



# Northern Virginia Transportation Commission

## *2008 Legislative Agenda*



## State Funding

### *NVTC calls upon the General Assembly to:*

1. Recognize that NVTC's top priority is to protect the significant gains in state and regional funding for public transportation achieved during the 2007 General Assembly session. NVTC will also remind legislators that the commonwealth still falls far short of reaching its statutory target of 95 percent state funding of eligible net transit operating and capital costs. Another \$120 million was needed for FY 2008 for NVTC and VRE if the state intended to meet its statutory target. These funds would have paid for VRE locomotives and many other needed public transit investments.
2. Any proposed changes to the regional funding provisions of H.B. 3202 should be coordinated with Northern Virginia's jurisdictions in advance. Those Northern Virginia jurisdictions are not proposing any such changes.
3. If revenue is reduced or removed from the package of statewide transportation funding sources (e.g. abuser fees), the General Assembly must substitute at least as much revenue from another appropriate source to restore full funding.
4. NVTC favors the full participation of local governments in regional transit partnerships. As new transportation districts and authorities are created with the ability to collect new regional revenue sources, ensure that member jurisdictions adequately fund the transit systems serving their residents. For example, local jurisdictions whose residents use the Virginia Railway Express commuter rail system should be required to pay their fair share of VRE expenses.
5. Liability insurance is a significant expense for all of Virginia's transit systems. The General Assembly should require a study of effective remedies, including consideration of caps on liability. The General Assembly passed HB 371 in 2006 that caps liability for rail passenger accidents. Some details still need to be worked out. If additional protection is provided for freight railroads, those railroads should be: 1) compelled to offer access to their facilities to public rail passenger services on terms that are fair to all parties; and 2) with due consideration of federal liability limits, prohibited from demanding levels of insurance that exceed the state cap.
6. Fair terms of public passenger rail access should also be required for any state funding provided for the benefit of freight railroads.
7. In order to promote the safety and security of transit customers, employees and pedestrians, NVTC supports legislation to make it illegal for pedestrians to cross railroad tracks against warning signals. Also drivers should be required to stop for pedestrians in marked crosswalks on roads with posted speed limits of 35 miles per hour or less.
8. In considering legislation to boost energy conservation, the General Assembly should include measures to promote transit use and ensure that up to 20% of funding is available for energy efficient public transportation, since each person using public transit instead of driving alone saves an average of 273 gallons of gasoline per year.



9. PRTC has drafted legislation to compel the Virginia Department of Taxation to provide more information on collection of the regional two percent motor fuels tax to PRTC and NVTC. Also no compromise or settlement with a taxpayer shall be finalized by the Tax Commissioner without the consultation and consent of the relevant transportation district. The commissions' executive directors would be authorized to disclose to their board members the information received from the Tax Commissioner, subject to existing statutory safeguards. While NVTC appreciates the reasons for PRTC's action, NVTC is concerned that opening up its gas tax legislation for such amendments could have unintended consequences.
10. Ensure that additional state funding to address the adverse effects of the recommendations of the Base Realignment and Closure Commission (BRAC) includes an adequate amount to improve public transit and transportation demand management.
11. Examine changes in the Public-Private Transportation Act to create a more transparent process with greater local government involvement in decision making.
12. The Northern Virginia Transportation Commission asks the General Assembly to equalize the per diem payments allowed for its board members so that local and state elected officials earn identical payments for attending NVTC meetings.



## Federal

### *NVTC asks Congress and the President to:*

1. Provide at least \$1.5 billion for WMATA's unfunded capital needs over and above Metro Matters, with at least \$150 million annually to be matched 50/50 by non-federal sources. Federal legislation should actually dedicate funds, not just authorize federal funds and mandate state/local dedication. Direct participation in the governance of WMATA must be based on participation by the federal government as a funding partner. The \$1.5 billion of dedicated funding should result in one federal WMATA board member as long as the funding is provided. If the federal government agrees to participate as a full funding partner to the same extent as the current state and local partners, then the federal government should qualify for two voting members.
2. NVTC favors additional federal earmarks for WMATA's and VRE's top capital needs (e.g. capital improvements and locomotives, respectively) and for mitigating the adverse effects of the BRAC recommended actions through public transit and other means.
3. NVTC favors those provisions of S294, the Passenger Rail Investment and Improvement Act of 2007, which reauthorize Amtrak (VRE's contract operator), enable new federal grants in aid for rail corridor improvements, and authorize the Surface Transportation Board to investigate whether failure to achieve minimum passenger train performance is due to freight interference.
4. The federal cap on commuter rail liability should be broadened at a level no greater than \$200 million per occurrence to include third party protection for freight railroads on which commuter systems operate.
5. In the event of a strike against Amtrak, NVTC favors emergency legislation that would require employees to return to work so that VRE service could continue uninterrupted. This would insure that the 15,000 average daily trips served by VRE would not spill onto the region's already congested roads.

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