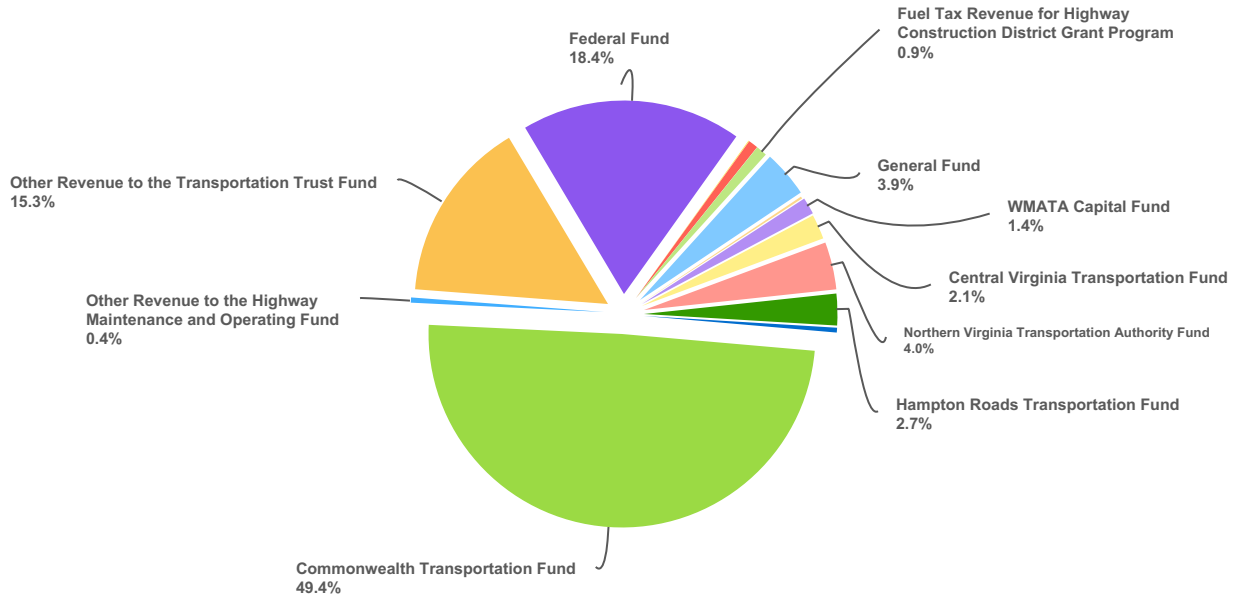
The remaining funds in the Commonwealth Transportation Fund are allocated 51% to the HMO Fund and 49% to the Transportation Trust Fund. Chapter 1230 directs the following distribution of funds from the Transportation Trust Fund: (i) 53% for construction programs; (ii) 23% to the Commonwealth Mass Transit Fund; (iii) 7.5% to the Commonwealth Rail Fund; (iv) 2.5% to the Commonwealth Port Fund; (v) 1.5% to the Commonwealth Aviation Fund; (vi) 1% to the Commonwealth Space Flight Fund; (vii) 10.5% to the Priority Transportation Fund; and (viii) 1% to the Department of Motor Vehicles. Enactment Clause 11 of Chapter 1230 also allows the Commonwealth Transportation Board to take actions deemed necessary in fiscal years 2021, 2022, and 2023 to ensure appropriate coverage ratios for any outstanding debt backed by the Transportation Trust Fund.

The Fiscal Year 2023 budget for the CTF identifies the estimated revenues and the distribution of the revenues to the related transportation agencies and programs. It is based on the state revenue forecast from February 2022, which reflects the elimination of i) the Retail Sales and Use Tax on food purchased for human consumption and essential personal hygiene items assumed to change July 1, 2022 and ii) the accelerated sales tax payments for FY 2023, and reflects implementation of federal funding provided under the Infrastructure Investment and Jobs Act (IIJA). The Second Revised FY 2023 CTF Budget totals \$9,527,302,484.



The CTF receives revenues from dedicated state and federal sources. The major state revenues are based on Virginia's official revenue forecast developed by the Department of Taxation. The federal revenues from the Federal Highway Administration and the Federal Transit Administration are estimated by the Virginia Department of Transportation (VDOT) and the Virginia Department of Rail and Public Transportation (DRPT). Revenues provided are also from funds collected for regional transportation improvements in Northern Virginia, Hampton Roads, and Central Virginia. These funds are dedicated to the efforts of the Northern Virginia Transportation Authority, Central Virginia Transportation Authority, and the Hampton Roads Transportation Accountability Commission.

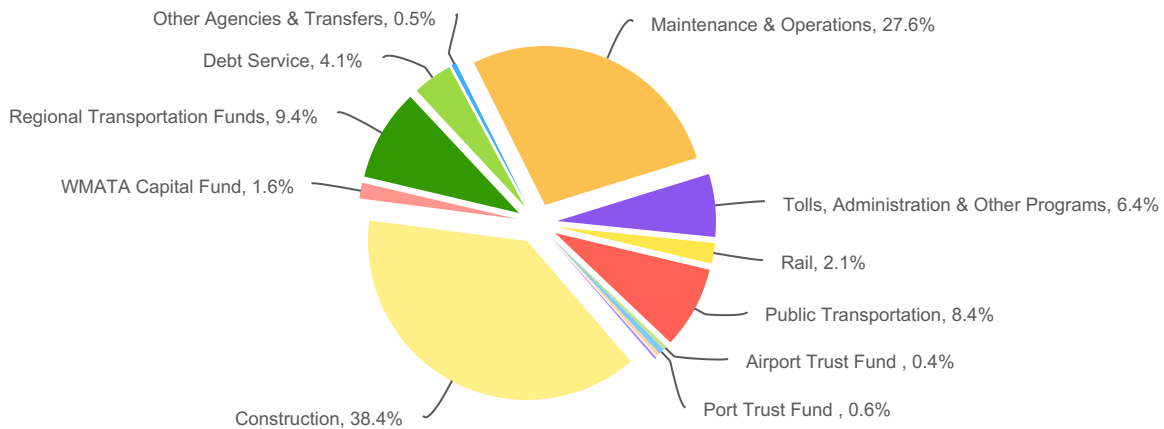
Commonwealth Transportation Fund Total Revenues for FY 2023



Commonwealth Transportation Fund	\$4,708,800,000
Other Revenue to the Highway Maintenance and Operating Fund	42,098,489
Other Revenue to the Transportation Trust Fund	1,454,310,854
Federal Fund	1,755,048,618
Interstate 81 Corridor Improvement Fund & Financing	78,800,000
Fuel Tax Revenue for Highway Construction District Grant Program	89,497,754
General Fund	373,204,000
Bonds	19,222,769
Total Operating Revenues	8,520,982,484
Pass Through Revenues	
WMATA Capital Fund	133,920,000
Central Virginia Transportation Fund	198,900,000
Northern Virginia Transportation Authority Fund	379,300,000
Hampton Roads Transportation Fund	254,300,000
Hampton Roads Regional Transit Fund	39,900,000
Subtotal	1,006,320,000
TOTAL	\$9,527,302,484

The revenues are dedicated to specific funds within the CTF. After certain distributions required by the Code of Virginia, the remaining funds in the CTF are allocated 51% to the Highway Maintenance and Operating Fund (HMOF) and 49% to the Transportation Trust Fund. Chapter 1230 directs the following distribution of funds from the Transportation Trust Fund: (i) 53% for construction programs; (ii) 23% to the Commonwealth Mass Transit Fund; (iii) 7.5% to the Commonwealth Rail Fund; (iv) 2.5% to the Commonwealth Port Fund; (v) 1.5% to the Commonwealth Aviation Fund; (vi) 1% to the Commonwealth Space Flight Fund; (vii) 10.5% to the Priority Transportation Fund; and (viii) 1% to the Department of Motor Vehicles.

The revenues for the HMOF support highway maintenance, operations and administration. The Priority Transportation Fund (PTF) revenues are dedicated to debt service on the Commonwealth of Virginia Transportation Capital Projects Revenue Bonds. The Commonwealth Transportation Board can also use the Fund to facilitate the financing of priority transportation projects throughout the Commonwealth. Federal revenues are used for their defined purposes to support construction, maintenance or transit.



Debt Service	\$386,831,539
Other Agencies & Transfers	49,162,918
Maintenance & Operations	2,628,649,254
Tolls, Administration & Other Programs	610,514,323
Public Transportation	797,121,656
Rail	199,696,173
Airport Trust Fund	35,309,545
Port Trust Fund	60,176,596
Department of Motor Vehicles	30,588,390
Space Flight Fund	23,575,710
Construction	3,659,356,380
Total Operating Programs	8,480,982,484
Pass Through Programs	
WMATA Capital Fund	153,920,000
Regional Transportation Funds	892,400,000
TOTAL RECOMMENDED DISTRIBUTIONS	\$9,527,302,484



STATE REVENUE SOURCES	Revised FY 2023	2nd Revised FY 2023	INCREASE (DECREASE)	
Commonwealth Transportation Fund	\$ 4,674,400,000	\$ 4,708,800,000	\$ 34,400,000	1
Revenue Sharing	191,405,031	191,405,031	—	
Highway Maintenance & Operating Fund (HMOF)	42,098,489	42,098,489	—	
General Fund	—	373,204,000	373,204,000	2
Transportation Trust Fund (TTF) and Other State Revenue				
Interest Earnings	18,490,000	18,490,000	—	
Toll Facilities	37,840,000	37,840,000	—	
Local Revenue Sources	383,592,011	383,592,011	—	
Project Participation - Regional Entities	701,196,581	701,196,581	—	
GARVEE Bonds/ Interest Earnings	19,222,769	19,222,769	—	
Route 58 Bonds/ Interest Earnings	1,054,829	1,054,829	—	
I-66 Outside the Beltway Concession Fee Payment/Interest	21,279,551	21,279,551	—	
Interstate 81 Corridor Improvement Fund	78,800,000	78,800,000	—	
Statewide Interstate Improvement Fund	—	—	—	
Special Fund Account for the Highway Construction District Grant Program	89,497,754	89,497,754	—	
Other Trust Fund Revenue	92,164,670	92,164,670	—	
Total TTF and Other Revenue	1,443,138,165	1,443,138,165	—	
Priority Transportation Fund (PTF)				
State Revenue	7,288,181	7,288,181	—	
Total PTF	7,288,181	7,288,181	—	
Pass Through Revenues				
Revenue Dedicated to WMATA Capital Fund	133,920,000	133,920,000	—	
State Revenue for Regional Entities	872,400,000	872,400,000	—	
Total Pass Through Revenues	1,006,320,000	1,006,320,000	—	
TOTAL STATE REVENUES	7,364,649,866	7,772,253,866	407,604,000	
Federal Funding Sources				
Federal Highway Administration (FHWA)	1,705,820,159	1,705,820,159	—	
Federal Transit Administration (FTA)	49,228,459	49,228,459	—	
Total Federal Funding	1,755,048,618	1,755,048,618	—	
TOTAL COMMONWEALTH TRANSPORTATION FUNDS	\$ 9,119,698,484	\$ 9,527,302,484	\$ 407,604,000	



DISTRIBUTION OF REVENUE SOURCES	Revised FY 2023	2nd Revised FY 2023	INCREASE (DECREASE)
Debt Service			
Northern Virginia Transportation District	\$ 11,870,438	\$ 11,870,438	\$ —
Route 28	8,644,519	8,644,519	—
Route 58	30,815,139	30,815,139	—
Interstate 81	5,220,979	5,220,979	—
GARVEE Bonds	136,978,264	136,978,264	—
CPR Bonds	193,302,200	193,302,200	—
Total Debt Service	386,831,539	386,831,539	—
Other Agencies & Transfers			
Trust Fund Management	3,092,567	3,092,567	—
Support to Other State Agencies (excludes DRPT)	43,349,176	43,349,176	—
Indirect Costs	2,721,175	2,721,175	—
Total State Agencies	49,162,918	49,162,918	—
Maintenance & Operations			
Highway System Maintenance	2,059,397,351	2,064,850,289	5,452,938 3
Financial Assist. to Localities for Ground Transportation - Cities	467,781,468	482,781,468	15,000,000 4
Financial Assist. to Localities for Ground Transportation - Counties	81,017,497	81,017,497	—
Total Maintenance & Operations	2,608,196,316	2,628,649,254	20,452,938
Tolls, Administration & Other Programs			
Ground Transportation System Planning and Research	106,660,594	106,954,634	294,040 3
Environmental Monitoring & Compliance	17,968,133	18,045,289	77,156 3
Administrative and Support Services	318,906,000	319,867,259	961,259 3
Program Management and Direction	49,904,320	51,057,141	1,152,821 3
Toll Facilities Operations	37,840,000	37,840,000	—
Toll Facility Revolving Account	36,750,000	36,750,000	—
Capital Outlay	40,000,000	40,000,000	—
Total Tolls, Administration & Other Programs	608,029,047	610,514,323	2,485,276

DISTRIBUTION OF REVENUE SOURCES	Revised FY 2023	2nd Revised FY 2023	INCREASE (DECREASE)
Transit and Rail Funds			
Share of TTF Distribution for Transit	\$ 504,504,614	\$ 508,381,494	\$ 3,876,880 ¹
Transit - Share of administrative costs	(662,119)	(662,119)	—
Other Revenue dedicated to Transit	16,153,359	21,153,359	5,000,000 ²
Share of TTF Distribution for Rail	164,512,374	165,776,574	1,264,200 ¹
Rail - Share of administrative costs	(170,401)	(170,401)	—
Federal Transit Authority (FTA)	49,228,459	49,228,459	—
CMAQ (without State Match)	28,101,637	28,101,634	(3)
STP Regional (without State Match)	12,945,933	12,945,933	—
Rail Fund (with prior year adjustments)	—	—	—
Interest Earnings	1,890,000	1,890,000	—
HB1414 Off the Top to Commonwealth Mass Transit Fund	50,300,000	50,300,000	—
Metro Matters	—	—	—
HB1414 Off the Top to Commonwealth Rail Fund	32,700,000	32,700,000	—
Mass Transit Fund-Support from Construction	10,436,903	10,261,896	(175,007) ⁵
Rail Fund - Support from Construction	87,500,000	87,500,000	—
Priority Transportation	7,300,000	7,300,000	—
Other	22,111,000	22,111,000	—
Subtotal Transit and Rail Funds	986,851,759	996,817,829	9,966,070
Pass Through Revenue for WMATA Capital			
Dedicated Revenue for WMATA Capital Fund	133,920,000	133,920,000	—
Transfer from NVTD Fund for WMATA Capital Fund	20,000,000	20,000,000	—
Subtotal WMATA Capital Fund	153,920,000	153,920,000	—
Airports - Share of TTF Distribution	32,902,475	33,155,315	252,840 ¹
Airports - Share of administrative costs	(45,770)	(45,770)	—
Airports - Interest Earnings	700,000	700,000	—
Directed CTF Allocation	1,500,000	1,500,000	—
Total Airport Trust Fund	35,056,705	35,309,545	252,840
Ports - Share of TTF Distribution	54,837,458	55,258,858	421,400 ¹
Ports - Share of administrative costs	(82,262)	(82,262)	—
Ports - Interest Earnings	1,000,000	1,000,000	—
Directed CTF allocation	4,000,000	4,000,000	—
Total Port Trust Fund	59,755,196	60,176,596	421,400
Department of Motor Vehicles - Share of TTF Distribution	21,934,983	22,103,543	168,560 ¹
DMV - Share of administrative costs	(15,153)	(15,153)	—
Directed CTF allocation	8,500,000	8,500,000	—
Total DMV	30,419,830	30,588,390	168,560
Virginia Commercial Space Flight Authority - Share of TTF Distribution	21,934,983	22,103,543	168,560 ¹
Space Flight Authority - Share of administrative costs	(27,833)	(27,833)	—
Directed CTF allocation	1,500,000	1,500,000	—
Total Space Flight Authority	23,407,150	23,575,710	168,560



DISTRIBUTION OF REVENUE SOURCES	Revised FY 2023	2nd Revised FY 2023	INCREASE (DECREASE)
Pass Through Revenue Allocations			
Central Virginia Transportation Authority Fund	\$ 198,900,000	\$ 198,900,000	—
Northern Virginia Transportation Authority Fund	417,743,624	417,801,502	57,878 1
Hampton Roads Transportation Fund	254,300,000	254,300,000	—
Hampton Roads Regional Transit Fund	39,900,000	39,900,000	—
Total Regional Transportation Programs	910,843,624	910,901,502	57,878
Construction			
Financial Assistance to Localities for Ground Transportation	18,303,310	18,303,310	—
State of Good Repair Program	331,213,278	332,341,175	1,127,897 1
High Priority Projects Program	246,678,340	247,367,360	689,020 1
Construction District Grant Programs	336,176,095	336,865,113	689,018 1
Specialized State and Federal Programs	1,845,367,547	2,210,516,438	365,148,891 2; 5
Virginia Highway Safety Improvement Program	134,783,478	135,127,988	344,510 1
Interstate Operations and Enhancement Program	274,702,353	275,333,494	631,141 1
Total Construction	3,187,224,401	3,555,854,878	368,630,477
Special Structures	80,000,000	85,000,000	5,000,000
DISTRIBUTION OF COMMONWEALTH TRANSPORTATION FUNDS			
	\$ 9,119,698,485	\$ 9,527,302,484	\$ 407,603,999
Agency Funding Summary:			
VDOT	\$ 7,955,524,748	\$ 8,351,976,310	\$ 396,451,562
Less Support to DRPT	(125,236,903)	(125,061,896)	175,007
VDOT (Net)	7,830,287,845	8,226,914,414	396,626,569
DRPT	1,140,771,759	1,150,737,829	9,966,070
Ports	59,755,196	60,176,596	421,400
Aviation	35,056,705	35,309,545	252,840
DMV	30,419,830	30,588,390	168,560
Space Flight Authority	23,407,150	23,575,710	168,560
Grand Total	\$ 9,119,698,485	\$ 9,527,302,484	\$ 407,603,999

CTF State Revenue Details

STATE REVENUE SOURCES	Revised FY 2023	2nd Revised FY 2023	INCREASE (DECREASE)
State Tax on Motor Fuels	\$1,360,700,000	\$1,360,700,000	\$—
Road Tax	69,200,000	69,200,000	—
Retail Sales & Use Tax	1,228,600,000	1,283,900,000	55,300,000
Motor Vehicle Sales and Use Tax	1,155,100,000	1,155,100,000	—
International Registration Plan	124,200,000	124,200,000	—
Motor Vehicle Licenses	236,600,000	236,600,000	—
Miscellaneous Revenues	17,200,000	17,200,000	—
Motor Vehicle Rental Tax	32,200,000	32,200,000	—
Aviation Fuels Tax	2,000,000	2,000,000	—
Highway Use Fee	59,700,000	59,700,000	—
Insurance Premium	196,000,000	202,500,000	6,500,000
Recordation Tax	81,000,000	81,000,000	—
Total	\$4,562,500,000	\$4,624,300,000	\$61,800,000

Endnotes

Endnote Number	Description
1	Adjustment represents additional revenue available to the Commonwealth Transportation Fund and its directed allocation to funds and program areas as prescribed in Code of Virginia §33.2-1524, §33.2-1524.1 and §33.2-358.
2	General Fund dollars made available in Chapters 1 and 2 (2022 Special Session I) in Fiscal Years 2022 and 2023 for Transportation Initiatives.
3	Program allocation to support VDOT Employee Bonuses prescribed in Chapter 2, Item 483.
4	Additional \$15 million in allocation provided for Financial Assistance for City Road Maintenance appropriated in Chapter 2, Item 456.
5	Correction of State Match for RSTP Federal Funding classification between VDOT and DRPT.