COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

1401 East Broad Street - Policy Division - CTB Section - #1106
Richmond, Virginia 23219

(804) 786-1830
Fax: (804) 225-4700

Agenda item # 2

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

December 18, 2008

MOTION

Made By: Mr. Dickens Seconded By: Mr. Schwartz
Action: Motion Carried, Unanimously

Title: Adoption of Secondary Street Acceptance Requirements (24 VAC 30-92)

WHEREAS, Chapter 382 of the Acts of Assembly of 2007 requires the Commonwealth Transportation Board (CTB) to develop Secondary Street Acceptance Requirements (SSAR) to determine the conditions and standards that must be met before streets constructed by developers, localities, and entities other than the Virginia Department of Transportation (VDOT) will be accepted into the state secondary system for maintenance by VDOT; and

WHEREAS, Chapter 382 of the Acts of Assembly of 2007 provides that the regulations shall include, but not be limited to (i) requirements to ensure the connectivity of road and pedestrian networks with the existing and future transportation network, (ii) provisions to minimize stormwater runoff and impervious surface area, and (iii) provisions for performance bonding of new secondary streets and associated cost recovery fees; and

WHEREAS, the purpose of these and other provisions in the regulation is to improve the effectiveness of the overall regional and local transportation network; reduce reliance on arterial roadways for local trips; provide direct and alternative routes for emergency service providers; reduce subdivision street widths, where appropriate; and recover VDOT's costs related to street acceptance; and

WHEREAS, this regulatory action is exempt from the Administrative Process Act (§2.2-4000 et seq. of the *Code of Virginia*); however, Chapter 382 of the Acts of Assembly of 2007 requires that the CTB consider public comment in the development of this regulation; and

WHEREAS, to this end, the CTB published a Notice of Intended Regulatory Action (NOIRA) on June 11, 2007 to solicit public input; and

WHEREAS, the proposed regulation was published in the *Virginia Register* on April 14, 2008, four public hearings were held throughout the state, and public comments were received through June 30, 2008; and

WHEREAS, outreach with localities and developers in each district has been ongoing; and

WHEREAS, public comments received during the public comment periods and from the public hearings have been taken into account by a technical team and an implementation advisory committee working under the direction of the Secretary of Transportation and the CTB in drafting a final regulation.

NOW THEREFORE BE IT RESOLVED, that the Commonwealth Transportation Board hereby adopts the Secondary Street Acceptance Requirements (24 VAC 30-92) attached hereto to become effective January 1, 2009 in accordance with Chapter 382 of the Acts of Assembly of 2007.

BE IT FURTHER RESOLVED, the Commonwealth Transportation Board hereby delegates to the Commissioner and his designees, the authority to accept into the secondary system of state highways those streets developed in accordance with the Secondary Street Acceptance Requirements.

BE IT FURTHER RESOLVED, that the Secretary of Transportation shall form a committee to monitor the implementation of this regulation.

BE IT FURTHER RESOLVED, that such committee provide the Board with a report on the status of implementation of the Secondary Street Acceptance Requirements three years after the effective date of the regulation's adoption.

###