

# NAMING RIGHTS GUIDELINES

Briefing to the Commonwealth Transportation Board

 Jo Anne Maxwell, Director, Governance and Legislative Affairs

*December 10, 2019*

# Background

- **Section 33.2-213, provides the CTB with authority to name highways and other transportation facilities:**
  - **When requested by local governments;**
  - **When requested by state agencies that employed state officials who have been killed in the line of duty; and**
  - **When requested by/for private entities, in exchange for an annual fee, which is to be established by the CTB.**
- **The underlying legislation requires the CTB and VDOT to develop/adopt guidelines on the naming of highways and other transportation facilities by/for private entities and the applicable fees for such naming rights.**

# Recommendation

- **After deliberation of the issues and based on the information received, it is recommended that the CTB and VDOT develop and adopt the draft Naming Rights Guidelines.**
- **VDOT has drafted proposed guidelines that address commemorative namings, namings by/for private entities for a fee, and “other namings”.**

# Draft Guidelines

## Key aspects of the draft Guidelines:

- **For commemorative namings and “other” namings, the process used for those namings (consistent with § 33.2-213) is set out in the Guidelines:**
  - **The locality in which the highway or other transportation facility is located must request and pay the costs of the naming.**
  - **In the case of namings for state officials killed in the line of duty, the state agency that employed the state official must request and the costs of the naming are paid from Commonwealth Transportation Fund.**
  - **Costs are the costs of producing, placing and maintaining the signs.**
  - **These namings would be taken/considered on a case by case basis.**
- **For namings by/for private entities for a fee, the process to be used and the proposed fees are set out in the Guidelines.**

# Next Steps

- **If the CTB agrees with the recommendation, copies of the draft Naming Rights Guidelines will be made available to members and the public\*\* and the CTB will be presented an opportunity to discuss and vote on the Guidelines in the near future.**
- **\*\*Per new statutory requirements for guidance documents, the Naming Rights Guidelines (given that they meet the definition of a guidance document in § 2.2-4101) would need to be posted in the Register of Regulations 30 days for public comment before they could become effective.**
- **It is also noted that legislation requires the Commissioner to, prior to adoption of the Guidelines, “report to the Chairmen of the House and Senate Transportation Committees and the Chairmen of the House Appropriations Committee and Senate Finance Committee.”**

