



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

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COMMONWEALTH TRANSPORTATION BOARD WORKSHOP AGENDA

VDOT Central Office Auditorium
1221 East Broad Street Richmond, Virginia 23219
March 15, 2022
12:45 p.m.

1. Map 21 Reliability Target Setting
Mena Lockwood, Virginia Department of Transportation
2. Mondelez Rail Industrial Access Project
Mike Todd, Virginia Department of Rail and Public Transportation
3. SMART SCALE Budget Increase Request
Nike Park Road Extension from Reynolds Drive to US Route 17
Hampton Roads District
Kim Pryor, Virginia Department of Transportation
4. Preliminary FY 2023 – 2028 Commonwealth Transportation Fund Six-Year Financial Plan
Laura Farmer, Virginia Department of Transportation
5. Legislative Update
Jo Anne Maxwell, Virginia Department of Transportation
6. Director's Items
Jennifer Mitchell, Virginia Department of Rail and Public Transportation
7. Commissioner's Items
Stephen Brich, Virginia Department of Transportation
8. Secretary's Items
Shep Miller, Secretary of Transportation

###

MAP-21 INTERSTATE RELIABILITY MEASURE TARGET SETTING METHODOLOGY

Presentation to Commonwealth Transportation Board

Traffic Engineering Division, VDOT

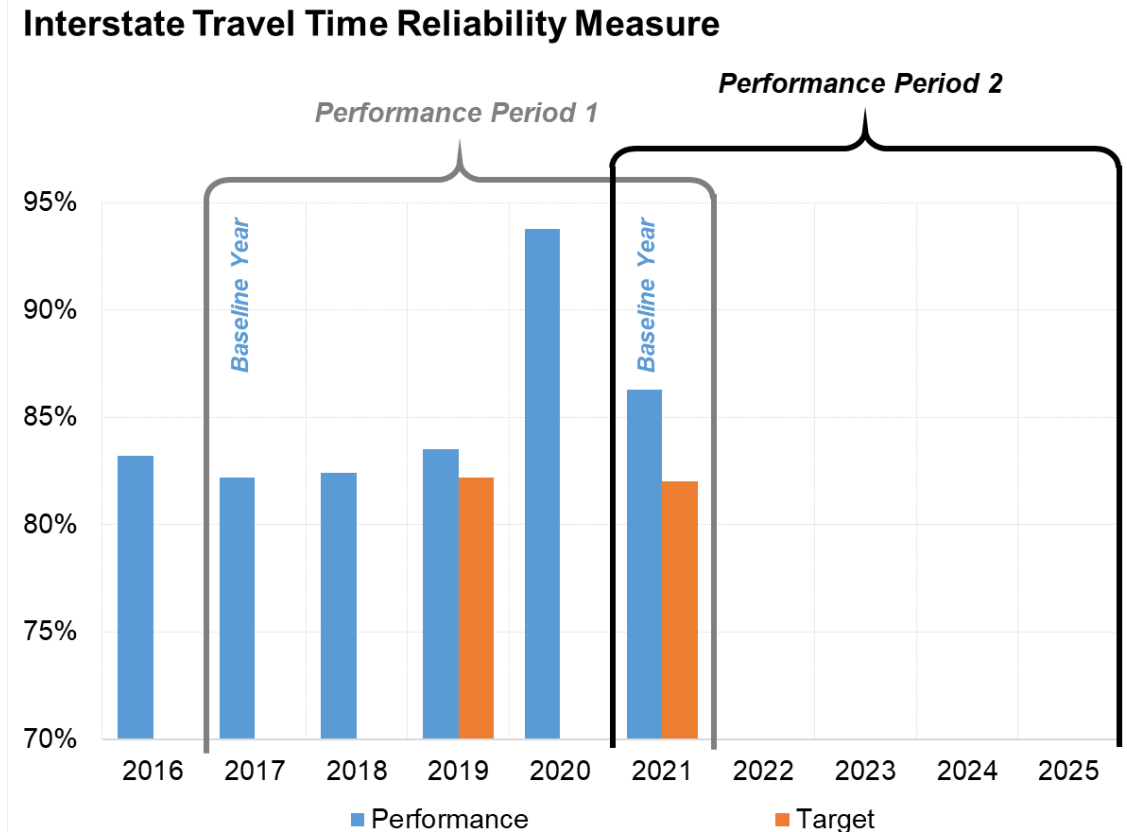
March 15, 2022

Presentation Outline

- **Federal Performance Measure**
 - **Definition & Understanding**
- **Target Setting**
 - **Past and Future Data**
 - **Modeling**
 - **Prediction**
- **Next Steps**
- **Questions**

MAP-21 Requirement for Interstate Reliability Measure

- **States:**
 - Establish Interstate Travel Time Reliability Measure targets for 2 and 4 years at Statewide and MPO levels
 - If necessary States may adjust target at 2 years
- **FHWA:**
 - Assess whether State achieved or made significant progress towards **targets** every 2 years
 - If not, States must report the actions it will take to achieve targets.



Moving Ahead for Progress in the 21st Century (MAP-21) Law

Measure:
Percent of Person Miles Traveled on the Interstate that are Reliable or Interstate Travel Time Reliability Measure

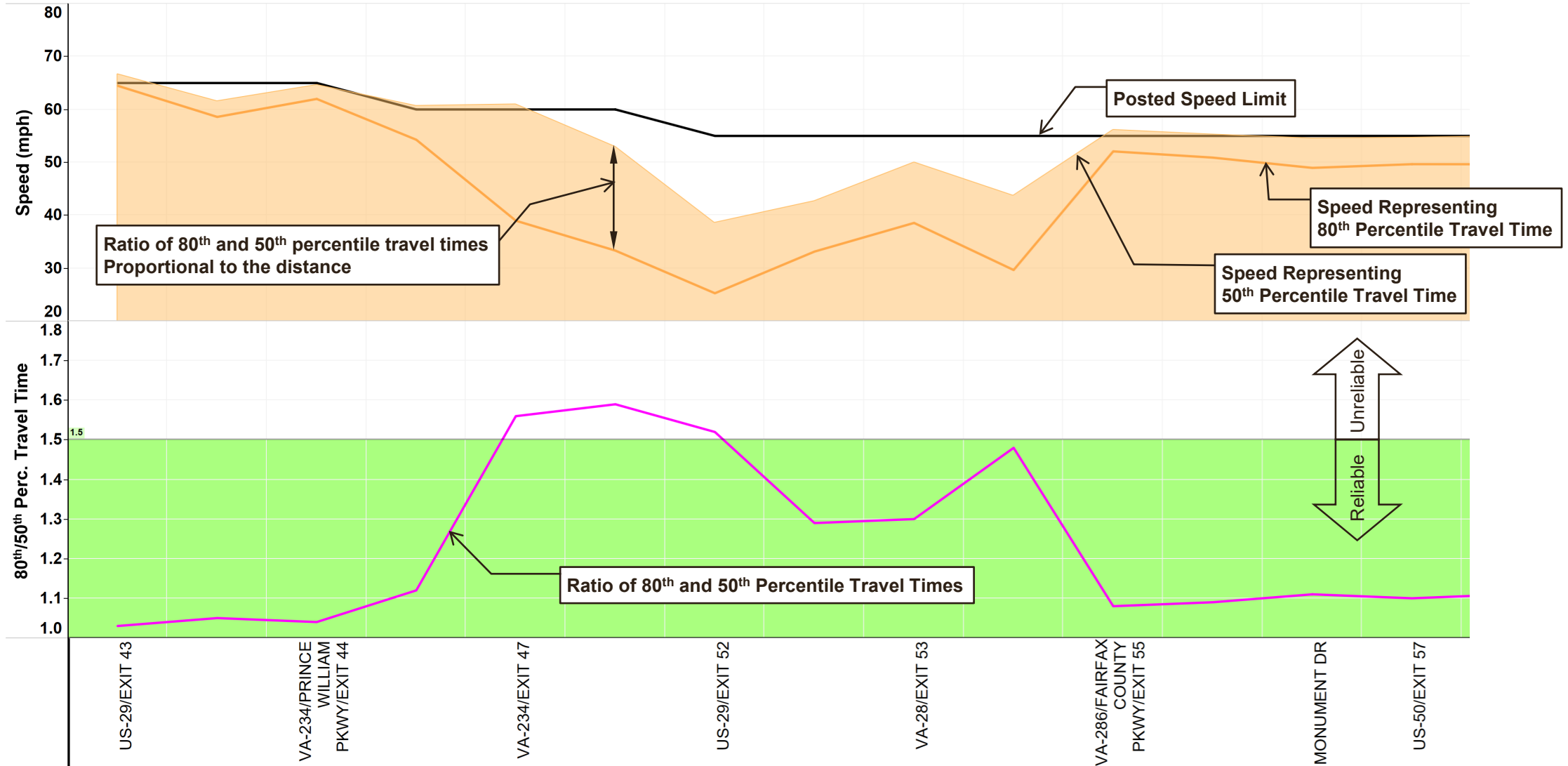
Formula	Condition for a Segment to be <i>Reliable</i>
$ \text{Interstate Travel Time Reliability Measure} = 100 \times \frac{\text{Total Reliable Person Miles on Interstate}}{\text{Total Person Miles on Interstate}} $	$ \frac{\text{80th Percentile Travel Time}}{\text{50th Percentile Travel Time}} < 1.5 \rightarrow \text{In } \underline{\text{ALL 4}} \text{ Time Periods}^* $ <p><i>Example of Reliable Trip: You add no more than 50% additional time to your normal travel time to arrive on-time 80% of the times</i></p>

* **Time Periods:** Weekdays • AM Peak (6a - 10a) • Mid Day Peak (10a - 4p) • PM Peak (4p - 8p)
Weekends • Majority hour of Traffic (6a - 8p)

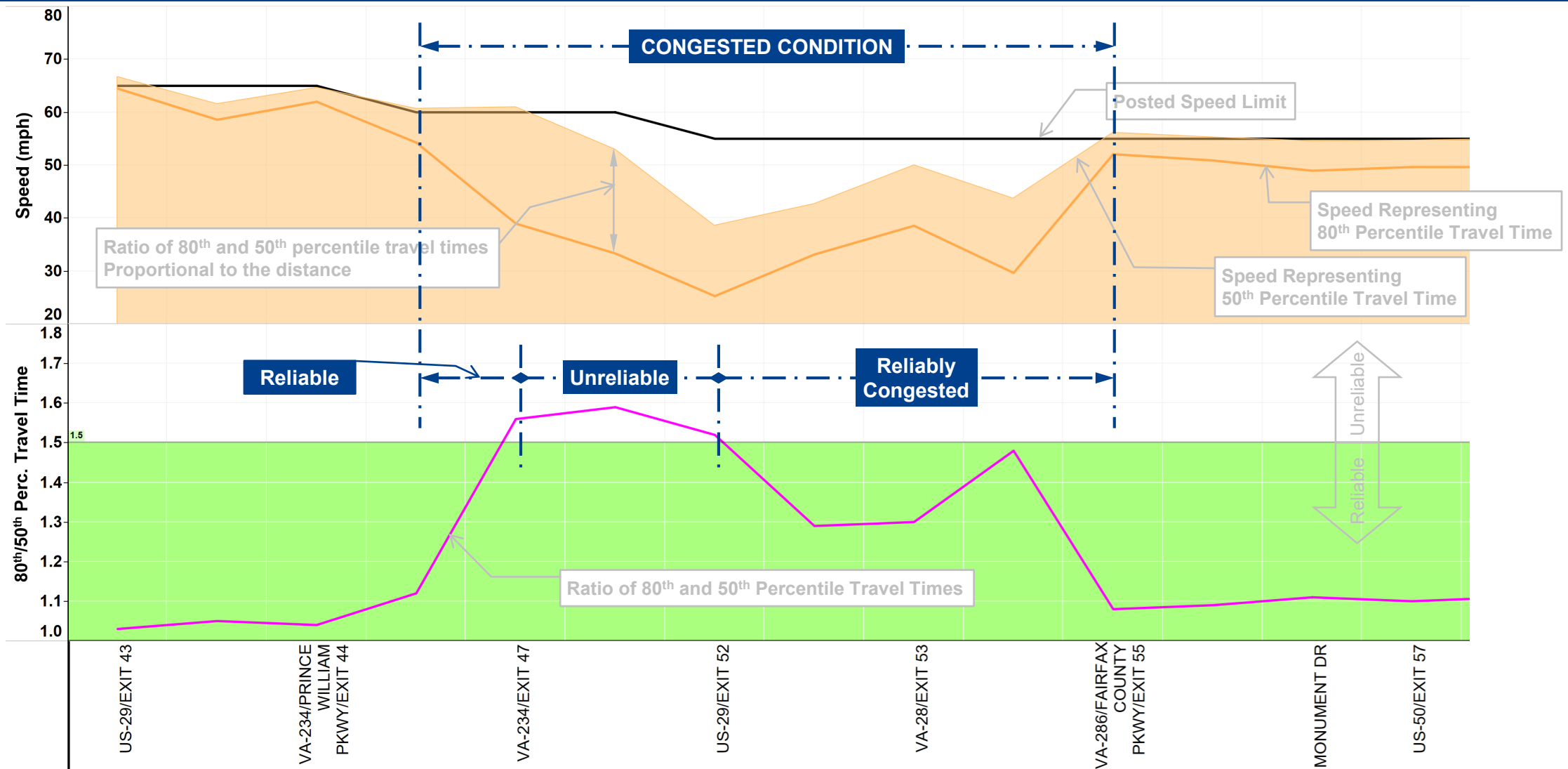
- **One value** calculated for the Interstate System in Virginia for a Calendar Year
Example: Virginia's Interstate Travel Time Reliability Measure in Year 2019 was 83.55%

Target to be calculated for Interstate Travel Time Reliability Measure

Example: I-66 EB AM Peak (6 AM – 10 AM)



Example: I-66 EB AM Peak (6 AM – 10 AM)



Target Setting Steps

- A. Prepare Input Data for Variables
- B. Develop Model for Prediction
- C. Validate Model
- D. Prepare Future Years' Data
- E. Predict Interstate Travel Time Reliability Measure for future years

Interstate Speed and Travel Time – Potential Influencers

Roadway Geometry

- Segment Length
- FHWA Network
- Number of Lanes
- Terrain

Traffic

- Annual Average Daily Traffic (AADT)
- Occupancy Factor
- Growth Rate of Daily Vehicle Miles Traveled
- Volume Capacity Ratio (v/c)
- Heavy Vehicle %

Urban Category

- Urbanized
- Urban Cluster
- Rural

Event

- Crashes
- Incident Duration
- Adverse Weather

Operations Improvement Program

- Safety Service Patrol

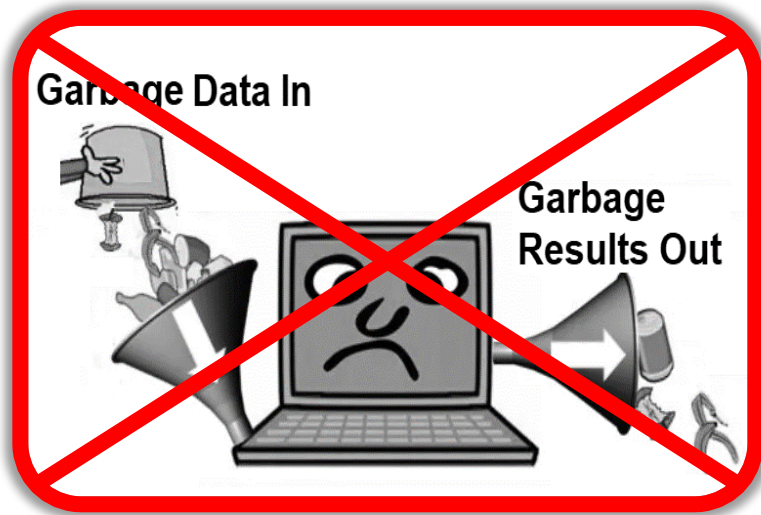
Roadway Improvement Types

- Capacity Improvement
- Acceleration/ Deceleration Lane Extension

Based on Influencers, Identified 30 Independent Variables

Data Collection, Exploration, and Preparation

Data collected for Potential Influencers for years 2017 to 2024

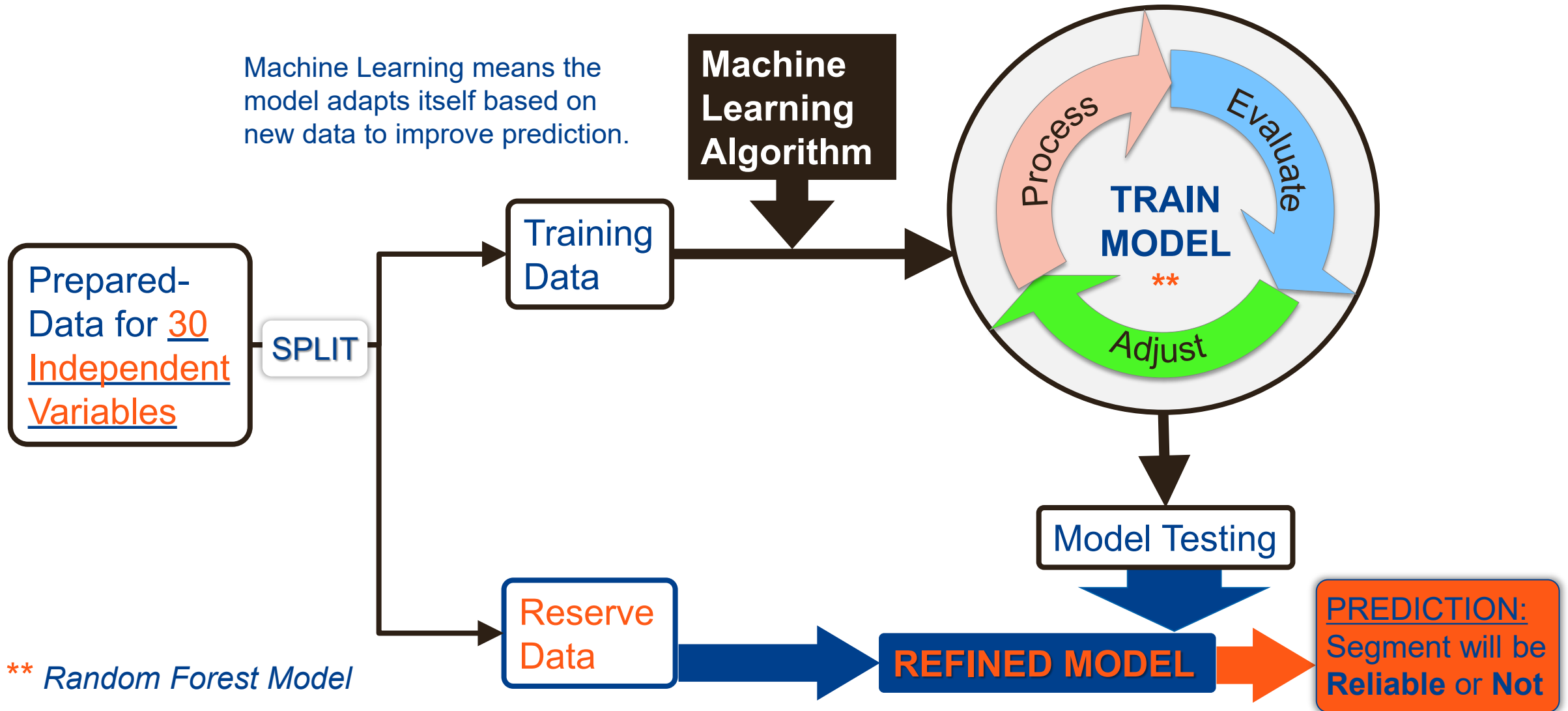


- **Data Cleaning**
 - Identify Incomplete, Inaccurate and/or Inconsistent data
 - Replace, modify, or delete as necessary
- **Data Exploration and Visualization**
- **Data Organization**

Prepared Data for 30 Independent Variables

Model Development

Machine Learning means the model adapts itself based on new data to improve prediction.



Validation

Validation of Statewide Measure

Year	Predicted PMTR-IS	Actual PMTR-IS	Error
2017	82.71%	82.48%	0.28%
2018	82.87%	82.62%	0.30%
2019	83.30%	83.55%	-0.30%
2020	94.19%	93.80%	0.42%
2021	87.25%		

Very Small

❖ **Model may be used to Predict Interstate Travel Time Reliability Measure**

Prepare Data for Future Years

➤ **Future Year Number of Lanes based on Six Year Improvement Program Project Types, Completion between 2022 and 2024:**

- Capacity Improvement
- Acceleration/ Deceleration Lane Extension



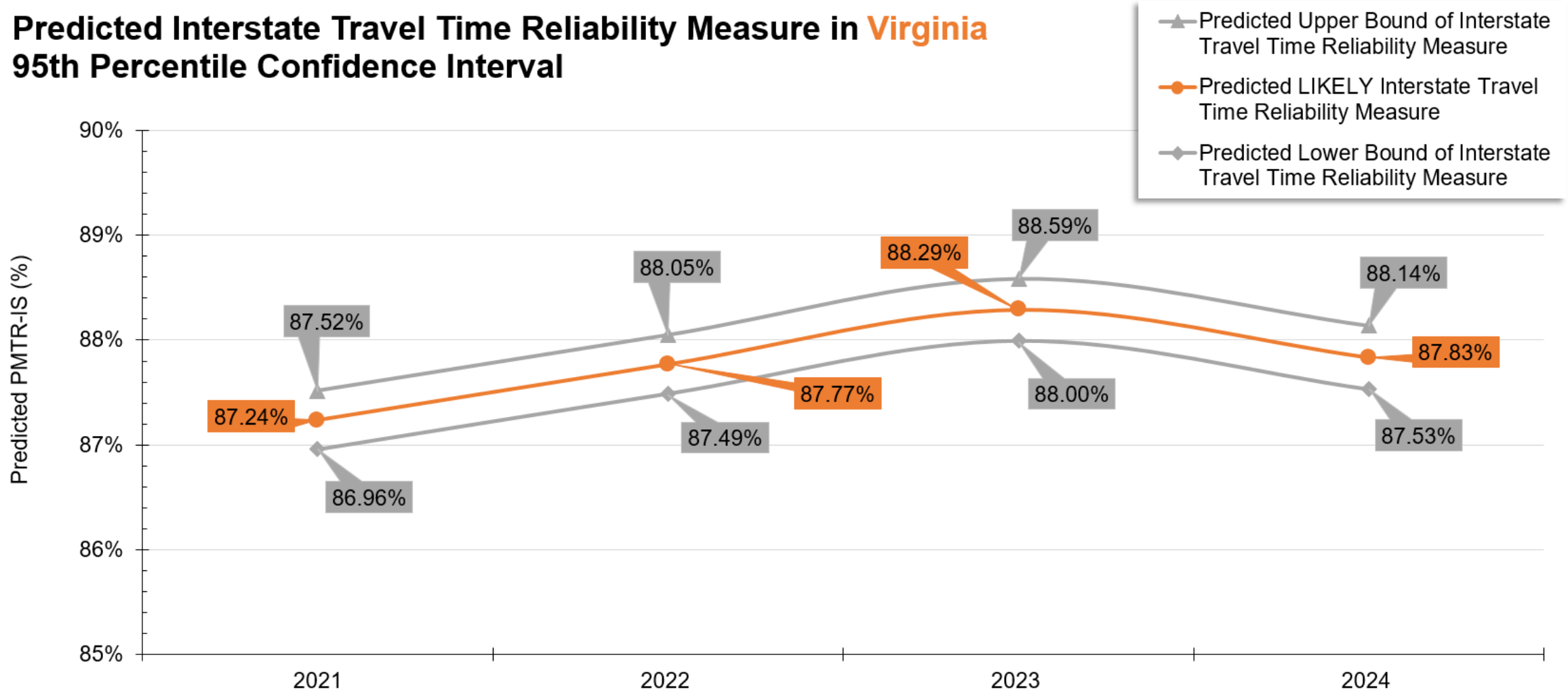
➤ **Future Year v/c, AND Future Year Crashes based on:**

- Future Year Number of Lanes
- Projected AADT using yearly Growth Factor

❖ **Future Year Number of Lanes, Future Year v/c, and Future Year Crashes used in Model**

Interstate Travel Time Reliability Measure Prediction – Statewide

Predicted Interstate Travel Time Reliability Measure in Virginia 95th Percentile Confidence Interval



* 2021 December Data was not available at the time of this Calculation, Model will be re-run after 2021 AADT is available

Timeline for CTB Presentation

2022
March



Statewide MAP-21 Interstate
Travel Time Reliability Measure
Target Setting Methodology

2022
May/June



**Statewide MAP-21 Interstate
Travel Time Reliability Measure**

- 2021 Reliability (Baseline)
- 2 year Target for year 2023
- 4 year Target for year 2025

Reliability Measure Characteristics Needed for Virginia

MAP-21 Interstate Travel Time Reliability Measure Does Not Meet Virginia's Reliability Measure Need

- Large Time Periods (4/6/10 hrs) do not reflect peak hour travel conditions, and the Reliability fluctuations.
- One set of peak period for the entire State is not appropriate as peak period travel patterns vary by region.
- One calendar year span does not reflect seasonal variations, therefore not useful for addressing any season specific issues.
- Limited Geographical Scale (Statewide and MPO) therefore not sensitive to improvements with limited area of influence

Reliability Performance Measures for Virginia

Virginia needs appropriate Reliability Measures to:

- Compare Improvement Alternatives
- Capture Benefits of Traffic Management
- Sensitive to Investment Strategies
- Assess System Performance in Virginia

Questions?

Rail Industrial Access – Mondelez International

CTB Workshop – March 15, 2022

Michael Todd, Director of Rail Programs
Department of Rail and Public Transportation

Introduction

Mondelez International



Bakery



Processing Materials



Location



Site Details



Application Details

Budget

Total \$55M

Rail \$4M

Request \$450K

Score 20

Application Details

Budget	Carloads
Total \$55M	Existing 859
Rail \$4M	New 1,030
Request \$450K	Score 20
Score 20	

Application Details

Budget	Carloads	Employment
Total \$55M	Existing 859	Jobs 140
Rail \$4M	New 1,030	Score 20
Request \$450K	Score 20	
Score 20		

Application Details

Budget	Carloads	Employment	Score
Total \$55M	Existing 859	Jobs 140	Budget 20
Rail \$4M	New 1,030	Score 20	Carloads 20
Request \$450K	Score 20		Jobs 20
Score 20			Local EDA 10
			<u>Total 70</u>

Annual Project Benefits

Measure	Savings
Safety	\$1.8M
Congestion	\$100k
Pavement Maintenance	\$60k
Emissions	\$50k
Total Savings: Over \$2M	



Recommendation



SMART SCALE BUDGET INCREASE REQUEST

NIKE PARK ROAD EXTENSION FROM REYNOLDS DRIVE TO US ROUTE 17 HAMPTON ROADS DISTRICT

Commonwealth Transportation Board

Kimberly Pryor – Director, Infrastructure Investment

March 15, 2022

SMART SCALE Policy

SMART SCALE Policy on Scope Changes and/or Budget Increases, December 2021

- Significant changes to the scope or cost of a SMART SCALE project require a re-evaluation
- Board action is required to approve a SMART SCALE budget increase:
 - » i. Total Cost Estimate <\$5 million: 20% increase in funding requested
 - » ii. Total Cost Estimate \$5 million to \$10 million: \$1 million or greater increase in funding requested
 - » iii. Total Cost Estimate > \$10 million: 10% increase in funding requested; \$5 million maximum increase in funding requested

Project Information

Nike Park Road Extension from Reynolds Drive to US Route 17 (UPC 109314)

Submitted by Isle of Wight County in Round 1 of SMART SCALE

- Total original project cost: \$11,658,000
- Total SMART SCALE request: \$11,658,000
- Request funded with DGP funds
- Original scope included:
 - Construct a new two-lane roadway and multi-use path
 - Construct new intersection at Route 17
- Project is VDOT administered
 - Current estimate: \$16,302,392 representing a \$4,643,391 shortfall
 - Advertisement scheduled for September 2024
 - Current expenditures: \$1,148,741 (2/24/2022)

Project Location



Funding Shortfall

Major Factors Contributing to Funding Shortfall	Approximate Cost
<ul style="list-style-type: none"> Additional preliminary engineering requirements <ul style="list-style-type: none"> Completion of required Location Study drove alignment and resulted in significantly different impacts 	\$0.3 M
<ul style="list-style-type: none"> Higher than anticipated right-of-way and utility impacts 	\$5.8 M
<ul style="list-style-type: none"> Unit prices (from 2015 application) not in line with current trends 	\$3.0 M
Sub-total Added Costs	\$9.1 M
Efforts Taken to Reduce Cost	Approximate Savings
<ul style="list-style-type: none"> Reduced typical section from 4 to 2 lanes and reduced shared use path width 	-\$2.9 M
<ul style="list-style-type: none"> Reduced footprint at two new intersections 	-\$1.0 M
<ul style="list-style-type: none"> Isle of Wight will acquire a portion of the right-of way 	-\$0.6 M
Sub-total Savings	-\$4.5 M
Remaining Shortfall	\$4.6 M

Project Budget Increase

Current Estimated cost \$16.3M

- Total shortfall of \$4.6M
- Isle of Wight committed \$2.2M in local funding in November 2021
- FHWA approved addition of \$0.4M in repurposed earmarks
- Sufficient unallocated Hampton DGP funds are available to cover the remaining shortfall of \$2.0M

	Original Application	Current
Total \$	\$11.7M	\$16.3M
Other Funding	\$0	\$2.2M Isle of Wight \$0.4M Repurposed Earmark
SMART SCALE \$	\$11.7M (DGP)	\$14.1M (increase of \$2.0M)
Score	1.3	1.1 (based on original benefits)
Funding Scenario	17/21	17/21 (project would still have been funded)
Expenditures as of 2/24/22		\$1.1M

Recommendation for Action in April 2022

Approve budget increase request

- Fund increase from unallocated Construction District Grant balances

Hampton Roads Construction District Grant Funds	Amount Available
Total Available	\$2,156,472
Transfer for Budget Increase	\$2,058,225
Balance Remaining	\$98,247





Preliminary FY 2023 – 2028 Commonwealth Transportation Fund (CTF) Six-Year Financial Plan

Laura Farmer, Chief Financial Officer

March 15, 2022

Commonwealth Transportation Fund Revenue Updates since January

Mid-session revenue update

\$129.1 million additional revenue in FY 2022 - \$121.3 million in Retail Sales and Use Taxes and \$7.8 million in Recordation Taxes (Uplift incorporated into FY 2023 for allocation)

Reflects impact of legislative actions pending in the 2022 Session, including elimination of state share of grocery tax and accelerated sales tax elimination

Other Revenue

Interstate 81 debt adjustments – Based on completed bond sale and updated information

GARVEE assumptions – future planned sales removed from assumptions

Federal Revenue updates

Updated to reflect new IIJA funding from FHWA

Continue federal growth from FY 2023 forward as provided in IIJA (Program specific; not assuming General Fund Programs continue after IIJA; up to 2.2% for other programs)

Commonwealth Transportation Fund Revenue Estimate

(in millions)

Sources of Funds	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Retail Sales and Use Tax	\$1,411.5	\$1,293.9	\$1,315.1	\$1,348.1	\$1,356.5	\$1,363.3	\$1,368.4
Motor Vehicle Sales and Use Tax	1,174.0	1,155.1	1,119.4	1,128.9	1,124.2	1,121.5	1,120.0
Motor Fuels Tax	1,282.4	1,360.7	1,380.7	1,392.5	1,405.2	1,428.1	1,458.4
Aviation Fuels Tax	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Road Tax	68.2	69.2	69.5	69.4	69.0	68.5	67.8
International Registration Plan	124.3	124.2	122.6	119.6	120.0	120.3	120.7
Registration Fees	234.8	236.6	240.3	241.3	242.5	241.9	242.5
State Insurance Premium Tax	180.7	196.0	203.8	212.8	222.8	233.2	244.0
Recordation Tax	88.8	81.0	81.0	81.0	81.0	81.0	81.0
Vehicle Rental Tax	40.7	42.9	43.6	44.4	45.2	46.0	46.8
Highway Use Fee	52.4	59.7	62.7	66.5	66.5	66.5	66.5
Total Commonwealth Transportation Fund	\$ 4,659.8	\$ 4,621.3	\$ 4,640.7	\$ 4,706.5	\$ 4,734.9	\$ 4,772.3	\$ 4,818.1

February 2022 Forecast; FYs 2022 and 2023 updated mid-General Assembly Session for Retail Sales and Use Tax and Recordation Tax. Rental Tax included dedicated funds to WMATA.



IIJA – Summary of Additional Federal Funding

New Programs and Increased flexible federal funding for formula allocation <i>(updated to soft match assumptions)</i>	IIJA Implementation Period						TOTAL
	(in millions)	2023	2024	2025	2026	2027	
Bridge Rehabilitation and Replacement	\$107.4	\$107.4	\$107.4	\$107.4	\$ -	\$ -	\$429.6
Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) grant program	36.9	37.7	38.4	39.2	40.0	40.8	233.1
Carbon Reduction Program	32.5	33.1	33.8	34.5	35.2	35.9	205.0
Electric Vehicles	15.7	21.3	21.3	21.3	-	-	79.6
Increased funding available to allocate via Construction Formula – Includes released federal funding not needed for GARVEE Debt Service <i>Based on June 2021 SYFP Assumptions to IIJA Assumptions</i>	198.6	207.9	223.2	242.6	262.9	N/A	1,135.4

.Adjustments based on the application of soft match for federal funding programs. Electric Vehicles for FY 2023 reflect reconciliation of FY 2022 FHWA Administrative Takedown and allocation for Joint Office for Energy and Transportation



GARVEE Program Analysis

- **When GARVEEs were authorized in 2011, the Construction Program Funding distributed via formula averaged \$550 million annually.**
 - **GARVEEs were initially programmed discretionarily. The bonds funded most of the Public Contribution to P3 Projects.**
 - **In 2016 (FY 2017), the Appropriation Act transferred their use to SMART SCALE projects.**
- **With anticipated state and federal allocations in the coming SYIP, the Construction Funding available for distribution totals \$7.4 billion and averages \$1.2 billion annually.**
- **Given significant increase in funding, not prudent to use debt financing on an ongoing basis.**

Commonwealth Transportation Fund (CTF)

Preliminary Fiscal Years 2023 – 2028 Six-Year Financial Plan Overview

- ❑ The Six-Year Financial Plan (SYFP) identifies the planned funding for allocation to Highways, Rail, Transit, Ports, Aviation, DMV, and Space Flight
- ❑ The Recommended Fiscal Years 2023 – 2028 SYFP allocates \$51.0 billion
- ❑ Includes the use of bond proceeds totaling \$879 million, representing Route 58 Corridor Bonds and I-81 Debt Assumptions
- ❑ Transfers \$5.3 billion to the three regions for transportation improvements and \$818 million in dedicated revenue for WMATA Capital Fund
- ❑ Includes \$489 million of dedicated fuel tax revenue for the I-81 Corridor Improvements
- ❑ Dedicates \$14.9 billion for Maintenance and Operations
- ❑ Provides \$16.7 billion for Construction (*Funds for new IIJA programs currently assumed in Construction Program for planning purposes*)
 - Approximately \$3.2 billion of Construction Funding represents Local and Regional Funding for Projects

Commonwealth Transportation Fund Revised Fiscal Years 2023 – 2028 Six-Year Financial Plan Estimated Revenues (in millions)

	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2023-2028 Total	Previous FY 2022-2027	Difference
State Transportation Revenues									
Commonwealth Transportation Fund	\$ 4,674.4	\$ 4,628.4	\$ 4,694.0	\$ 4,721.8	\$ 4,759.4	\$ 4,805.0	\$ 28,283.0	\$ 28,284.0	\$ (1.0)
Prior year funding	191.4	-	-	-	-	-	191.4	536.0	(344.6)
Local & Regional Project Participation/Revenue	1,240.6	843.7	706.7	161.5	161.5	161.5	3,275.4	4,151.3	(875.9)
Other Fund Revenue	431.8	439.7	422.4	428.4	428.8	425.2	2,576.4	2,818.3	(242.0)
Total	6,538.2	5,911.8	5,823.1	5,311.7	5,349.7	5,391.7	34,326.2	35,789.6	(1,463.4)
Federal Revenues	1,669.9	1,589.7	1,617.9	1,646.7	1,547.4	1,577.4	9,649.0	9,691.6	(42.7)
Total Revenues	8,208.1	7,501.5	7,441.0	6,958.4	6,897.1	6,969.1	43,975.2	45,481.3	(1,506.1)
Other Financing Sources									
Interstate 81 Financing	-	258.2	-	-	394.6	-	652.8	856.5	(203.7)
GARVEE Bonds	-	-	-	-	-	-	-	721.4	(721.4)
Route 58	-	-	152.2	74.2	-	-	226.4	444.8	(218.4)
Total	-	258.2	152.2	74.2	394.6	-	879.2	2,022.7	(1,143.5)
Total Operating Revenues and Other Financing Sources	\$ 8,208.1	\$ 7,759.7	\$ 7,593.2	\$ 7,032.6	\$ 7,291.7	\$ 6,969.1	\$ 44,854.4	\$ 47,504.0	\$ (2,649.6)
Revenue Supporting Transfer Payments									
Regional Transportation Funds	872.4	863.8	881.7	886.9	892.3	897.9	5,295.0	5,161.4	133.6
WMATA Capital Fund Revenue	134.4	135.1	135.9	136.6	137.4	138.1	817.6	808.5	9.1
Grand Total	\$ 9,214.9	\$ 8,758.6	\$ 8,610.8	\$ 8,056.1	\$ 8,321.4	\$ 8,005.1	\$ 50,967.0	\$ 53,473.9	\$ (2,506.9)

Local & Regional Project Participation includes HRTAC's funding for the HRBT Expansion Project through FY 2025

Previous FY 2022 – 2027 reflect December 2021 Revision to allocate \$344.6 million in excess revenue dedicated to the PTF and January 2022 Revision, incorporating State and Federal Revenue Updates



Commonwealth Transportation Fund Revised Fiscal Years 2023 – 2028

Six-Year Financial Plan Estimated Allocations (in millions)

	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2023-2028 Total	Previous FY 2022-2027	Difference
Debt Service	\$ 385.7	\$ 428.3	\$ 413.7	\$ 416.3	\$ 428.2	\$ 394.4	\$ 2,466.5	\$ 2,740.5	\$ (273.9)
Other Agencies & Transfers	49.2	49.3	50.5	50.6	51.8	52.0	303.5	326.4	(23.0)
Maintenance & Operations	2,377.8	2,409.7	2,461.8	2,514.9	2,571.6	2,632.1	14,967.9	14,560.0	408.0
Administration & Other Programs	534.0	535.7	553.8	560.4	569.5	581.1	3,334.5	3,200.8	133.7
Toll Programs	97.6	99.3	100.9	102.5	104.1	104.1	608.4	575.5	33.0
Special Structures	80.0	81.3	82.9	84.7	86.7	88.8	504.4	475.6	28.8
Public Transportation	686.6	583.6	565.4	568.6	572.8	577.9	3,554.8	3,923.3	(368.6)
Virginia Passenger Rail Authority	305.2	192.9	208.4	205.2	201.8	205.7	1,319.1	1,418.5	(99.4)
DRPT Rail Assistance	17.0	14.8	14.9	15.0	15.0	15.1	91.8	93.2	(1.4)
DRPT Administration	26.1	23.5	23.9	24.0	24.2	24.5	146.2	147.2	(1.0)
Port Trust Fund	59.8	54.9	55.7	56.0	56.5	57.0	339.8	340.8	(0.9)
Airport Trust Fund	35.1	33.5	33.9	34.1	34.4	34.7	205.7	202.7	3.1
Commonwealth Space Flight Fund	23.4	21.9	22.2	22.3	22.5	22.7	134.9	165.4	(30.6)
Department of Motor Vehicles	30.4	21.9	22.2	22.3	22.5	22.7	142.0	149.5	(7.6)
Construction	3,460.8	3,169.7	2,943.6	2,316.1	2,490.6	2,116.9	16,497.8	18,941.6	(2,443.8)
Total Operating Programs	\$ 8,168.6	\$ 7,720.2	\$ 7,553.7	\$ 6,993.1	\$ 7,252.2	\$ 6,929.6	\$ 44,617.4	\$ 47,261.0	\$ (2,643.6)
Pass Through Programs									
WMATA Dedicated	153.9	154.6	155.4	156.1	156.9	157.6	934.6	931.5	3.1
Central Virginia Transportation Fund	198.9	197.5	201.4	202.8	204.5	206.5	1,211.6	1,180.2	31.4
Northern Virginia Transportation Authority Fund	399.3	393.9	402.0	404.0	405.7	407.1	2,412.0	2,353.1	58.9
Hampton Roads Regional Transit Fund	39.9	40.5	41.1	41.2	41.2	41.2	245.1	243.3	1.8
Hampton Roads Transportation Fund	254.3	251.9	257.2	258.9	260.9	263.1	1,546.3	1,504.8	41.5
Subtotal	1,046.3	1,038.4	1,057.1	1,063.0	1,069.2	1,075.5	6,349.6	6,212.9	136.7
Total	\$ 9,214.9	\$ 8,758.6	\$ 8,610.8	\$ 8,056.1	\$ 8,321.4	\$ 8,005.1	\$ 50,967.0	\$ 53,473.9	\$ (2,506.9)



Major Program Changes – Reminders from January Update

- ❑ Revenue Sharing Recommendations to advance funding previously provided in FYs 2025 and 2026 to FYs 2022-2024 (permissive budget language assumed adopted by General Assembly).
 - Upcoming allocations from years 3 and 4 of SYIP or FYs 2025 and 2026.

- ❑ New federal programs continue with modest growth after IIJA period

- ❑ Construction Formula Distribution - Fully implemented to codified distribution
 - State of Good Repair (30%)
 - High Priority Projects – SMART SCALE (20%)
 - Construction District Grant Program – SMART SCALE (20%)
 - Interstate Operations and Enhancement Program (20%)
 - Virginia Highway Safety Improvement Program (10%)

Major Program Changes – Reminders from January Update

- ❑ **Base rate of growth for VDOT’s Highway Maintenance and Operations Program is also used for Payments to Localities**
 - **CPI from FY 2022 to FY 2023 is 4.2%. Remaining years average 2.1%**

- ❑ **The Innovation and Technology Transportation Fund (ITTF) funding from the High Priority Projects Program is \$25 million annually, the maximum allowed under § 33.2-1531 of the Code of Virginia.**

- ❑ **Unpaved Roads funding is \$25 million annually from the District Grant Program, the maximum allowed under § 33.2-359 of the Code of Virginia**

Major Program Changes from Previous Assumptions

- Administrative Programs – Incorporated 5% pay raise in each fiscal year as most conservative planning option; await completed budget work of General Assembly**
- Providing \$5 million for City Street Payments Evaluation in Ground Transportation Planning and Research Program area**

Assumptions for Highway Construction Programs

State of Good Repair

	(in millions)						
	2023	2024	2025	2026	2027	2028	TOTAL
State of Good Repair Allocation	\$363.7	\$350.9	\$381.0	\$377.9	\$372.6	\$373.1	\$2,219.2
<i>Difference from June 2021 SYIP Assumptions</i>	96.4	116.4	135.2	119.8	128.1	373.1	968.9

Assumptions for Highway Construction Programs

SMART SCALE

	(in millions)						
	2023	2024	2025	2026	2027	2028	TOTAL
High Priority Projects Program (HPP)	\$258.7	\$234.0	\$254.0	\$251.9	\$248.4	\$248.8	\$1,495.7
<i>Difference from June 2021 SYIP Assumptions</i>	<i>(6.3)</i>	<i>15.1</i>	<i>23.1</i>	<i>11.3</i>	<i>10.2</i>	<i>248.8</i>	\$302.8
District Grant Program (DGP) - Includes Supplemental DGP Funding from Fuel Tax Revenue	348.2	339.4	360.2	358.9	356.9	359.3	2,122.8
<i>Difference from June 2021 SYIP Assumptions</i>	<i>(18.9)</i>	<i>15.3</i>	<i>22.2</i>	<i>9.0</i>	<i>7.7</i>	<i>359.3</i>	394.6
Grand Total – SMART SCALE	\$606.9	\$573.3	\$614.1	\$610.8	\$605.3	\$608.0	\$3,618.5
<i>Difference from June 2021 SYIP Assumptions</i>	<i>(25.2)</i>	<i>30.4</i>	<i>45.4</i>	<i>20.3</i>	<i>18.6</i>	<i>608.0</i>	697.4

Total Funding available includes \$25 million for ITTF annually within HPP. Total Funding available includes \$25 million annually for Unpaved Roads in DGP

Assumptions for Highway Construction Programs

Interstate Operations and Enhancement Program (IOEP)

	(in millions)						
	2023	2024	2025	2026	2027	2028	TOTAL
Interstate 81 – Fuel Tax (after Debt Service/Planned Reserves)	73.1	62.8	74.7	72.8	59.3	74.9	\$417.5
NVTA	20.3	19.7	21.3	21.2	20.9	20.9	\$124.2
IOEP Construction Distribution							
Interstate 81	105.4	102.2	111.0	110.0	108.5	108.7	\$645.7
Interstate 95	39.8	38.6	41.9	41.5	41.0	41.0	\$243.7
Interstate 64	28.5	27.6	30.0	29.8	29.4	29.4	\$174.7
Interstate Improvements	47.3	45.9	49.8	49.4	48.7	48.8	\$289.9
Total for IOEP Construction Distribution	\$221.0	\$214.3	\$232.6	\$230.8	\$227.5	\$227.9	\$1,354.0
<i>Difference from June 2021 SYIP Assumptions</i>	77.6	71.1	82.6	73.1	78.2	227.9	\$610.4

Assumptions for Highway Construction Programs

Virginia Highway Safety Improvement Program

	(in millions)						
	2023	2024	2025	2026	2027	2028	TOTAL
Safety Allocation	\$145.6	\$117.0	\$127.0	\$126.0	\$124.2	124.4	\$764.1
<i>Difference from June 2021 SYIP Assumptions</i>	79.6	38.8	45.1	39.9	42.7	124.4	370.5

Next Steps

- ❑ **Monitor updated guidance and information from FHWA related to IIJA**
- ❑ **Derive cost estimates for implementation of VTrans Strategic Actions and identify appropriate funding sources**
- ❑ **Monitor continued actions by 2022 General Assembly Special Session and impact to transportation funding**
- ❑ **Draft Budget and SYIP Recommendations planned for April CTB Meeting**

CTB Legislative Report

	Bill Number/Bill Points	Status
AGENCY BILL	<p>HB 386 / SB 131: Potomac River Bridge Towing Compact. (Sullivan, R./ Favola, B.) Adds the Arland D. Williams, Jr. Memorial Bridge to the Potomac River bridges subject to the Potomac River Bridge Towing Compact to facilitate the prompt and orderly removal of disabled and abandoned vehicles from the bridges by giving the District of Columbia, Maryland, and Virginia appropriate authority anywhere on the bridges. The effective date of this amendment to the Compact is contingent upon enactment of substantially similar legislation by the State of Maryland and the District of Columbia. The bill contains technical amendments. (VDOT AGENCY BILL)</p>	<p>HB 386: Passed House (99-Y, 0-N) and Senate (39-0); Enrolled; Approved by Governor - Chapter 6 (effective - see bill)</p> <p>SB 131: Substitute Passed Senate (40-Y, 0-N); Passed House (99-Y, 0-N); Enrolled; Gov action deadline: April 11</p>
CTB REGS	<p>HB 275: CTB; regulations; secondary street acceptance. (Coyner, C.) Requires the regulations adopted by the CTB regarding connectivity of highway and pedestrian networks with transportation networks during secondary street acceptance to include flexibility to limit the number of such connections to adjacent property or highway networks. The bill requires VDOT to convene a stakeholder advisory group to develop and provide recommended amendments to such regulations. Findings and recommended amendments are due to Board for adoption prior to June 1, 2023.</p>	<p>Amended, Passed House (98-Y, 0-N); Passed Senate (40-0); Enrolled; Gov action deadline: April 11</p>

CTB Legislative Report

	Bill Number/Bill Points	Status
DRPT	<p>HB 142: Transit Ridership Incentive Program; amount of funds to be used to establish programs (McQuinn, D.) Changes from a maximum of 25 percent to a minimum of 25 percent the percentage of Transit Ridership Incentive Program (TRIP) funds required to be used to support the establishment of programs to reduce the impact of fares on low-income individuals. The bill requires at least 25 percent of TRIP funds to be used to support regional transit initiatives and provides that the Commonwealth Transportation Board has the discretion to allocate the remaining funds available as authorized by law and based on the programs and initiatives submitted during the application process.</p>	Passed House (92-Y, 8-N); Passed Senate (30-Y, 10-N); Enrolled; Gov action deadline April 11
	<p>SB 281: Transit buses; exempts a manufacturer, etc. engaged in distribution from certain requirements (Ebbin, A.) Exempts a manufacturer engaged in the manufacture or distribution of transit buses from the requirements of obtaining a license from DMV to engage in business. The bill also exempts transit buses from dealer's license plate and temporary license plate requirements.</p>	Amended, Passed Senate (40-Y, 0-N); Amended, Passed House (99-Y, 0-N); Senate agreed to House amendment (39-Y, 0-N); Enrolled
	<p>SB 342: Transit Ridership Incentive Program; use of funds for reduced-fare or zero-fare transit programs (Barker, G.) Directs the CTB to use at least 25 percent of the funds available for the Transit Ridership Incentive Program for grants to fund reduced-fare or zero-fare transit projects. Under current law, the amount that may be used for such programs is capped at 25 percent. The bill provides that funds awarded for reduced-fare or zero-fare transit projects shall not be included in the requirement that funds be awarded in accordance with a statewide equitable ratio.</p>	Passed Senate (40-Y, 0-N); Amended, Passed House (80-Y, 19-N); Senate agreed to House amendment (39-Y, 0-N); Enrolled
	<p>SB 725: Virginia Passenger Rail Authority; membership (Pillion, T.) Changes makeup of board membership by having one member from Planning Districts 3 or 4 and one member from Planning Districts 5, 9, 10, or 11. Currently, two members are from Planning Districts 5, 9, 10, or 11.</p>	Passed Senate (38-Y, 0-N); Amended, Passed House (98-Y, 0-N); Senate agreed to House amendment (39-Y, 0-N); Enrolled

CTB Legislative Report

	Bill Number/Bill Points	Status
EMINENT DOMAIN	SB 9: Eminent domain; payment of judgment; attorney fees. (Petersen, J.) Provides for attorney fees to be awarded in eminent domain cases in which there is a judgment for a property owner if such judgment is not paid within the time required by law.	Amended, Passed Senate (40-Y, 0-N); Amended, Passed House (100-Y, 0-N); House amendment agreed to by Senate (40-Y, 0-N); Enrolled
	SB 666: Eminent domain; lost profits. (Petersen, J.) Redefines "lost profits" for the purposes of determining just compensation in eminent domain cases and limits current prohibition against compensation for inverse condemnation claims involving temporary interruption of or interference with business or farm operations.	Substitute Passed Senate (40-Y, 0-N); Substitute Passed House (99-Y, 1-N); House substitute agreed to by Senate (39-Y, 0-N); Enrolled

CTB Legislative Report

	Bill Number/Bill Points	Status
EMINENT DOMAIN (Cont.)	<p>SB 694: Eminent domain. (Obenshain, M.) Makes various changes to the laws pertaining to condemnation procedures, including (i) providing that localities shall not condition or delay the timely advancement or approval of any application for or grant of any permit or other approval for real property for the purpose of allowing the condemnation or acquisition of the property; (ii) requiring a condemnor to provide the property owner with a copy of its title report and all recorded instruments found in the title examination; (iii) requiring the clerk of court, when funds are paid into the court during a condemnation proceeding, to deposit such funds into an interest-bearing account; (iv) requiring the court to order the condemnor to reimburse the property owner for the reasonable costs and fees, not to exceed \$7,500, for a survey (under current law, this amount is capped at \$1,000); (v) requiring temporary construction easements to have an expiration date included in the recorded certificate and requiring condemnors to record a certificate of completion within 90 days upon completion of construction of any public use project for which a portion of private property was taken; (vi) requiring that a condemnor who has been sued for just compensation pursuant to a "quick-take" condemnation procedure to reimburse the property owner for his fees and costs incurred in filing the petition; and (vii) permitting the owner of property that the Commissioner of Highways has taken to petition the circuit court for the appointment of commissioners or the empanelment of a jury to determine just compensation under certain circumstances and requiring the Commission of Highways to reimburse the owner for his fees and costs incurred in filing the petition. The bill also amends the definition of lost access.</p>	Substitute Passed Senate (38-Y, 0-N); Substitute Passed House (52-Y, 46-N); House substitute rejected by Senate (18-Y, 20-N); Conference Report agreed to by Senate (32-Y, 8-N) and House (63-Y, 34-N)

CTB Legislative Report

	Bill Number/Bill Points	Status
<p>PROCUREMENT</p>	<p>HB 429 / SB 225: Procurement; architectural and professional engineering term contracting. (Bulova, D. /McPike, J.) Provides that the sum of all projects performed in an architectural and professional engineering contract term shall not exceed \$10 million, and the fee for any single project shall not exceed \$2.5 million. The bill allows a contract for multiple architectural or professional engineering projects to be renewable for up to three additional terms at the option of the public body. Current law limits the sum of all projects performed in a one-year contract term to \$750,000, with up to four additional one-year terms at the option of the public body, and limits the fee for any single project to \$150,000, with specific exceptions to those limits, including a limit for total projects for rail projects of \$5 million and for highway projects, \$8 million. The bill also removes specific agency and locality exceptions to such current limits. Includes an enactment clause that the provisions of this act shall apply to any contract for which the solicitation was issued on and after July 1, 2022.</p>	<p>HB 429: Substitute Passed House (99-Y, 0-N); Amended, Passed Senate (40-Y, 0-N); Senate amendment agreed to by House; Enrolled; Gov action deadline: April 11</p> <p>SB 225: Passed Senate (38-Y, 0-N); Amended, Passed House (99-Y, 0-N); House amendment agreed to by Senate; Enrolled; Gov action deadline: April 11</p>

CTB Legislative Report

	Bill Number/Bill Points	Status
PROCUREMENT (Cont.)	<p>SB 575: DGS; Use of total cost of ownership calculations. (Mason, T.)</p> <p>Requires DGS, beginning October 1, 2022, to procure a total cost of ownership calculator prior to procuring any vehicles. Beginning January 1, 2023, DGS and all agencies of the Commonwealth shall utilize the calculator prior to purchasing or leasing vehicles and to purchase electric vehicles unless the calculator clearly indicates that purchasing or leasing an internal combustion-engine vehicle has a lower cost of ownership. The bill requires DGS to provide technical assistance to all public bodies in the use of such calculator. The bill requires DGS to report a summary of such procurements to the Governor and the General Assembly by January 1, 2026, and every three years thereafter. The bill exempts emergency vehicles and vehicles used by agencies of the Commonwealth for law-enforcement, incident response, or other emergency response activities from its provisions. Includes an enactment clause to have the DGS Public Body Procurement Workgroup evaluate the appropriateness of requiring DGS and all agencies to use a total cost of ownership calculator to, prior to purchasing or leasing any medium-duty or heavy-duty vehicle, assess and compare the total cost to purchase, own, lease, and operate medium-duty or heavy-duty internal combustion-engine vehicles versus comparable electric vehicles. Report due by December 1, 2022 to the Chairs of House General Laws and Senate General Laws and Technology.</p>	<p>Substitute Passed Senate (40-Y, 0-N); Substitute Passed House (99-Y, 0-N); House substitute agreed to by Senate (39-Y, 0-N); Enrolled</p>

CTB Legislative Report

	Bill Number/Bill Points	Status
RESILIENCY	<p>HB 516 / SB 551: Flood resiliency and protection. (Bulova, D. / Marsden, D.) Implements recommendations from the first Virginia Coastal Resilience Master Plan. The bill provides guidelines for the development of a Virginia Flood Protection Master Plan for the Commonwealth and requires that the Coastal Resilience Master Plan be updated by December 31, 2022, and every five years thereafter. The bill establishes the Virginia Coastal Resilience Technical Advisory Committee to assist with the updates and requires the development of a community outreach and engagement plan to ensure meaningful involvement by affected and vulnerable community residents. Commissioner of Highways and Director of VTRC shall serve on the Committee. The Committee shall meet quarterly. The bills also require that the Chief Resilience Officer report every two years, beginning July 1, 2023, on the status of flood resilience/flood resilience planning in the Commonwealth, reporting on an evaluation of flood protection for critical human and natural infrastructure and the risks to, among other things, critical transportation infrastructure.</p>	<p>HB 516: Amended, Passed House (100-Y, 0-N); Passed Senate (27-Y, 12-N); Enrolled; Gov action deadline: April 11</p> <p>SB 551: Substitute Passed Senate (24-Y, 16-N); Amended, Passed House (98-Y, 0-N); House amendment agreed to by Senate (32-Y, 7-N); Enrolled</p>
	<p>HB 517: Chief Resilience Officer. (Bulova, D.) Clarifies the designation and role of the Chief Resilience Officer from under the responsibility of the Secretary of Public Safety and Homeland Security to the Secretary of Natural and Historic Resources and adds provisions related to the role of the Chief Resilience Officer in creating and overseeing the implementation of a Virginia Flood Protection Master Plan and a Virginia Coastal Resilience Master Plan. Under current law, the Secretary of Natural and Historic Resources is designated the Chief Resilience Officer. Also requires that the Chief Resilience Officer report every two years, beginning July 1, 2023, on the status of flood resilience/flood resilience planning in the Commonwealth, reporting on an evaluation of flood protection for critical human and natural infrastructure and the risks to, among other things, critical transportation infrastructure. This is a Chesapeake Bay Commission initiative.</p>	<p>Passed House (100-Y, 0-N); Passed Senate (39-Y, 0-N); Enrolled</p>

CTB Legislative Report

	Bill Number/Bill Points	Status
SAFETY	<p>HB 793 /SB 450: Traffic incident management vehicles. (LaRock, D. / Boysko, J.) Authorizes traffic incident management vehicles, defined in the bill, operated by persons who complete certain training and recertification requirements to be equipped with flashing red or red and white secondary warning lights.</p>	<p>HB 793: Substitute Passed House (98-Y, 0-N); Amended, Passed Senate (29-Y, 11-N); Senate amendment agreed to by House; Enrolled; Gov action deadline: April 11</p> <p>SB 450: Amended, Passed Senate (30-Y, 10-N); Passed House (100-Y, 0-N); Enrolled; Gov action deadline: April 11</p>
TAX	<p>HB 90: Sales tax; exemption for food purchased for human consumption and essential personal hygiene products. (McNamara, J.) Exempts food purchased for human consumption and essential personal hygiene products (the grocery tax) from all state, regional, and local sales taxes. The bill dedicates state sales tax revenue to provide a supplemental school payment to counties and cities. For fiscal year 2023, the payment is the county or city's fiscal year 2022 distribution of revenue from the grocery tax. For fiscal year 2024 and after, the payment is the previous year's payment multiplied by the county or city's local sales tax index, defined in the bill as the ratio by which sales tax revenues in a county or city for the current year exceed the previous year's revenues.</p>	<p>Substitute Passed House (80-Y, 20-N); Substitute passed Senate (38-Y, 2-N); Senate Substitute rejected by House; in Conference Committee; Continued to 2022 Special Session I</p>
	<p>HB 1155: Sales and use tax; media-related exemptions. (Byron, K.) Makes changes to the sales and use tax exemption for amplification, transmission, and distribution equipment used to provide Internet services. Under the bill, the exemption would apply to network equipment used to provide Internet service, regardless of whether the provider of such service is also a telephone common carrier or whether such network is also used to provide services other than Internet services.</p>	<p>Passed House (96-Y 0-N 1-A); Passed Senate (39-Y, 0-N, 1-A); Enrolled</p>

CTB Legislative Report

	Bill Number/Bill Points	Status
STUDIES	<p>HB 66: Use of utility vehicles on secondary roads. (Edmunds, J.) Provides that a person with a valid driver's license and insurance may operate a utility vehicle equipped with certain equipment on secondary roads located in counties with a population of 100,000 or less. This bill was left in House Transportation Committee but a letter seeking study of the issues is anticipated.</p>	Referred to House Transportation Sub #3: Highway Safety and Policy; recommends laying on the table; Left in House Transportation Committee
	<p>HB 482: VDOT; performance standards for review of certain plans. (Austin, T.) Directs VDOT to adopt performance standards for review and approval of subdivision and commercial development plans by January 1, 2025. The bill requires the Commissioner of Highways to gather and tabulate information to support development of the performance standards and submit a report of original standards developed to the Chairman of the CTB.</p>	Amended, Passed House (98-Y, 0-N); Passed Senate (40-0); Enrolled; Gov action deadline: April 11
	<p>HB 546: Transportation safety funding. (Roem, D.) Provides that for any year in which there is a surplus, the Governor shall include in his proposed budget an appropriation of 10 percent of such surplus for the Transportation Safety Fund, created by the bill, for the purpose of funding projects that would improve transportation safety, implement safe system approach designs, improve high accident risk areas, and create safer options for pedestrians and bicyclists. The bill directs the Secretary of Transportation to establish a process for soliciting, reviewing, and selecting project submissions by local governing bodies. This bill was left in House Transportation Committee but a letter seeking study of the issues is anticipated.</p>	Referred to House Transportation Sub #2: Transportation Infrastructure and Funding; recommends passing by with letter; Left in House Transportation Committee

CTB Legislative Report

Bill Number/Bill Points	Status
<p>STUDIES (Cont.)</p> <p>HB 567 / SB 522: Toll Relief Program; eligibility. (Scott, D. / Lucas, L.) Requires VDOT to expand eligibility for the Toll Relief Program for the tolls on the Downtown and Midtown Tunnels to residents of the Cities of Portsmouth and Norfolk with an income of \$45,000 or less per year. The bill requires that all eligible residents receive the same toll relief regardless of income level. The bill provides that funding for the additional toll relief shall be paid by the Commonwealth from the federal American Rescue Plan Act (ARPA), as possible, and any costs not covered by the ARPA shall be the responsibility of the Commonwealth. The bill expires on January 1, 2025. This bill was continued to 2023 and a letter seeking study of the issues is anticipated.</p>	<p>HB 567: Continued to 2023 in House Transportation Committee</p> <p>SB 522: Continued to 2023 in Senate Finance and Appropriations Committee</p>
<p>HB 707: Smart Scale; resiliency. (Keam, M.) Adds resiliency, defined in the bill, to the list of factors to be considered during the statewide transportation funding prioritization process commonly known as SMART SCALE. The bill also requires that the factors of congestion mitigation, economic development, accessibility, safety, resiliency, and environmental quality be considered relative to the anticipated life-cycle cost of the project or strategy under consideration. This bill was left in House Transportation Committee and a letter seeking study of the issues/SMART Scale is anticipated.</p>	<p>Referred to House Transportation Sub #2: Transportation Infrastructure and Funding; recommends laying on the table; Left in House Transportation Committee</p>
<p>HB 859 / SB 445: Roadways operating under the Virginia Highway Corporation Act of 1988 to operate under PPTA. (Reid, D. / Boysko, J.) Directs the Commissioner of Highways to evaluate whether it is in the public interest for any roadway operated pursuant to the Virginia Highway Corporation Act of 1988 (HCA) to operate instead under the authority and requirements provided by PPTA. The bill authorizes the Commissioner, if he determines it is in the public interest for any such roadway to operate under the PPTA and if the Secretary of Transportation and the Transportation Public-Private Partnership Steering Committee concur, to negotiate and execute a new comprehensive agreement with the operator of such roadway to operate under the authority and requirements provided by the PPTA. The bill has an expiration date of January 1, 2024. The bill was continued to 2023 and a letter requesting study/review is anticipated.</p>	<p>HB 859: Continued to 2023 in House Transportation Committee</p> <p>SB 445: Continued to 2023 in Senate Transportation Committee</p>

CTB Legislative Report

	Bill Number/Bill Points	Status
<p>STUDIES (Cont.)</p>	<p>HB 1113: Transportation funding; statewide prioritization process. (LaRock, D.) Sets additional requirements by which projects or strategies submitted through the SMART SCALE Prioritization Process are evaluated and prioritized for funding in the Six-Year Improvement Program. The bill would set a minimum weighting threshold for congestion mitigation as part of the scoring process in the Northern Virginia and Hampton Roads districts. The bill would modify the project selection process to ensure that the process for selecting projects for funding through the High Priority Projects Program and the Construction District Grant Program remain completely separate. In the Construction District Grant Program, projects would be required to receive both a district specific score as well as an overall score. This bill was stricken in anticipation of a letter seeking study of the issues/SMART Scale.</p>	<p>Stricken in House Transportation Committee</p>
	<p>SB 220: State of good repair funds. (McPike, J.) Makes bridges with a general condition rating of no greater than five eligible for state of good repair funding. Under current law, structurally deficient bridges and highways with deficient pavement conditions are eligible for state of good repair funds. The bill eliminates the minimum and maximum percentage of the state of good repair funds that each construction district can receive. The bill was continued to 2023 in response to the Secretary's letter advising of a review.</p>	<p>Continued to 2023 in Senate Transportation Committee</p>
	<p>SB 272: Climate impact of concrete; report. (Hashmi, G.) Directs DGS to convene a stakeholder work group to review the climate impact of concrete and recommend policies and practices to incentivize the reduction of air emission impact of the production of concrete procured by state agencies for state-funded projects. One representative from VDOT shall serve on the work group. The work group and DGS shall submit a report and public comments to the Governor and Chairs of House Agriculture, Chesapeake and Natural Resources and Senate Agriculture, Conservation and Natural Resources Committees no later than November 1, 2023. This bill was left in House ACNR Committee but a letter asking DGS and VDOT to review/study the issues is anticipated.</p>	<p>Substitute Passed Senate (22-Y, 18-N); Left in House Agriculture, Chesapeake and Natural Resources Committee</p>

CTB Legislative Report

	Bill Number/Bill Points	Status
STUDIES (Cont.)	<p>SB 333: Establishment of speed limits; local authority. (Bell, J.) Authorizes localities to reduce speed limits on any highway in the locality, provided that such speed limit is indicated by lawfully placed signs. Current law authorizes localities to reduce the speed limit to less than 25 miles per hour, but not less than 15 miles per hour, on highways within its boundaries that are located in a business district or residence district, provided that such reduced speed limit is indicated by lawfully placed signs. A letter from the Senate Transportation Chair requesting study of the issues is anticipated.</p>	Stricken at the request of the patron in Senate Transportation Committee