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 # 4

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

November 19, 2009

MOTION

Made By: Dr. Davis Seconded By: Ms. Pandak Action: Motion Carried, Unanimously

Title: Approval of Cooperative Agreement Between the Virginia Department of Transportation (VDOT) and the National Transportation Library, Research And Innovative Technology Administration (NTL/RITA)

WHEREAS, since 1948, the Virginia Transportation Research Council (VTRC), the research division of the Virginia Department of Transportation (VDOT), has produced approximately 2,000 research reports, and continues to produce roughly 35-60 research reports per year; and

WHEREAS, the National Transportation Library (NTL) was established in 1998 by the Transportation Equity Act for the 21st Century with the mission "to increase timely access to the information that supports transportation policy, research, operations, and technology transfer activities"; and

WHEREAS, the NTL is administered by the Bureau of Transportation Statistics, part of the Research and Innovative Technology Administration (RITA) within the U.S. Department of Transportation; and

WHEREAS, to further the goal of increasing access to transportation-related information, VDOT and NTL have proposed to enter a cooperative agreement under which VTRC would provide NTL with electronic copies of its research reports which NTL would publish on its website for public access and preservation; and

WHEREAS, the cooperative agreement is the first of its kind in the nation, and NTL hopes to replicate this model partnership with the other 49 states to build a comprehensive collection of transportation research; and

WHEREAS, the cooperative agreement includes a license granted by the Commonwealth of Virginia to NTL to disseminate and preserve copies of the VTRC reports; and

WHEREAS, in accordance with the requirements of Executive Memorandum 4-95, Secretary of Administration Viola O. Baskerville approved the license on March 19, 2008, contingent upon approval of the agreement by the Office of the Attorney General, which was obtained by VDOT on December 9, 2008; and

WHEREAS, the license is non-transferable and nonexclusive, the Commonwealth will receive no royalty or other payments from NTL in exchange for NTL's use of the VTRC reports, and NTL's use of the VTRC reports is restricted to non-revenue generating activities; and

WHEREAS, because the agreement is between VDOT and a division of the U.S. Department of Transportation, pursuant to the provisions of § 33.1-12 (5) of the *Code of Virginia*, which provides the Board with the authority to enter into contracts and agreements with the U.S. government, the agreement must be approved by the Board before it is executed by the Commonwealth Transportation Commissioner.

NOW THEREFORE BE IT RESOLVED, that the Commonwealth Transportation Board hereby authorizes the Commonwealth Transportation Commissioner or his designee to enter into a cooperative licensing agreement, and approve any amendments thereto, with the National Transportation Library, Research and Innovative Technology Administration (NTL/RITA) concerning NTL/RITA's use and dissemination of VTRC reports.

###