COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

(804) 482-5818
Fax: (804) 786-2940

COMMONWEALTH TRANSPORTATION BOARD
WORKSHOP AGENDA

Hilton Norfolk The Main
100 East Main Street
Norfolk, VA 23510
October 22, 2024
8:30 a.m.

1. Washington Metropolitan Area Transit Authority Annual Update
   Randy Clarke, WMATA General Manager
   Paul Smedberg, WMATA Board Member
   Matt Letourneau, WMATA Board Member

2. Highway System Changes - Abandonments and Discontinuances
   Robert Hofrichter, Virginia Department of Transportation

3. Regulatory Reduction Program & Proposed Regulatory Amendments General Rules and Regulations of the Commonwealth Transportation Board (24VAC30-21), Rules and Regulations for the Administration of Waysides and Rest Areas (24VAC30-50), and Rules and Regulations for the Administration of Parking Lots and Environs (24VAC30-100)
   Robert Hofrichter, Virginia Department of Transportation

4. Regulatory Reduction Program & Proposed Regulatory Amendments Rules and Regulations Governing the Transportation of Hazardous Materials Through Bridge-Tunnel Facilities (24VAC30-61)
   Jo Anne Maxwell, Virginia Department of Transportation

5. Annual Maintenance and Operations Comprehensive Review Update
   Kevin Gregg, Virginia Department of Transportation

6. Bipartisan Infrastructure Law - Bridge Formula Work Accomplishments
   Greg Henion, Virginia Department of Transportation

7. Powhite Parkway Project – Purpose and Need Briefing
   Scott Smizik, Virginia Department of Transportation

8. Nimmo Parkway – Purpose and Need Briefing
   Scott Smizik, Virginia Department of Transportation

9. VTrans
   Jitender Ramchandani, Office Intermodal Planning and Investment

10. SMART SCALE
    Brooke Jackson, Office of Intermodal Planning and Investment

11. SMART SCALE Project Change Process
    Kimberly Pryor, Virginia Department of Transportation

12. SMART SCALE Proposed PROJECT CANCELLATION
    Emmet Street Multimodal Phase 2 (UPC 118867)
    Culpeper District
    Kimberly Pryor, Virginia Department of Transportation

13. Authorization for the Commissioner of Highways to Enter into an Agreement between VDOT and the Capital Region Airport Commission
    Dale Totten, Virginia Department of Transportation

14. Virginia's National Electric Vehicle Infrastructure Program Award
    Chris Berg, Virginia Department of Transportation

15. Policy Index Review
    Jo Anne Maxwell, Virginia Department of Transportation

16. Director's Items
    Zach Trogdon, Virginia Department of Rail and Public Transportation

17. Commissioner's Items
    Stephen Brich, Virginia Department of Transportation

18. Secretary's Items
    Shep Miller, Secretary of Transportation

# # #

Washington Metropolitan
Area Transit Authority

October 22, 2024

WMATA Update

Paul Smedberg, Vice Chair, WMATA Board of Directors

Matt Letourneau, Chair, WMATA Board Finance and Capital Committee

Randy Clarke, General Manager and CEO, WMATA



Metro At-A-Glance

CAPITAL BUDGET
$2.6B

OPERATING BUDGET *
$2.4B

$5.0B
TOTAL BUDGET

2nd
BUSIEST U.S. RAIL TRANSIT SYSTEM

6th
BUSIEST U.S. BUS NETWORK

**Includes reimbursables and debt service*



1,556 ACTIVE FLEET
38.1M SCHEDULED REVENUE MILES

Metrobus



1,278 ACTIVE FLEET
115.5M SCHEDULED REVENUE MILES

Metrorail



661 ACTIVE FLEET
16.5M SCHEDULED REVENUE MILES

MetroAccess

98 RAIL STATIONS



DC **40** Stations



MD **26** Stations



VA **32** Stations

128 MILES OF RAIL



Aerial **15** Miles



Surface **59** Miles



Subway **54** Miles

Recent Accomplishments

Ridership



- **Ridership grew 21%** from FY2023 to FY2024
- **Leading the country** in bus ridership growth with bus ridership at **101% of 2019 (Jan-Aug)**
- **September/October 2024** has:
  - **860,000** daily weekday riders
  - **7 of the 10** busiest post-2020 days
  - **Busiest AM Peak** on Metrorail since 2020
  - Post-2020 high in **Fed Employee** riders

Crime



- Serious crime across the system **down 14%** compared to FY23
- Q4 results **lowest in 5 years, down over 40%** compared to Q4 FY23
- **100+ Special Police Officers** deployed on trains and 26 platforms
- **11,800+ interactions** with Crisis Intervention Specialists
- **730+ community outreach events**, partnerships with local police agencies

Customer Satisfaction



- **Customer satisfaction** met target for all three modes in Q4, **hitting record highs**
- Q4 results for **Metrorail were the highest in history**
- Q4 results for **Metrobus the highest in 3 years**
- Q4 results for **MetroAccess are the highest in 2 years**

Fare Evasion



- Fare evasion is **down 82%** on Metrorail
- Installed **taller and stronger faregates** at all 98 Metrorail stations
- Increased **police presence** throughout the system
- Metro Transit **Police doubled fare enforcement actions** in FY2024

Benefits and Impacts of Investing in Transit



$9.4b

Additional business output from transit.

1.2m

Auto trips avoided each day by 2025.

1.2m

Metric tons of greenhouse gases avoided by transit.

$330b

Property value in Metro station areas.

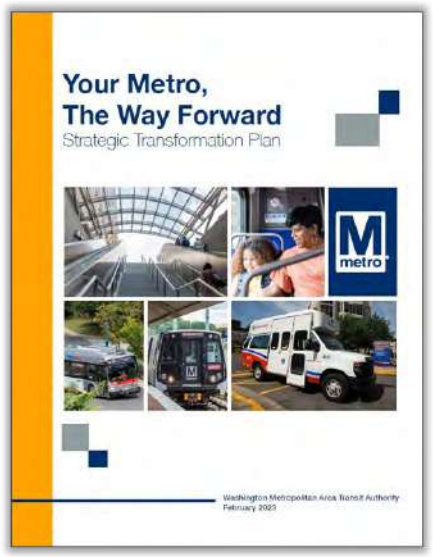
$27b

Avoided road construction costs.

$2b

Avoided parking construction costs.

Strategic Transformation Plan: Guides long term strategy and day-to-day decision making of Metro over the next five + years



Guiding

Day-to-day decisions
- Customer interactions
- Service schedules
- Communications

Long-term strategy
- Budget allocation
- Capital improvements
- Priority projects

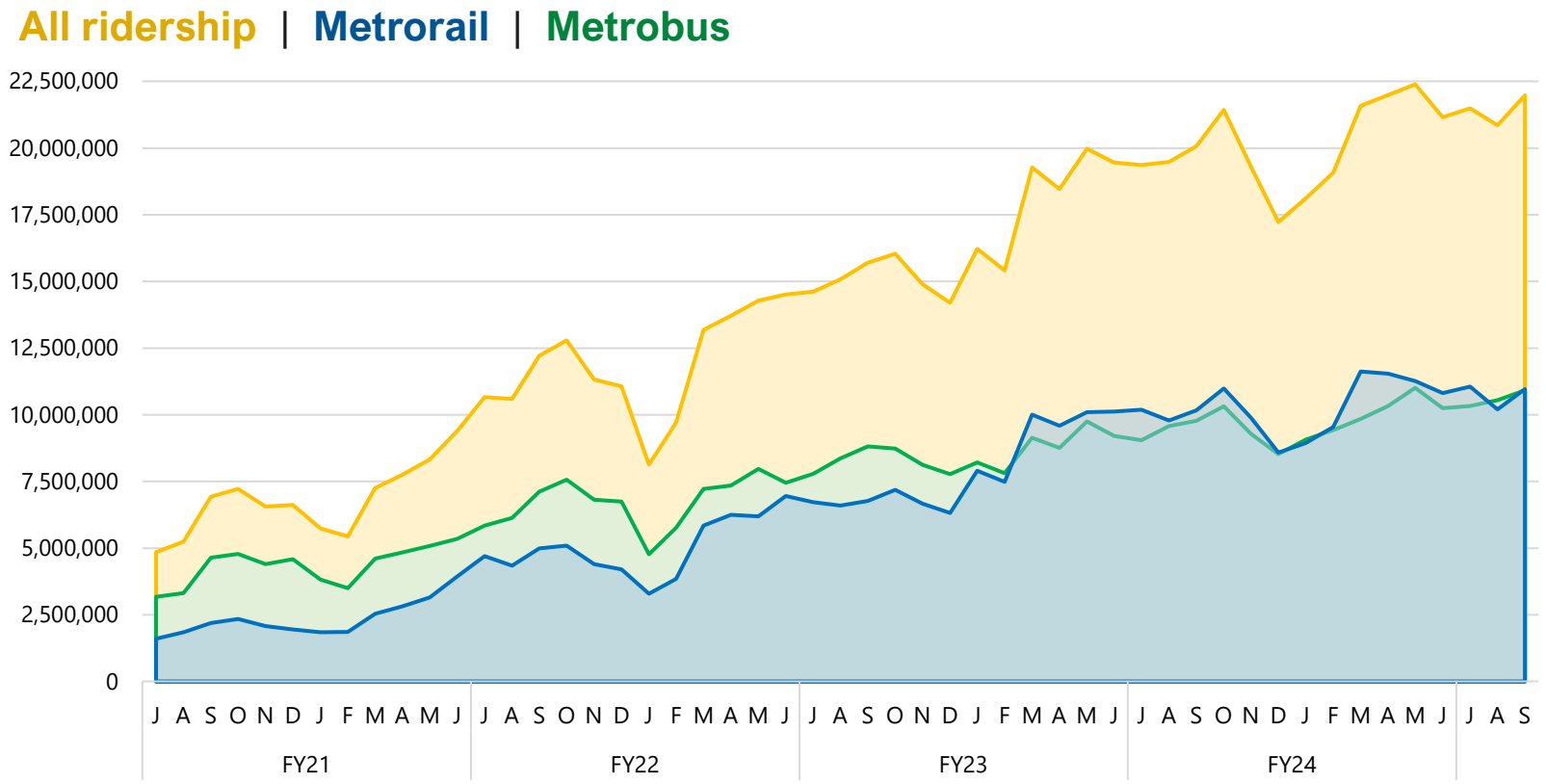


Goals — Our priorities to achieve the vision

- Service Excellence
- Talented Teams
- Regional Opportunity and Partnership
- Sustainability

Forty-two consecutive months of ridership growth year-over-year

- Metrobus leads the nation in ridership growth
- Metrorail had fastest ridership growth in last 12 months among 40 of world's biggest rail systems



64.3 million trips in Q1
9% higher than Q1 FY24
796,000 average weekday customers

32.2 million trips on Metrorail
7% higher than Q1 FY24
397,000 average weekday customers

31.8 million trips on Metrobus
12% higher than Q1 FY24
394,000 average weekday customers

0.3 million trips on MetroAccess
14% lower than Q1 FY24
4,100 average weekday customers

Source: Service Excellence Report Summary, FY 25 Q1
Note: As of January 2023, Metrorail ridership reports all (tap and non-tap) ridership.

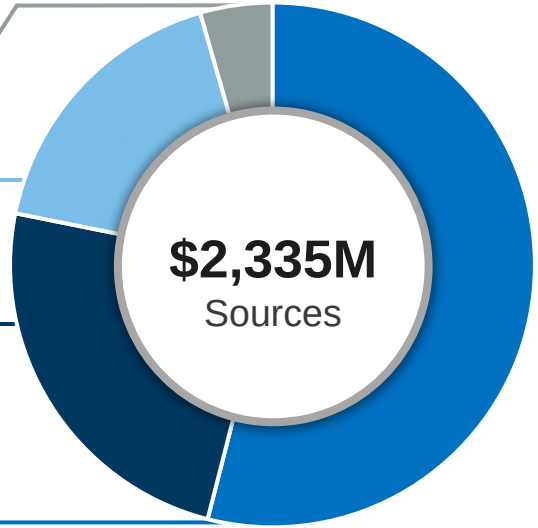
FY2025 Operating Budget Summary

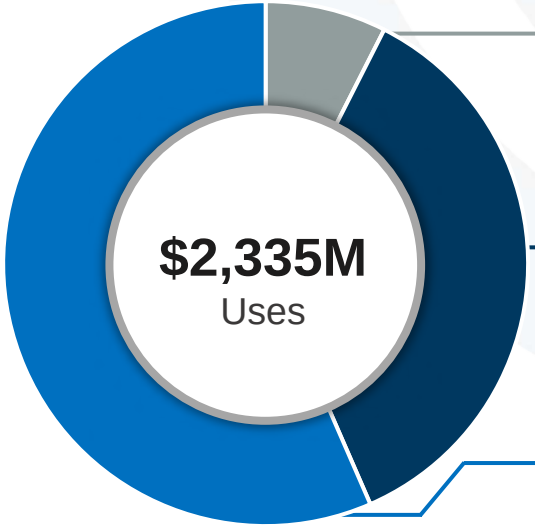
Non-Passenger Revenue
$101M (4.3%)

Passenger Revenue
$387M (16.6%)

Federal Relief
$95M (4.0%)

Total Subsidy
$1,753M (75.1%)





MetroAccess
$174M (7.5%)

Metrobus
$841M (36.0%)

Metrorail
$1,321M (56.5%)

Service and Fare Optimization

- Increase fares across all modes and reduce fare evasion
- Targeted rail cuts to align with ridership and begin Better Bus implementation

Administrative Efficiencies

- Aggressive expense management will keep FY2025 **gross operating expenses** at FY2024 levels (0% growth)
- Salary and wage freeze

Additional Jurisdictional Contribution

- Additional $463 million in jurisdictional subsidy above the 3 percent legislative cap

Charts and table totals may not sum due to independent rounding.
Does not include reimbursables or debt service

FY2025 Capital Sources and Uses

Federal Formula Funds
$470M (18.3%)

System Performance & Match
$291M (11.3%)

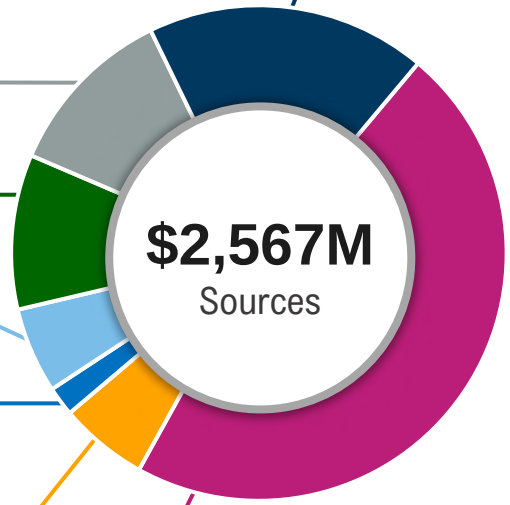
Dedicated Funding from States
$500M (19.5%)

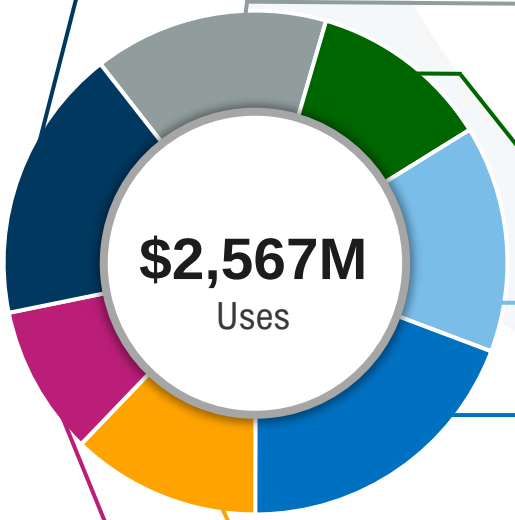
Federal PRIIA Funds
$144M (5.6%)

Reimbursables & Other
$51M (2.0%)

PRIIA Match from States
$149M (5.8%)

Debt Proceeds
$963M (37.5%)





Railcars & Railcar Facilities
$453M (17.6%)

Rail Systems
$387M (15.1%)

Track & Structure Rehabilitation
$299M (11.6%)

Stations and Passenger Facilities
$374M (14.6%)

Bus, Bus Facilities & Paratransit
$495M (19.3%)

Operations & Business Support
$312M (12.1%)

Debt Service and Operating Revenue Loss
$247M (9.2%)

Total Capital Program Investments (excluding Debt Service): $2,319M

Improved Customer Service & Communications

- Robust camera and monitoring systems to quickly identify and respond to incidents
- Escalator rehabilitations and replacements to ensure customer safety

Sustainability

- LEED Certified Maintenance Facilities and Offices
- Zero Emission Busses

Capital Improvement for a Better Metro

- Bus and Rail System State of Good Repair
- New Buses, Railcars, MetroAccess Vehicles
- Modernize Customer Info. and Wayfinding
- Cybersecurity system upgrades to secure data, software and applications

Charts and table totals may not sum due to independent rounding.

Metro Summary Metrics

	FY2022 Actual	FY2023 Actual	FY2024 Actual		FY2025 Approved	FY2026 Plan (February 2024)
Metro Overview						
Ridership	142.2M	199.7M	242.2M		226.6M	234.6M
Passenger Revenue	$213.5M	$291.6M	$355.6M		$387.1M	$396.5M
Operating Budget % YoY Change	8.6%	7.0%	3.2%		1.4%	2.7%
Operating Budget % YoY Change (Gross Expense)*	8.6%	7.0%	9.4%		0.0%	3.0%
Crime Rate (Part 1 Crimes per Million Trips)	5.8	7.7	6.6		7.5	7.1
Metrorail Statistics						
Rail Ridership	60.1M	95.8M	123.3M	🟢	113.7M	115.6M
Railcar Miles	54.8M	74.8M	101.2M	🟢	117.2M	117.2M
Rail Customer Satisfaction	69%	84%	90%	🟢	85%	85%
On-Time Performance	79%	90%	87%	🔴	90%	90%
Average Fare	$2.69	$2.42	$2.67	🟢	$3.00	$3.00
Customer Trips with 6 Minutes or Better Service	0%	17%	60%	🟢	70%	75%
Operating Expense per Vehicle Mile ($)	$23.00	$19.84	$12.90	🟢	$11.81	$11.94
Railcar Mean Distance Between Failure (mi)	24,900	26,350	31,925	🟢	29,000	39,700
Metrobus Statistics						
Bus Ridership	80.8M	102.5M	117.1M	🟢	111.4M	117.5M
Total Bus Miles	45.2M	47.0M	47.6M	🟢	52.4M	52.4M
Bus Revenue Miles	36.3M	38.0M	38.6M	🟢	40.7M	40.7M
Bus Customer Satisfaction	69%	71%	79%	🟢	75%	80%
On-Time Performance	77%	77%	76%	🟡	78%	78%
Average Fare	$0.59	$0.54	$0.44	🔴	$0.48	$0.48
Customer Trips with 12 Minutes or Better Service	39%	41%	45%	🟢	45%	50%
Passengers per Bus Trip (Average)	16	19	27	🟢	25	26
Operating Expense per Vehicle Revenue Mile	$23.28	$25.47	$19.90	🟢	$20.80	$21.85
Bus Mean Distance Between Failure (mi)	8,900	7,770	6,350	🔴	7,300	8,000
MetroAccess Statistics						
MetroAccess Ridership	1.3M	1.4M	1.4M	🟢	1.5M	1.5M
MetroAccess Customer Satisfaction	83%	77%	84%	🟢	83%	85%
On-Time Performance	94%	93%	91%	🟡	92%	92%
Average Fare	$3.37	$3.27	$2.92	🟡	$3.03	$3.03

* Gross expense is total operating expense including preventive maintenance operating costs paid for with capital funds

Metro Overall:

- Ridership and revenue are up
- Customer satisfaction is up
- Serious crime is down

Metrorail:

- Increased service frequency driving ridership growth
- More efficient service delivery, with cost per revenue mile down

Metrobus:

- More frequent service driving increased ridership
- Cost per bus revenue mile is down

Cost Savings and Operating Budget Outlook

WMATA Has Achieved Net Savings of $28M in FY2024 Year-End Operating Results

($ in millions)	Budget FY2024	Actuals FY2024	Variance*
Rail	$331	$301	($29)
Bus	$68	$50	($18)
Access	$5	$4	($1)
Total – Passenger Revenue	$404	$356	($48)
Non-Passenger Revenue	$103	$117	$14
Total Revenue	**$507**	**$473**	**($34)**
Total Expenses	**$2,320**	**$2,258**	**$62**
Gross Subsidy	**$1,813**	**$1,785**	**$28**

**Favorable / (Unfavorable)*

Note:
- **Figures are unaudited year-end results**
- Amounts may not sum due to independent rounding
- All figures exclude reimbursables; Gross subsidy includes jurisdictional subsidy and federal relief
- Jurisdictional subsidy remained at $1,252M

Revenue

Passenger Revenue below budget due to unfavorable average fares across all modes with rail ridership slightly lower than anticipated

Parking, Joint Development below budget due to slow office market and lease schedule change, offset by higher interest earned on cash investments

Expenses

Expense favorable to budget due to savings in vacancies, materials and supplies, contract maintenance, and continued shift of paratransit trips to alternative service providers

Actions taken to reduce expenses and grow revenue

Increased Fares



Increase Metrorail and Metrobus fares by 12.5% on weekdays and up to 25% on weekends

Reduced Fare Evasion



Installation of new fare gates to reduce fare evasion

Froze Wages in FY2025



No salary and wage increases for L689 and non-represented employees

Implemented Re-Occurring Savings



Identify additional cost savings and reductions for FY2025 and beyond

Targeted Service Reductions



Adjust peak service to align with ridership, six-car trains, and reduce holiday service levels

Better Bus Network



Increase ridership at existing service levels

Cost Savings Focus for FY2026 and Beyond

Strategies Metro is Pursuing to Advance Cost Savings

Technology:

Mobile devices, software management, enterprise system integration

Space Efficiency:

Facility consolidations, maximizing real estate assets

Rail and Bus Efficiency:

Automatic rail operation and return to design speed

Bus priority and redesign

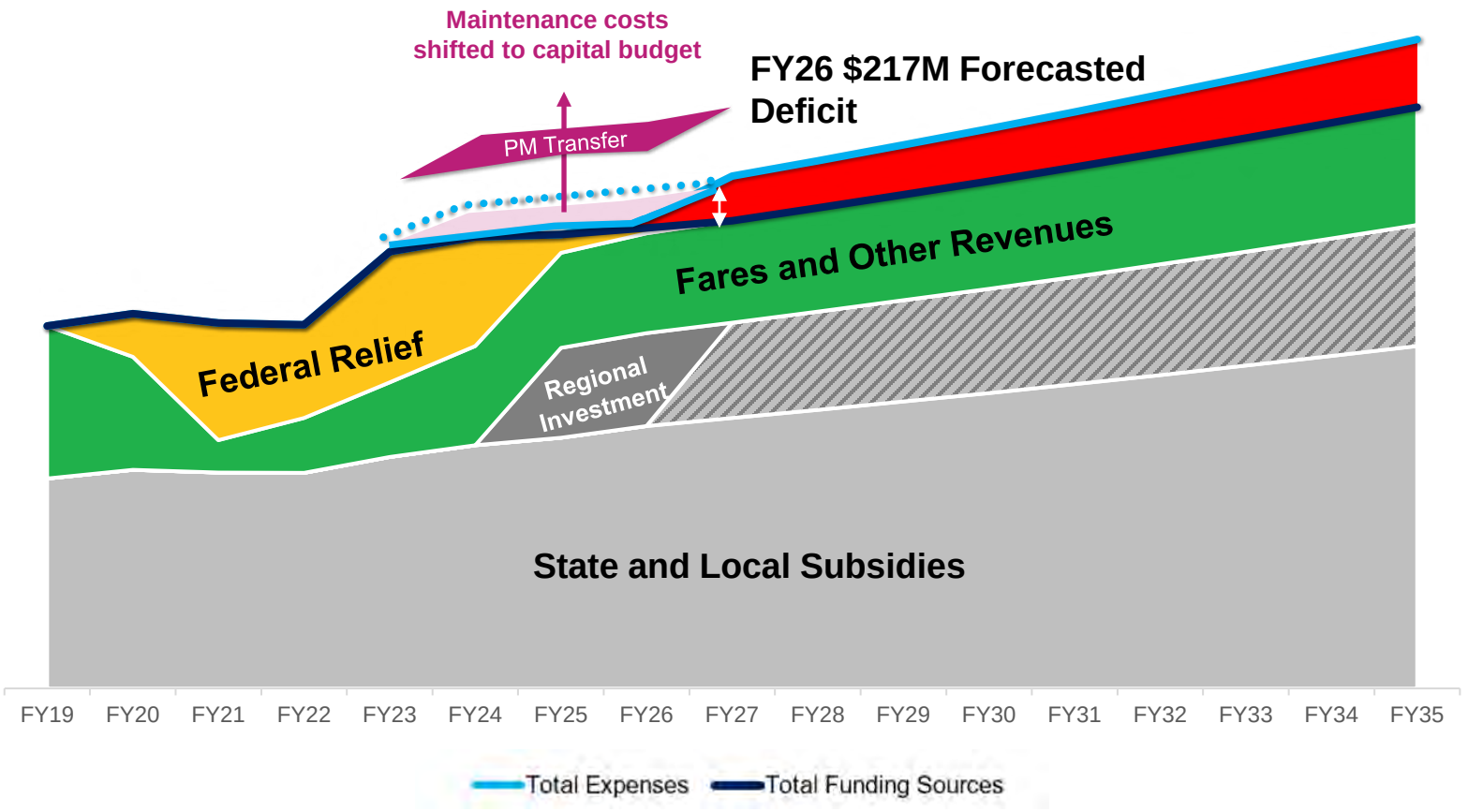
Internal Efficiencies:

Human capital management, Energy savings

Procurement:

Contract consolidation, reducing external legal support

Structural Operating Deficit Reduced Thanks to Additional FY2025 Regional Investment But Not Eliminated



Options to Close $217M FY2026 Operating Deficit

($ in millions)	**Amounts**
FY2026 Gap	$217
Additional jurisdictional subsidy As shown in FY25/FY26 2-year Budget Plan	-$95
Current Gap	**$122**
Apply One-Time Savings	-$28
Additional capital funds for preventive maintenance operating costs*	-$94
Balanced Budget	**$0**

* Above $60M historic level

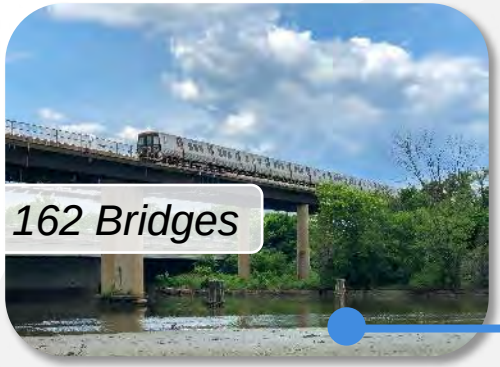
Note: Funding for additional “Regional Investment” has not been identified in Virginia in FY27 and beyond.

Capital Program Update

Reinvesting in our Regional Transit System

Sustaining a safe and reliable public transit system requires continuous maintenance, rehabilitation and replacement and modernization of system assets

Structures



Bus Facilities



Stations



Vehicles



1,278 Railcars
1,556 Buses
661 MetroAccess Vehicles



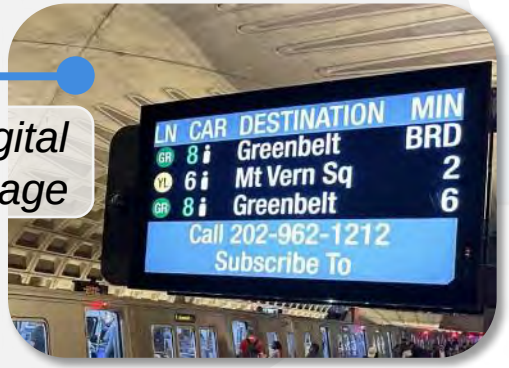
Track



Technology



Rail Yards



Customer Information

Highlights of Major Assets

Reinvesting in our Regional Transit System

Sustaining a safe and reliable public transit system requires continuous maintenance, rehabilitation and replacement and modernization of system assets

Signals



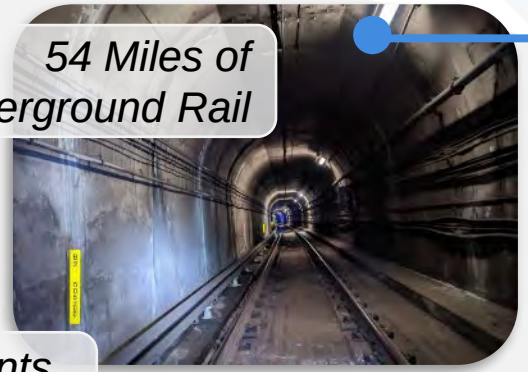
50,000+ Signaling Room Components

Power



400+ Major Station Power Components
600+ Major Traction Power Components

Tunnels



54 Miles of Underground Rail

Shafts



300+ Shafts

Bus Shelters



2,500+ Bus Shelters

Elevators & Escalators



800+ Elevators and Escalators

Parking Facilities



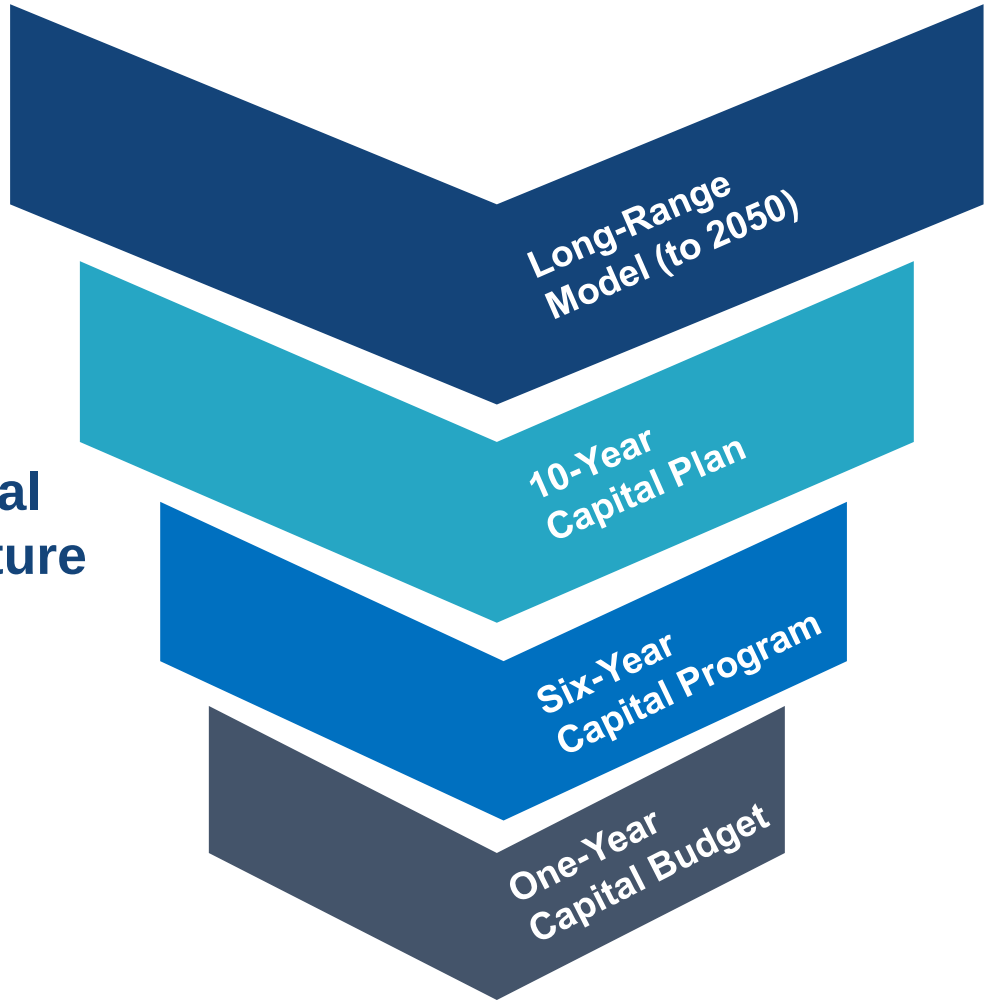
60+ Garages & Surface Lots

Highlights of Major Assets

Metro’s Capital Program Structure

Metro advances capital projects and annual capital maintenance programs to restore, sustain, and modernize the system. The program also includes annual preventive maintenance transfers from the operating budget.

Metro’s Capital Program Structure



Long-Range Model
Identifies viable initiatives to address needs identified for next ~25+ years; financially unconstrained

10-Year Capital Plan
Identifies viable initiatives to address needs identified for next ~10 years; financially unconstrained

Six-Year Capital Improvement Program
Capital investments anticipated for, or continuing in, six-year capital program

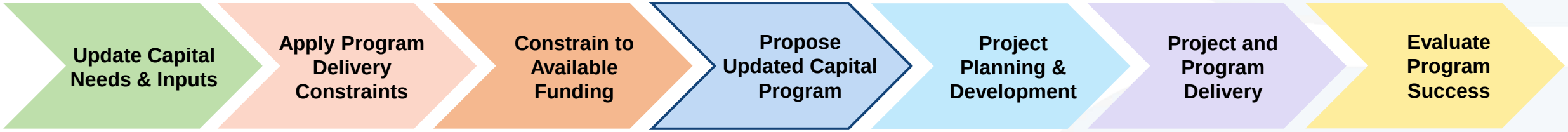
One-Year Capital Budget
Expenditure forecast for capital projects and programs in current budget year

Capital Program Lifecycle

Ongoing process to manage, develop and monitor the capital program

- **One-year budget, six- year capital improvement program and long-range capital plan**
- Projects and programs to restore, sustain, and modernize the system
- Capital program performance measured at project and programmatic levels

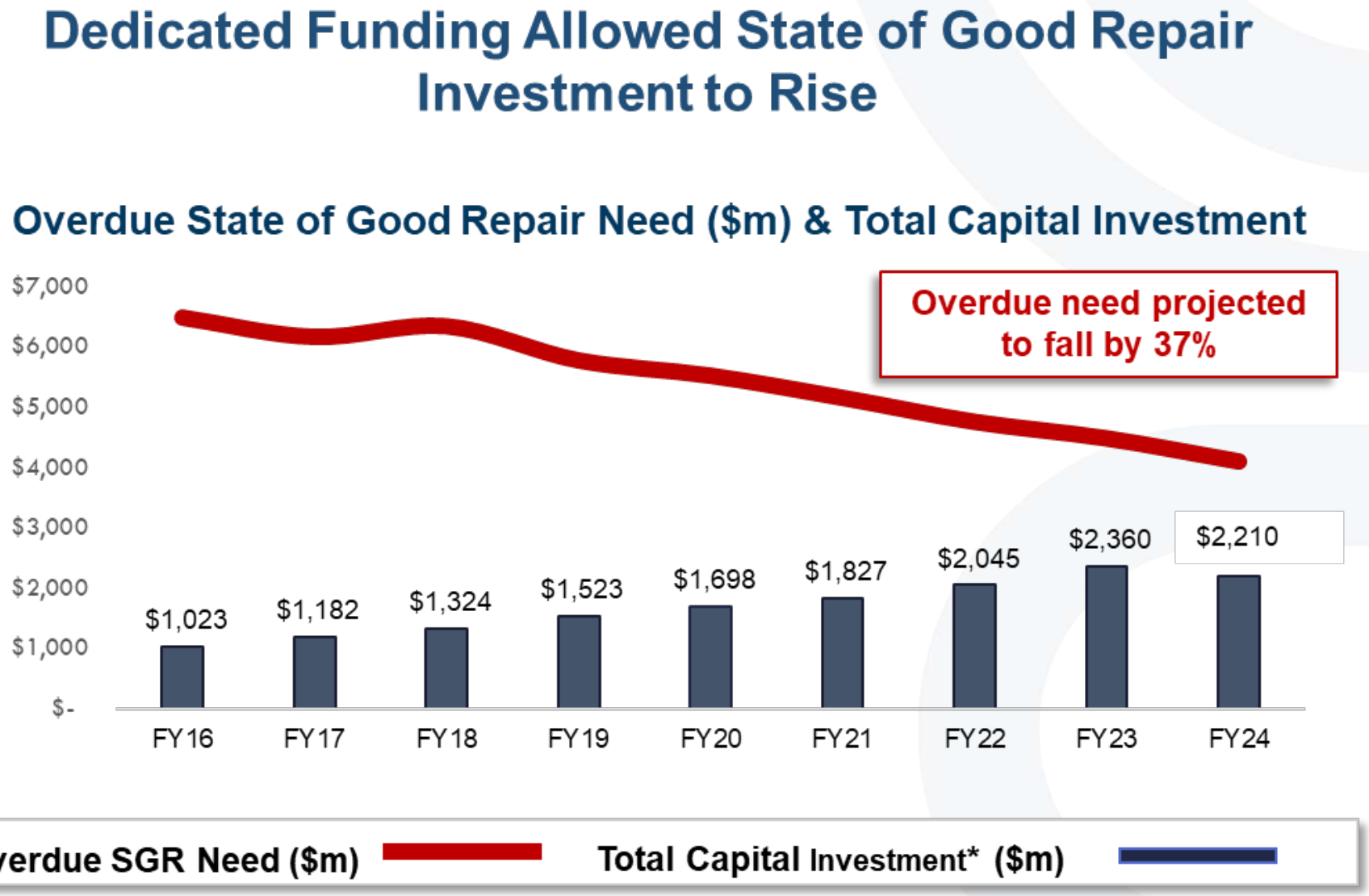
Summary of Capital Program Development



- **Constrained funding:**
  - Limits capacity for state of good repair and modernization investments
  - Shifts from proactive to primarily reactive maintenance practices, replacing assets after failure
  - Precludes system enhancement and expansion

Metro's State of Good Repair Progress

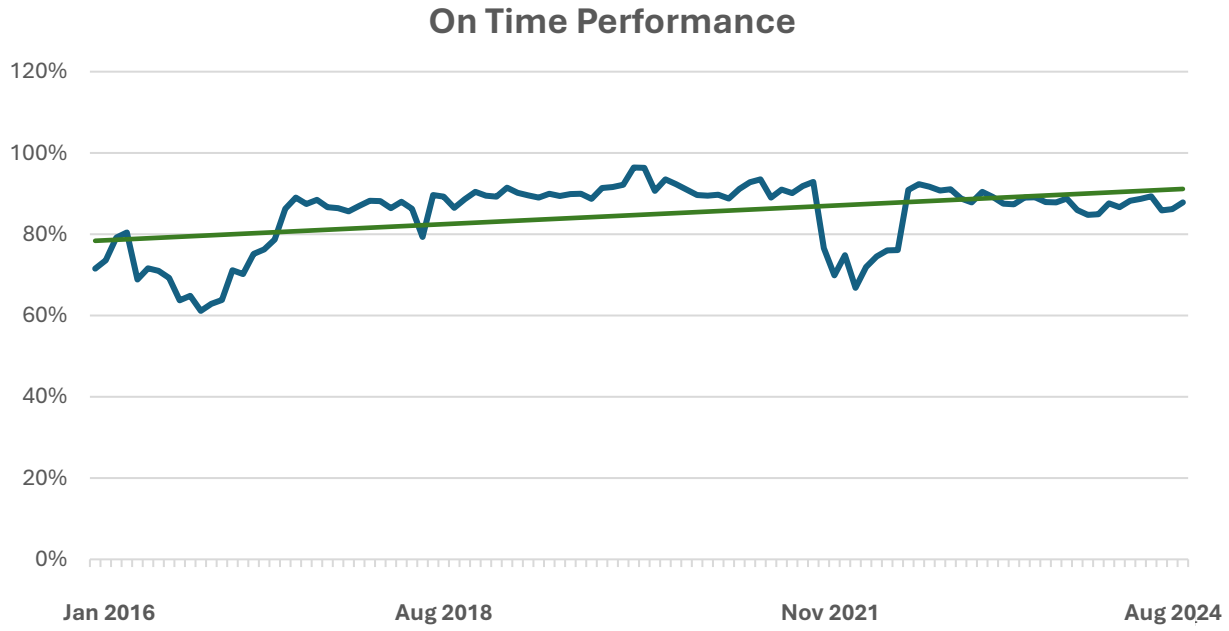
Dedicated Funding Allowed State of Good Repair Investment to Rise

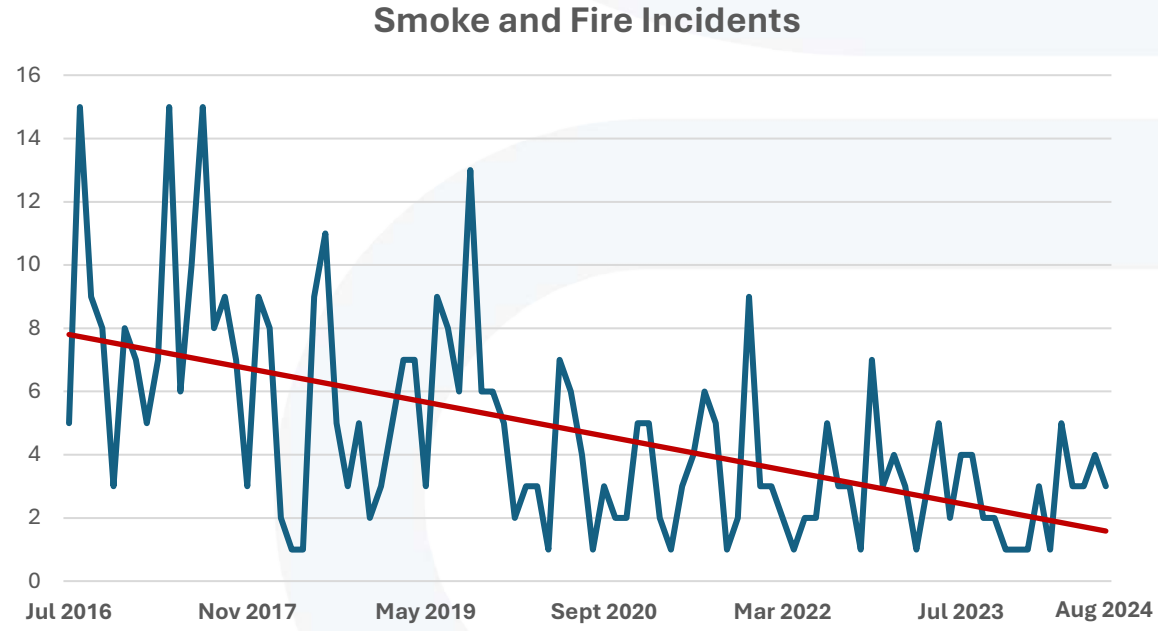


Capital Investment Improves Performance & Safety

- Highest customer satisfaction levels in years:
  - ***90%** rail satisfaction*
  - ***79%** bus satisfaction*
  - ***84%** MetroAccess satisfaction*
- Consistently **88-90%** of customer trips on-time thanks to fewer disruptions

- Ridership grew **21%** in FY24 over FY23
- Escalator availability met target - **94.5%**
- Railcar reliability grew **21%** over FY23, tripled since FY18
- **70%** decrease in smoke and fire incidents since FY17





** From FY2024 Q4 Service Excellence Report*

$275 Million of Capital Program Cost Savings

- Metro has identified **$175M of Capital Program administrative savings***
- Metro has identified over **$100M through project reviews** of opportunities for structural recurring savings by simplifying standards, requirements and practices, and reducing customization
- Capital program cost reductions **preserve funding capacity** for future state of good repair program investments

Examples of Cost Savings – No Impact to Investment Outcome

Bus Shelters

Reducing per shelter cost by ~50%



Rhode Island Ave-Brentwood Station

Drainage Pumping Stations

Reducing project cost by ~$5M**



Drainage Pumping Station Work

Digital Modernization

Reducing system support cost by ~$17M

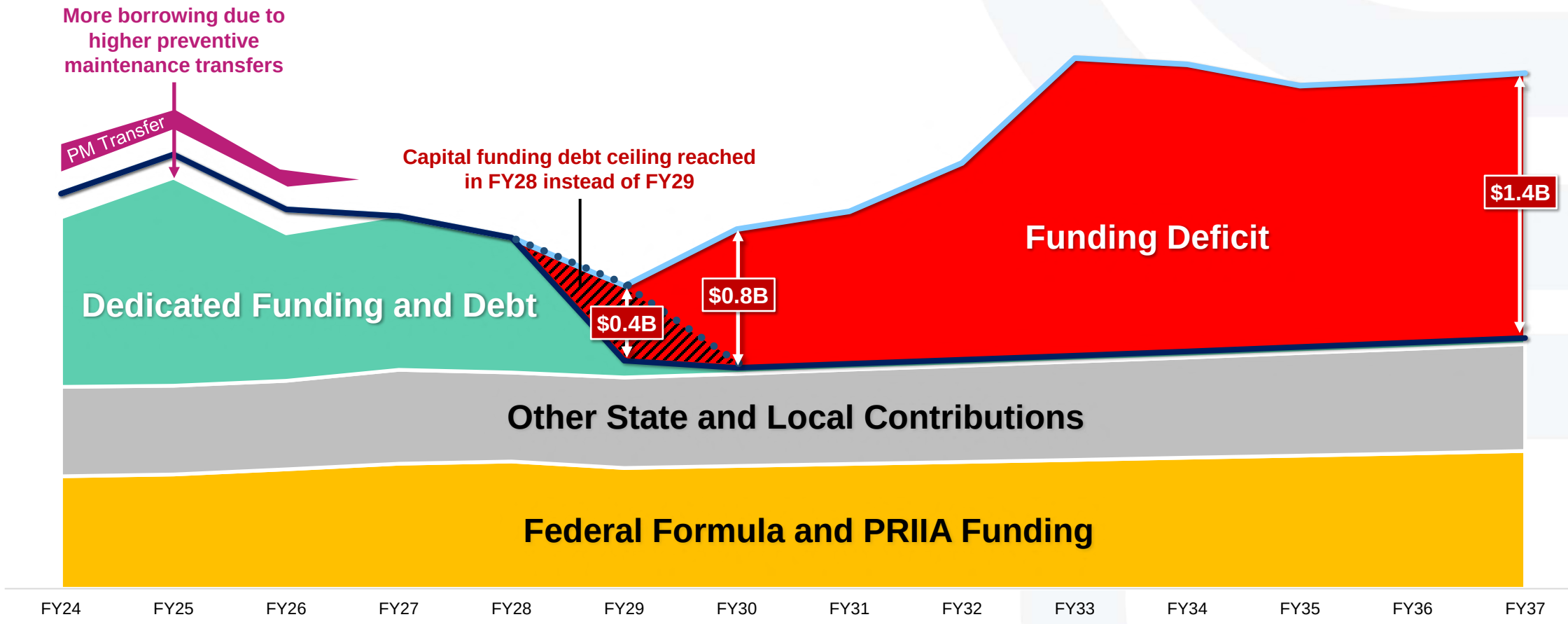


IT Infrastructure at Eisenhower Ave Office

*FY2025-FY2031
**Estimated savings

Region Faces Capital Program Deficits

Dedicated capital funding borrowing capacity projected to be exhausted in ~FY2028 and new capital funding will be needed to address ongoing system safety, renewal and modernization needs

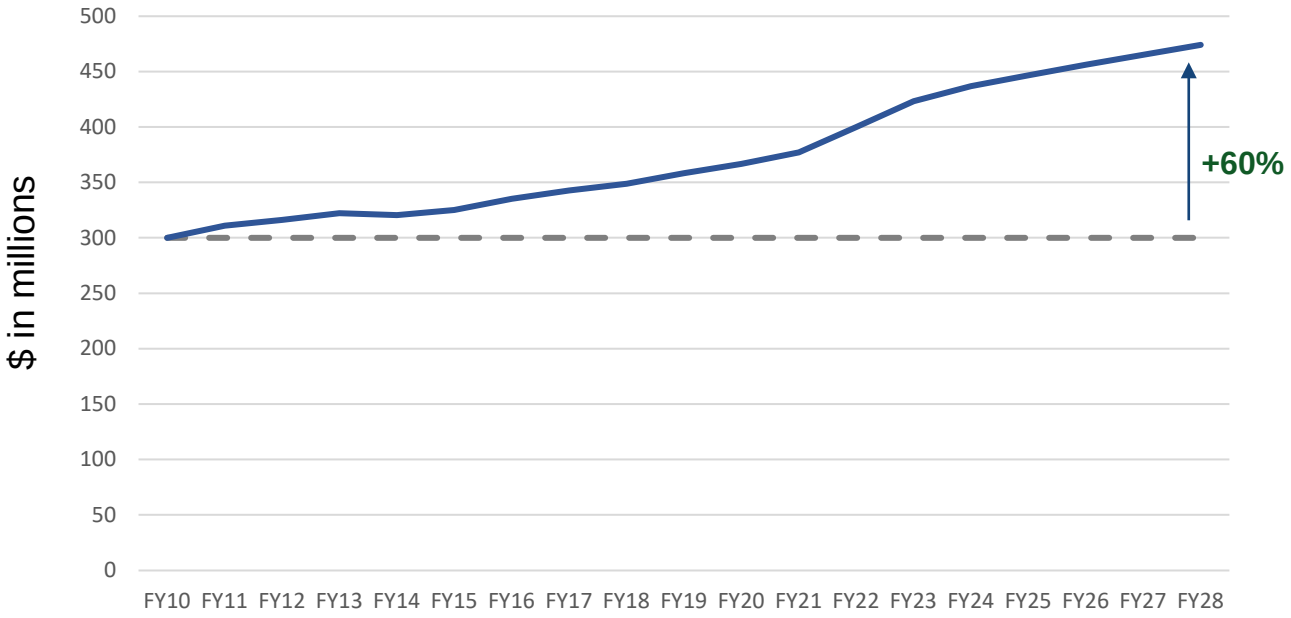


** Based on FY2025 Budget; assumes reauthorization of IIJA*

Buying Power of Metro's Funding Has Eroded Over Time

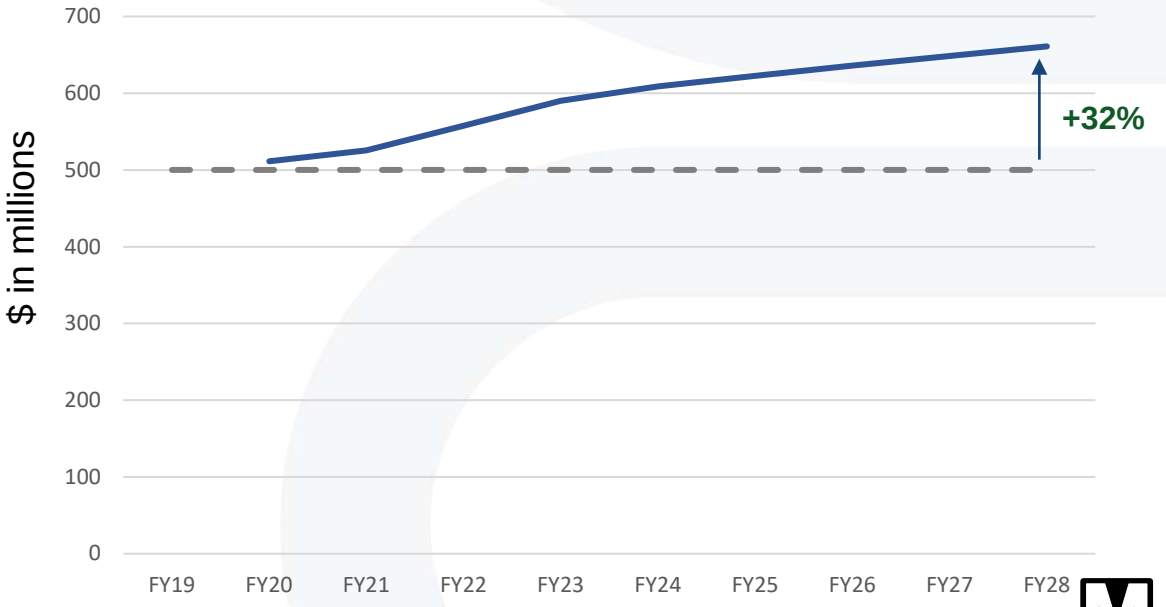
Additional $340M in FY2028 would restore purchasing power of PRIIA & Dedicated funding; Indexing all capital funding sources would maintain future purchasing power

$300 million of original PRIIA would be worth $480M in FY2028 if indexed



*Values shown in 2010 dollars

$500 million of original Dedicated Funding would be worth $660M in FY2028 if indexed

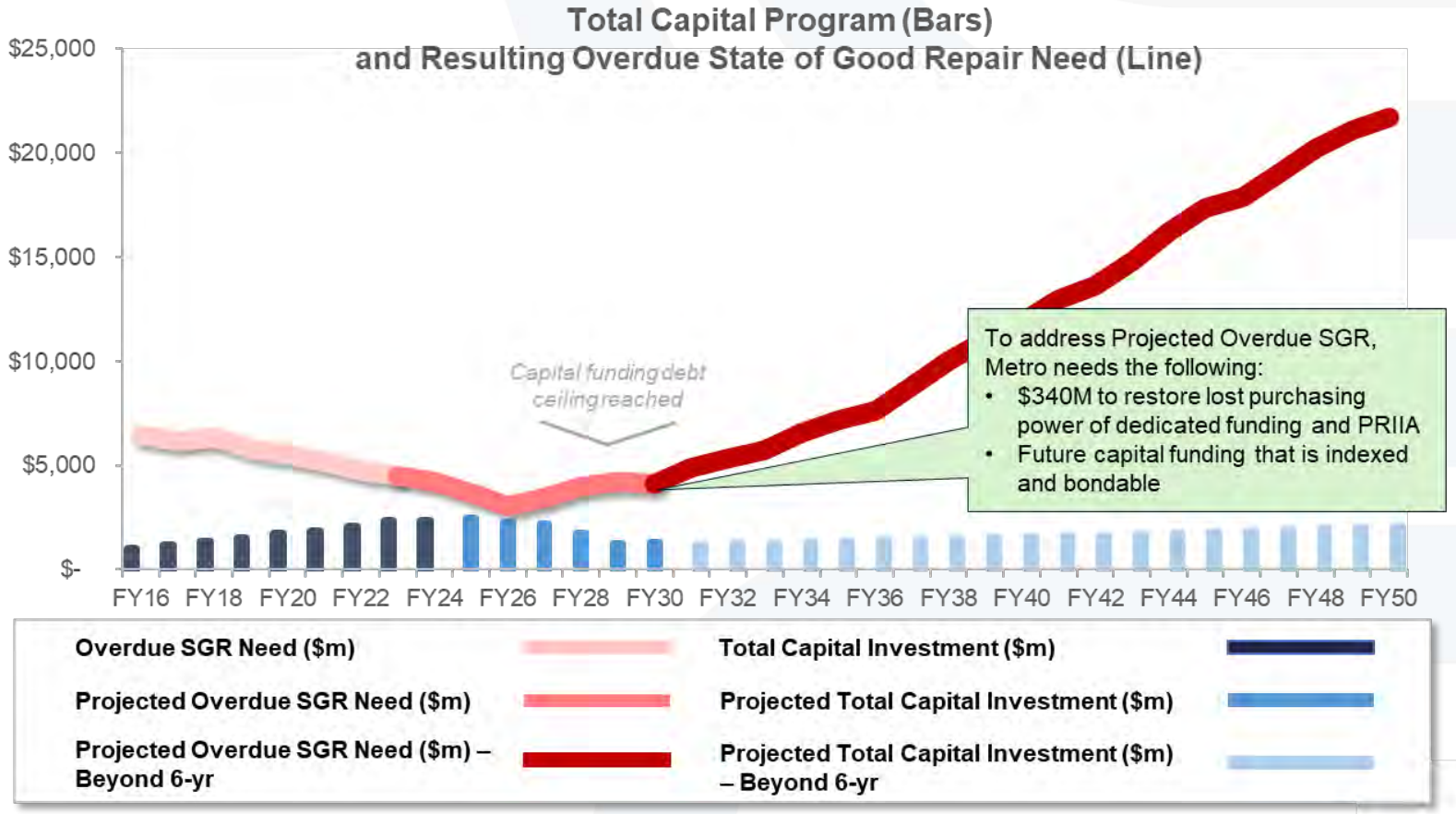


*Values shown in 2018 dollars

Source: U.S. Bureau of Labor Statistics, Consumer Price Index for Urban Wage Workers and Clerical Workers (CPI-W)

Deficit Threatens Progress Made on State of Good Repair at Metro

- Causes of Metro's deficit:
  - PRIIA and Dedicated Funding were not indexed to inflation
  - Unusually high inflation has reduced Metro's purchasing power
  - Capital funds are being used for preventive maintenance operating costs
- As backlog SOGR grows, performance and reliability decrease and risk increases
- Inadequate funding will result in declining reliability, worsening customer experience, and increased safety risk



Ongoing Studies

DMVMOVES

Moving our region forward, together.

- DMV*Moves* is a joint initiative of the Metropolitan Washington Council of Governments (COG) and WMATA to create a unified vision and sustainable funding model for the region's transit network

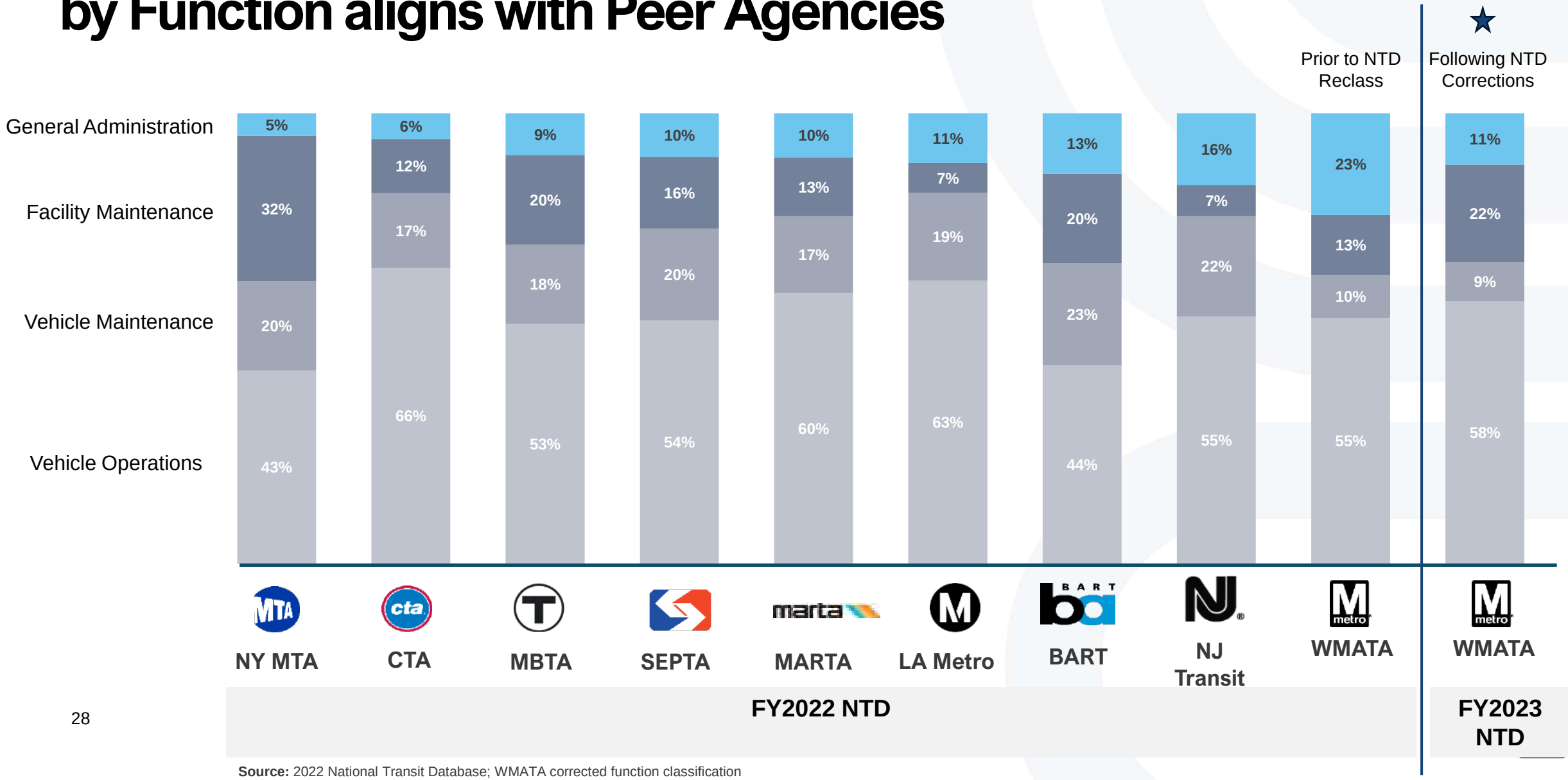
- Over the next year, a task force of officials appointed by COG and WMATA from the District of Columbia, Maryland, Virginia, and the federal government will be guiding this initiative alongside two workgroups representing area jurisdictions, transit service providers and agencies, and business, labor, and community organizations

Northern Virginia Growing Needs of Public Transit Joint Subcommittee

- During the 2024 Virginia legislative session, Senate Joint Resolution 28 was passed, sponsored by Senator Adam Ebbin
- Goal is to study long-term, sustainable, dedicated operations and capital funding as well as cost-containment controls and strategies for Northern Virginia transit systems
- Includes three Senators, four Delegates, the Secretary of Transportation, a VA member of the WMATA Board, and two Northern Virginia Transportation Commission representatives
- Have held three meetings and a meeting will be held on November 12
- Interim report of findings due to Governor and General Assembly by Jan 8, 2025

Appendix

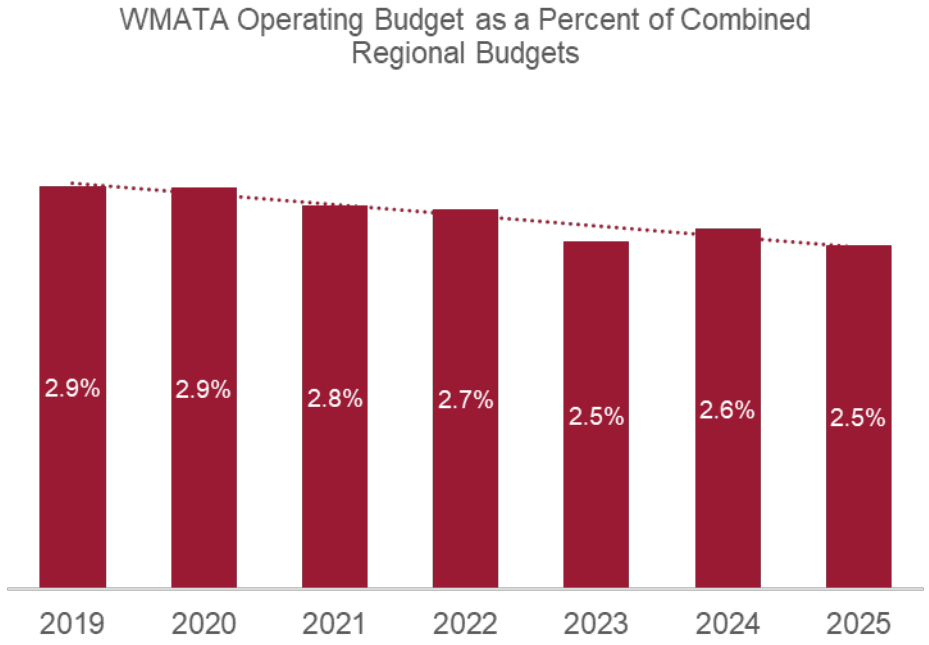
Following NTD Reclass, WMATA Headcount by Function aligns with Peer Agencies

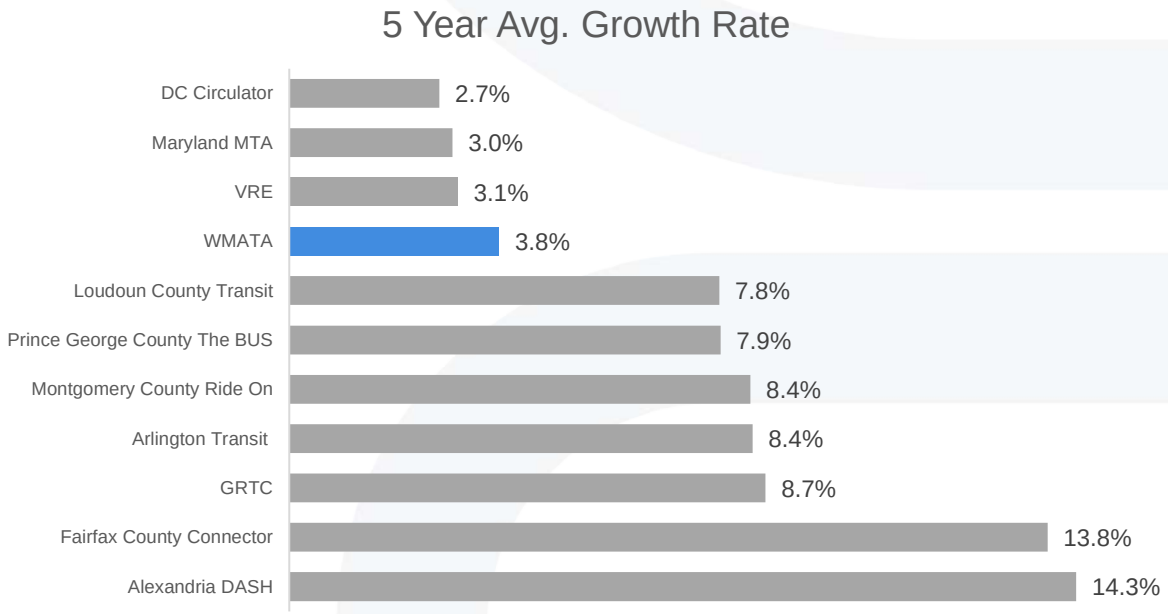


Source: 2022 National Transit Database; WMATA corrected function classification

Metro's Operating Budget Growth Trails Regional Budgets

- WMATA's operating budget is **decreasing relative to** overall regional spending
- WMATA's expense growth rate remains **similar to, or lower than,** other regional
- WMATA has held expense growth rate to **3.8% average growth** between FY2019 and FY2025
- Includes operating costs for **system capacity increases** such as Silver Line Phase 2 and Potomac Yard Station





*Compares WMATA Operating Budget to Operating Expense Budgets Regional Operating Budgets (Capital Budgets excluded)
**Total Region includes the General Fund Operating Expense Budgets from Commonwealth of Virginia, State of Maryland, District of Columbia, Montgomery County, Prince George County, City of Alexandria, Arlington County, City of Falls Church, City of Fairfax, Fairfax County, Loudoun County

How Transit Capital Needs Are Funded

Capital budgets are funded through a variety of sources to support the necessary investments and improvements in transit infrastructure.

Federal Funding

- Annual federal funding through Bus and Bus Facilities (5339), Urbanized Area (5307), State of Good Repair (5337) programs
- DOT Passenger Rail Investment and Improvement Act (PRIIA) provides a fixed amount of capital funding each year (WMATA)

State & Local Funding

- Financial support provided by governments at the state and local levels
- These subsidies can come in various forms, such as direct grants, tax revenues, or dedicated funding streams

Competitive & Project Specific Sources

- Competitive programs include DOT RAISE and FTA Low- or No- Emission Vehicle
- FTA Capital Investment Grants (New Starts, Small Starts, and Core Capacity)
- Third-party sponsored projects

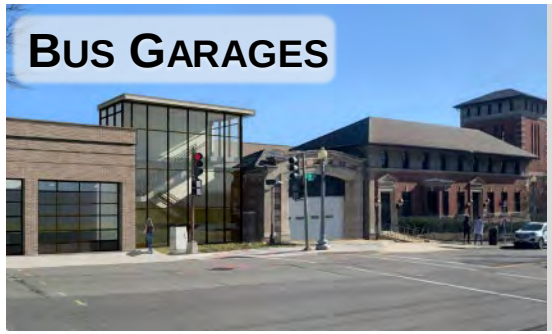
Debt Financing

- Transit agencies can utilize debt financing by issuing bonds or securing loans to raise capital for large-scale infrastructure projects
- Requires a funding stream to support debt repayment

Federal funding, an important capital funding source, requires a non-federal match and compliance with applicable regulations.

Defining State of Good Repair & Modernization

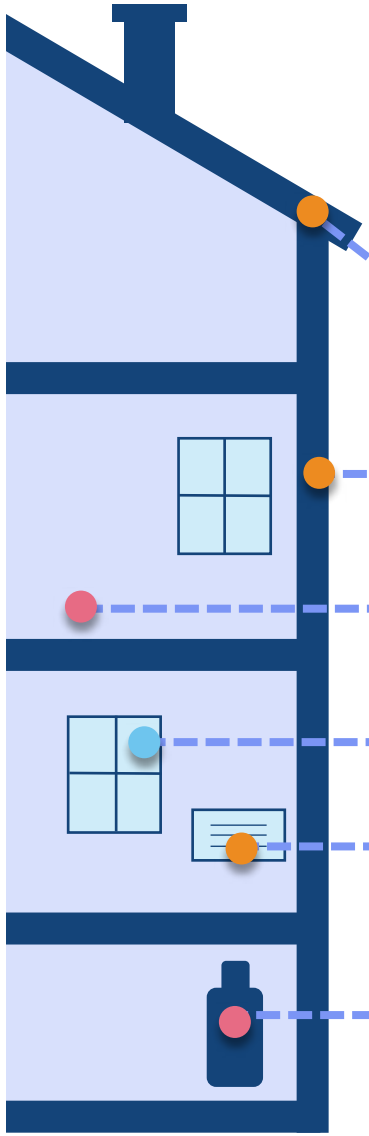
While state of good repair and modernization are distinct types of needs, projects often contain both

Investment Examples	State of Good Repair	Modernization
	Rehabilitation or replacement of assets **that perform existing functions** to allow the system to continue to operate safely and reliably*	Improvement to efficiency of service and operations through **added functionality or new assets** that Metro did not previously own
BUS GARAGES 	• Replace existing structure • Replace existing systems (i.e., electrical, mechanical, ventilation) • Refresh spaces (i.e., paint, holes in walls, bulbs)	Create new functionality in bus garages to allow for charging of battery electric buses
SIGNALING 	Replace existing train control system with updated modern train control system	Installation of platform screen door assets to improve safety and efficiency and reduce unauthorized entry or someone falling on the tracks

**Even if replacement involves updated technology*

Transit Investments Require Ongoing Repair & Replacement

Anticipated Replacement Lifecycle
- Short Term (0 – 15 years)
- Medium Term (16 – 34 years)
- Long Term (35+ years)



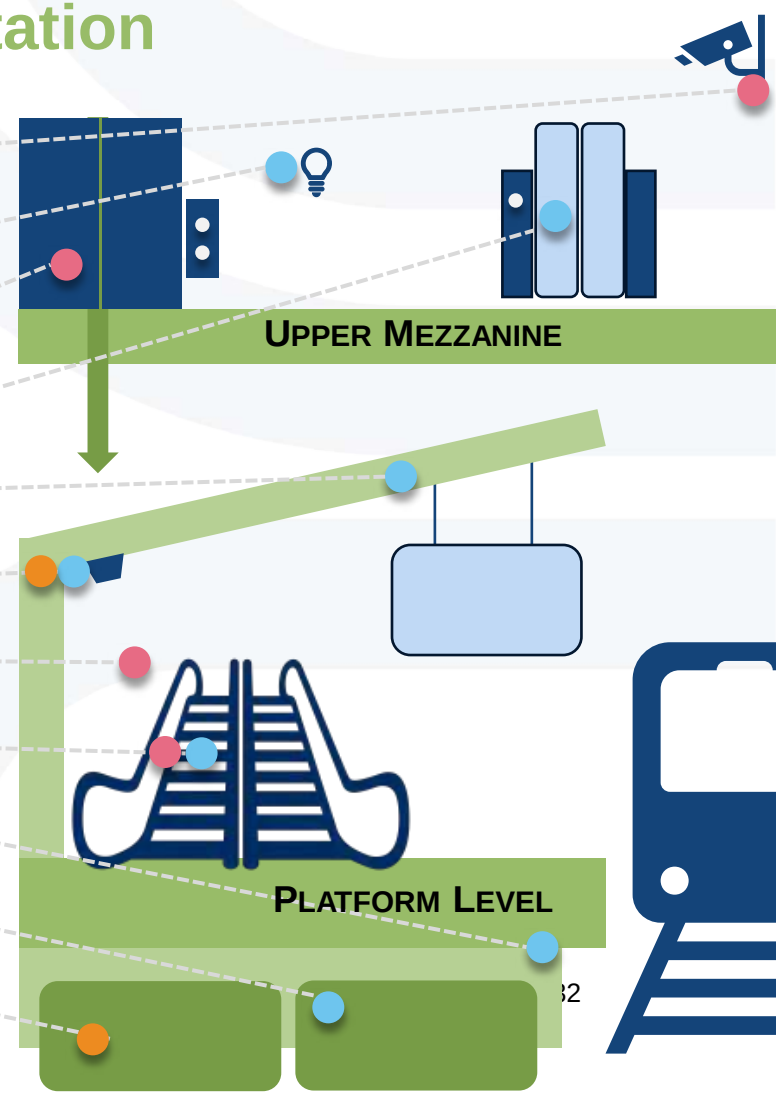
Lifecycle of a House

Examples of Ongoing Repairs & Reinvestment

- *Replace Roof* (Medium Term)
- *Paint Exterior* (Medium Term)
- *Upgrade Interiors* (Short Term)
- *Replace Windows* (Long Term)
- *Replace HVAC* (Medium Term)
- *Replace Water Heater* (Short Term)

Lifecycle of a Rail Station

- *CCTV System* (Short Term)
- *Power Distribution* (Long Term)
- *Elevators* (Short Term)
- *Fare System* (Long Term)
- *Canopy/Structure* (Long Term)
- *Intercom, Public Address & Fire Systems* (Medium Term / Long Term)
- *Interior Finishes* (Short Term)
- *Escalators* (Short Term / Long Term)
- *Station Platforms* (Long Term)
- *Train Control Room* (Long Term)
- *Sewage Ejectors* (Medium Term)



Addressing Overdue Needs and Sustaining Safety & SOGR at Metro

Predictable, Sustainable Investment Required to Address Overdue Needs & Support Safety and SOGR Programs

Addressing Overdue Capital Needs

Substantial Progress (*Highlights*)

- Replacement of Legacy Railcars
- Track Rehabilitation
- Platform Program – 20 Stations Complete
- Yellow Line Tunnel Liner

More To Do to Catch Up (*Priority Needs*)

- Structures - Bridges, Platforms, Tunnels
- Systems - Train Control, Radio and Comms, Power
- Facilities - Bus Divisions, Rail Maintenance

Investing in Ongoing Programs to Sustain Safety & SOGR

Recurring & Cyclical Maintenance, Rehabilitation & Replacement Programs

- Buses
- Railcars
- Paratransit Vehicles
- Service Vehicles
- Track
- Parking Facilities
- Elevators & Escalators
- Mechanical Systems
- Traction Power
- Signal Systems
- Lighting Systems
- Cooling Systems
- Bus Customer Facilities
- Bus, Rail & Admin Maintenance Facilities

HIGHWAY SYSTEM CHANGES

Abandonments and Discontinuances

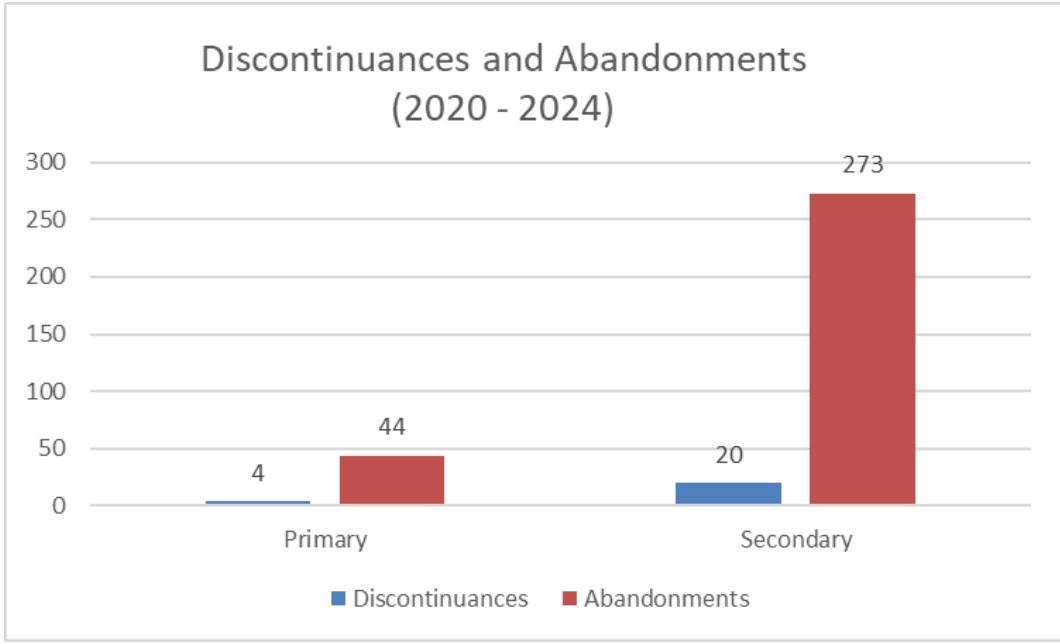
Robert Hofrichter, Director, Office of Land Use

October 22, 2024

Removing Segments from the State Highway Systems

Virginia Code includes options to abandon or discontinue VDOT highways

- Relevant Code sections
  - § 33.2-901 (Primary discontinuance)
  - § 33.2-902 (Primary abandonment)
  - § 33.2-906 (Primary abandonment – project related)
  - § 33.2-908 (Secondary discontinuance)
  - § 33.2-909 (Secondary abandonment)
  - § 33.2-912 (Secondary abandonment – project related)



- Consideration of highway system changes triggered by
  - Project completion (2/3 of changes)
  - Request by locality or adjacent property owner (1/3 of changes)

Abandonments

Abandonment used when road is no longer necessary

- Determination made based upon lack of necessity
  - Property access: does not landlock property
  - Access to water: does not provide public access to water (as requested by DWR)
- Abandoned road is no longer a transportation facility open for public use
  - For prescriptive easement roadways, property reverts to adjacent property owners
    (prescriptive easement is when adjacent property owners own the property the road is on)
  - For county-owned right-of-way, property reverts to county control
  - For VDOT-owned right-of-way, property is under VDOT control
    - Crossing property without VDOT permission is trespassing
- VDOT property on abandoned road may
  - Be retained by VDOT for future use
  - Be sold to adjacent property owners
    - If adjacent owners do not want to buy property, retained as surplus property owned by VDOT

Abandonments (cont'd)

Abandonment authority

- For Primary system
  - Process initiated by Commissioner or adjacent property owner
  - Commissioner approves project-related abandonments (§ 33.2-906)
  - CTB approves all other primary abandonments (§ 33.2-902)
- For Secondary system
  - Process initiated by Commissioner, county board of supervisors (BOS), or adjacent property owner
  - Commissioner approves project-related abandonments (§ 33.2-912)
  - BOS approves all other secondary abandonments (§ 33.2-909)

Discontinuance

Discontinuance is used when highway no longer needed for primary system or not required for public convenience for secondary system

Road does not provide “public convenience warranting maintenance at public expense”

- Recommendation made based upon
  - Use
  - Access to property (if road provides sole access to properties and not more than two homes)
  - Other transportation use (multi-use trail, for example)
- Discontinued road is still a transportation facility open for public use
- Discontinued Primary Highway
  - Maintenance of road using public funds stops
  - Maintenance by adjacent property owner, under land use permit
- Discontinued Secondary Highway
  - Removed from secondary system and reverts to county control
  - Maintenance is either by the county or by adjacent property owners (similar to a private road)

Discontinuance (cont'd)

Discontinuance authority

- For Primary system
  - Process initiated by Commissioner
  - Approved by CTB (§ 33.2-901)
- For Secondary system
  - Process initiated by Chief Engineer for project-related discontinuance
  - Process initiated by CTB or local governing body for all other discontinuances
  - Project-related discontinuance approved by Commissioner (§ 33.2-908, subsection C)
  - All other secondary discontinuances approved by CTB (§ 33.2-908, subsection B)

Decision Process Example 1 (Primary Hwy Project)

VDOT staff consults locality and recommends proposed action

1. Is road needed for purposes of the Primary System
   - Connects activity centers or classified as NHS or classified as arterial highway
   - If yes, retain as primary (may need route number change)
   - If no, go to #2
2. Does road serve at least three homes or equivalent uses or provides through service
   - If yes, recommend transfer to Secondary System
   - If no, go to #3
3. Does road serve as the only access to parcels or have other transportation use
   - If yes, recommend discontinuance
   - If no, go to #4
4. If no public necessity exists
   - Recommend abandonment

Decision Process Example 2 (Local Secondary Hwy Abandonment Request)

1. Does road provide service to public
   - Access to homes or property, DWR requested access to water, or other public use
   - If yes, go to #2
   - If no, recommend abandonment
2. Is abandonment need for public safety
   - Residential district, in county with population density of at least 1000 people/sq mile, and convenient alternative routes available
   - If yes, recommend abandonment under § 33.2-909, subsection F
   - If no, recommend against abandonment

HIGHWAY SYSTEM CHANGES

Abandonments and Discontinuances

Robert W. Hofrichter

October 22, 2024


VDOT
Virginia Department of Transportation

REGULATORY REDUCTION PROGRAM & PROPOSED REGULATORY AMENDMENTS

General Rules and Regulations of the Commonwealth Transportation Board (24VAC30-21), Rules and Regulations for the Administration of Waysides and Rest Areas (24VAC30-50), and Rules and Regulations for the Administration of Parking Lots and Environs (24VAC30-100)

Robert Hofrichter, Director, Office of Land Use

October 22, 2024

Periodic Regulatory Review/Regulatory Reduction Program

- In July, to fulfill regulatory periodic review requirements and to further regulatory reduction and streamlining efforts, the CTB approved the Notices of Intended Regulatory Action (NOIRAs) for the following regulations:
  - General Rules and Regulations of the Commonwealth Transportation Board (24VAC30-21),
  - Rules and Regulations for the Administration of Waysides and Rest Areas (24VAC30-50), and
  - Rules and Regulations for the Administration of Parking Lots and Environs (24VAC30-100).
- VDOT filed the NOIRAs and they were published in the Virginia Register in August for a 30-day public comment period – no comments were received.
- Filing the Proposed stage is the next step of the regulatory process.

General Rules and Regulations of the CTB - Background

General Rules and Regulations of the Commonwealth Transportation Board

- Provide for the Commonwealth Transportation Board (CTB) to regulate generally the activities that occur on highway right of way under the jurisdiction of the CTB and the Virginia Department of Transportation (VDOT):
  - Dictate that uses other than travel are subject to the land use permit framework
  - Dictate that access/entrances are subject to the access management framework
  - Provide for regulation of other uses of the highway systems.
- CTB actions outlining rules and regulations on this topic date to nearly the beginning of the state highway system, which was established in 1918. Adopted as regulation in 1995.
- Last periodic review was in 2021. Last substantive amendments were in 2011 to update statutory references and eliminate provisions duplicative of provisions in other regulations.

General Rules and Regulations of the CTB - Proposed Significant Amendments

Summary of Significant Amendments

- Remove redundant or obsolete language, add clarity, and achieve regulatory reduction and streamlining in accordance with Executive Order 19.
- Remove text which is duplicative of that contained in other CTB or VDOT regulations.
- Add clarity to several definitions and to restrictions applying to activities occurring on bridges forming a part of the system of state highways.
  - New exception for fire and law enforcement vehicles or vessels.

Administration of Waysides and Rest Areas - Background

Rules and Regulations for the Administration of Waysides and Rest Areas

- Establish overall policies, procedures, and conditions under which waysides and rest areas under the control of the CTB may be used.
  - Address subjects such as operating hours and prohibited and restricted activities.
- Earliest CTB policy (now repealed and archived) on waysides in the same form as the regulation dates to 1942. Rest areas were added to the policy in 1965. Adopted as regulation in 1995.
- Last periodic review was in 2021. This regulation has never been substantively amended.

Administration of Parking Lots and Environs - Background

Rules and Regulations for the Administration of Parking Lots and Environs

- Establish the rules and conditions governing the use of, and activities that may be conducted in, parking lots and related environs under the control of the CTB.
  - Address subjects such as restrictions on parking, prohibited activities, and activities that may be performed under a permit.
- Earliest CTB policy in the same form as the regulation dates to 1973. Adopted as regulation in 1995.
- Last periodic review was in 2021. Last substantive amendments were made in 2018 to address mobile food vending.

Waysides, Rest Areas, and Parking Lots and Environs - Proposed Significant Amendments

Summary of Significant Amendments

- Combine the two regulatory chapters into a new Chapter 51 to remove the overlapping requirements currently duplicated in both regulations.
  - Overlapping requirements will be consolidated into one section within the new regulatory text. The unique provisions of each current chapter will be retained as new standalone sections.
- New allowance for state government entities to request permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law.

Waysides, Rest Areas, and Parking Lots and Environs - Proposed Significant Amendments

Summary of Significant Amendments (cont.)

- New allowance for permitting of events in parking lots on weekends.
- Expansion of allowance for mobile food vending to parking lots outside of Planning District 8.
- Achieve administrative updates, add clarifying language, and bring the text in line with current practice.

Next Steps

- If amendments are approved by the CTB at a subsequent meeting, VDOT staff will file the proposed regulations on Town Hall.*
- The amendments will then go through executive branch review, after which they will be published in the Virginia Register for the public to review.
- Public comment will be received for 60 days.
- Proposed Regulations may be adopted as Final Regulations with or without further amendments or not at all.

* Text of proposed amendments and proposed Town Hall documentation is included in CTB package.


VDOT
Virginia Department of Transportation

Attachment A

Chapter 21. General Rules and Regulations of the Commonwealth Transportation Board

24VAC30-21-10. Definitions.
The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Board" means the Commonwealth Transportation Board.

~~"Commissioner" means the Commissioner of Highways, the individual who serves as the chief executive officer of the Virginia Department of Transportation (VDOT) or his designee.~~

~~"Commonwealth" means the Commonwealth of Virginia.~~

"Right of way" means that property within the ~~entire area of every way or place of whatever nature within the~~ system of state highways ~~under the ownership, control, or jurisdiction of the board or VDOT~~ that is open or may ~~is to~~ be opened for public travel or use or both ~~within the future for the use of the public for purposes of travel~~ in the Commonwealth of Virginia. This definition includes those rights of way in which the Commonwealth of Virginia has a prescriptive easement for maintenance and public travel. The property within a right of way includes ~~area set out above includes not only~~ the traveled way~~portion but the entire area within and without the traveled portion, from boundary line to~~ and associated boundary lines and the area in between, the subsurface below and air above the property, ~~and also all~~ parking and recreation areas, rest and service areas, and other permanent easements for a specific purpose appurtenant to the right of way. ~~As used herein, the term also includes highway and VDOT-owned property that are under the ownership, control, or jurisdiction of the board or VDOT.~~

"System of state highways" means all highways, streets, ~~and~~ roads, and trails under the ownership, control, or jurisdiction of ~~the board~~VDOT including, but not limited to, the primary, secondary, and interstate systems.

"VDOT" means the Virginia Department of Transportation~~, the Commissioner of Highways, or a designee~~.

Commented [GALA1]: "Commissioner" and "Commonwealth" are proposed to be removed as defined terms as they are no longer used in the regulatory text.

Commented [GALA2]: Amended to reflect similar proposed revisions to the Land Use Permit Regulations.

Commented [GALA3]: Amended to reflect similar proposed revisions to the Land Use Permit Regulations.

Commented [GALA4]: Amended to reflect similar proposed revisions to the Land Use Permit Regulations.

24VAC30-21-20. General provisions concerning permits. and use of right of way.

A. No work, occupancy, or non-transportation uses of any nature ~~shall~~ may be allowed or performed on the system of state highways or any real property under the ownership, control, or jurisdiction of the board or VDOT including, but not limited to, the right of way of any highway in the system of state highways until written permission is first obtained from VDOT. Written permission ~~under this section~~ is granted by way of permit pursuant to 24VAC30-151 or by~~. In addition,~~ the letting of a contract by and between VDOT or the ~~B~~board and any other party which grants to that party automatically such permission for the area under contract, unless otherwise stated in the contract. VDOT is authorized to establish specific requirements for such permits including, but not limited to, permit authority, application procedure, and conditions under which a permit may be denied or revoked.

~~B. No land use permit shall be issued until the applicant has complied with the conditions set forth in and pursuant to applicable VDOT regulations filed as part of the Virginia Administrative Code.~~

~~C. Applicants to whom permits are issued shall at all times indemnify and save harmless the board, members of the board, the Commonwealth, and all Commonwealth employees, agents, and officers from responsibility, damage, or liability arising from the exercise of the privileges granted by these permits.~~

~~D~~B. Any structure placed upon or within the right of way, pursuant to a permit issued by VDOT or otherwise, shall be relocated or removed whenever ordered by VDOT. Such relocation or removal shall be accomplished at no expense to the Commonwealth unless VDOT agrees or has agreed otherwise.

~~**24VAC30-21-30. General provisions concerning use of right of way.**~~

~~A. No person, firm, or corporation shall use or occupy the right of way of any highway for any purpose except travel, except as may be authorized by VDOT, either pursuant to regulation or as provided by law.~~

Commented [GALA5]: Combined with the current section 30 to streamline the two sections.

Commented [GALA6]: Amended to reflect similar proposed revisions to the Land Use Permit Regulations. Reference to "occupancy" from the current section 30 added.

Commented [GALA7]: Covered by the proposed amendments to the Land Use Permit Regulations.

Commented [GALA8]: Duplicative of subsection A above; "occupancy" added above.

~~B~~C. ~~Except as permitted by subdivision 1~~2 of this subsection, the The following restrictions apply to activities occurring on bridges forming a part of the system of state highways:

~~1. No person, firm, or corporation shall stand or park a vehicle of any description on any bridge unless authorized by VDOT.~~

1~~2~~. No person ~~shall~~ may fish or seine from any bridge except when facilities are provided for such purposes as set out in § 33.2-278 of the Code of Virginia.

2~~3~~. No person, firm, or corporation ~~shall~~ may use any bridge as a wharf from which to load or unload a~~ny~~ vehicle, as a place of deposit for ~~any~~ property, or for any other purpose except crossing.

3~~4~~. No master or owner of any vessel ~~shall~~ may make it fast to or lay it alongside such bridge.

4~~5~~. Provisions of this subsection shall not apply to highway maintenance vehicles or vessels or fire ~~boats~~and law enforcement vehicles or vessels.

C. No person, firm, or corporation ~~shall~~may, without the consent of VDOT, remove, injure, destroy, break, deface, or in any way tamper with ~~any~~ property, real or personal, that is growing or has been placed on the right of way ~~of any highway within the system of state highways~~ by or with the consent of VDOT.

D. No person, firm, or corporation may cause water to flow from any source upon the right of way~~, of any highway within the system of state highways, nor shall any person, firm, or corporation~~ cause an~~y~~ increase of the water, at present, lawfully on the right of way~~, of any highway~~ or concentrate the flow of water upon the right of way ~~of any highway in the system of state highways~~ without the written consent of VDOT.

E. No road, railroad, or tracks of any description ~~shall~~ may be laid along, upon, or across any portion of a highway in the system of state highways without the written consent of VDOT.

Commented [GALA9]: Duplicative of section 20 of 24VAC30-640, Parking on Primary and Secondary Highways.

Commented [GALA10]: New language.

~~**24VAC30-21-40. Board authority to regulate entrances from adjacent property to right of way of highways within the state highway system.**~~
~~The board, under § 33.2-210 of the Code of Virginia, reserves the power to regulate entrances from adjacent property upon the right of way of any highway within the system of state highways. No entrance of any nature shall be made, built, or constructed upon the right of way of any highway within the system of state highways until the location has been determined in the opinion of the commissioner or designee of VDOT to be acceptable from a public safety standpoint and, further, until approval has been granted by VDOT. The design and construction of such entrances as approved by the commissioner pursuant to §§ 33.2-241 and 33.2-245 of the Code of Virginia must comply with VDOT's regulations where applicable.~~

Commented [GALA11]: Duplicative of the Access Management Regulations (design) and the Land Use Permit Regulations (construction).

24VAC30-21-~~5~~30. Placement of airport or heliport facilities.
No airport runways, heliports, or similar facilities, either private or commercial, ~~shall~~ may be placed adjacent to highway rights of way in such a manner as to impede the safe flow of vehicular traffic. Runways or similar facilities shall be placed a proper distance to allow a minimum glide slope for aircraft of 3° approaching said runway, or at a height over the roadway of 30 feet, whichever is greater. All airports or heliports~~, or both,~~ proposed in the vicinity of highway rights of way shall take these minimum road clearances into consideration when planning the location of the end of their runways.

24VAC30-21-~~6~~40. Use of electronic means for submitting documents or payments.
Where practicable, VDOT shall allow the alternative of submitting any documents or payments by electronic means.

Attachment B

Chapter 510. Rules and Regulations for the Administration of Waysides, and Rest Areas, and Parking Lots and Environs

24VAC30-5051-10. WProvisions concerning use of waysides, and rest areas, and parking lots and environs.

A. While in these areaswaysides, rest areas, and parking lots and environs, persons shall obey posted signs or public notices posted within the areas.

Waysides identified by name and without lights shall be open from 8 a.m. to one hour after sunset. Areas having security lighting will be open at all times.

B. When an area is posted for limited parking, the operator of each vehicle may be required to sign a register setting forth the time of arrival.

C. When posted, parking shall be limited to the period specified.

D. No overnight parking will be permitted.

EB. Camping is not permitted at any time.

F. Sleeping in any section of the rest area building is not permitted at any time.

CG. No person may park a vehicle shall be parked in such manner as to occupy more than one marked parking space.

D. No person may paste, attach, or place bills, advertisements, or inscriptions on vehicles parked in waysides, rest areas, and parking lots and environsthese areas.

EH. No domestic animals shall be permitted tomay go at large. Dogs must be kept on leash and shall not be taken into any shelter or other building; guide, hearing, or service dogs as defined by the Code of Virginia are an exception to this rule.

FI. While in waysides, rest areas, and parking lots and environs, Nno person shall may pick any flowers, foliage, or fruit;, or cut, break, dig up, or in any way mutilate, or injure any trees, shrubs, plants, grass, turf, railings, seats, fences, structures, or other objectsanything within this these areas; or cut, carve, paint, mark, or paste, or attach bills, advertisements, or inspections on any trees, stones, fences, walls, buildings, monuments or other objects within these areas therein, any bill, advertisement, or inscription whatsoever.

GJ. No person shall may disturb or injure any bird, birds' nests or eggs, or any squirrel or other animal within waysides, rest areas, and parking lots and environstheseis areas.

Commented [GALA1]: Amendments drafted to Ch. 50 with Ch. 100 added as section 40 below (with generally applicable provisions added to section 10). General edits made to align the text with the Register's Style Manual.

Commented [GALA2]: Generally applicable text from Ch. 100 (subsection 10(A)) which has been slightly revised in accordance with the Style Manual.

Commented [GALA3]: Moved to section 20 below.

Commented [GALA4]: No longer current practice.

Commented [GALA5]: Moved to section 20 below.

Commented [GALA6]: Moved to sections below.

Commented [GALA7]: Current subsection E of Ch. 50. Not currently in Ch. 100.

Commented [GALA8]: Moved to section 30 below.

Commented [GALA9]: Current subsection G of Ch. 50. Similar language in subsection B of Ch. 100.

Commented [GALA10]: Generally applicable text from Ch. 100 (subsection 10(C)) which has been slightly revised in accordance with the Style Manual.

Commented [GALA11]: Current subsection H of Ch. 50. Not currently in Ch. 100.

Commented [GALA12]: Moved to section 30 below.

Commented [GALA13]: Current subsection I of Ch. 50 and subsection E of Ch. 100.

Commented [GALA14]: Current subsection J of Ch. 50 and subsection F of Ch. 100.

H~~K~~. No person ~~shall~~ may dig up or remove any dirt, stones, rock or other thing, make any excavation, quarry any stone or lay or set off any blast, or cause or assist in doing any of ~~said~~ these things within waysides, rest areas, and parking lots and environs~~theseis areas~~, except by permit issued pursuant to the Land Use Permit Regulations (24VAC30-151) ~~without the special order or license of the commissioner~~.

I~~L~~. ~~No threatening, abusive, boisterous, insulting or indecent language or gesture shall be used within this area.~~ No~~r shall any~~ oration~~, or other public~~ demonstration, picketing, public display, assembly, dissemination, or similar activity may occur in waysides, rest areas, and parking lots and environs~~these areas~~ except as may be allowed in section 40 of this chapter. This prohibition does not apply to the Virginia Department of Transportation (VDOT) ~~be made, unless by special authority of the commissioner~~.

J~~M~~. No person ~~shall~~ may offer any article or thing for sale within waysides, rest areas, and parking lots and environs ~~theseis areas~~ except pursuant to a vendor contract, by permit in accordance with the Land Use Permit Regulations (24VAC30-151), or as permitted by section 40 of this chapter~~by permission of the Commonwealth Transportation Board~~.

~~N. No person shall bathe or fish in any waters within this area, except in such places and subject to such regulations as the commissioner may, from time to time, specially designate by a public notice set up for that purpose within the same.~~

~~O. No person shall light, kindle or use any fire within this area, except at fireplaces designed and built for such purposes and the person or persons building a fire therein will be responsible for having it completely extinguished before leaving it.~~

K~~P~~. No person ~~shall~~ may discharge or set off within waysides, rest areas, and parking lots and environs~~theseis areas~~, any firearms, ~~firecrackers, torpedoes, rockets, or other~~ fireworks as defined in § 27-95 of the Code of Virginia, or other incendiary device except by permit issued pursuant to the Land Use Permit Regulations (24VAC30-151)~~from the commissioner~~.

L~~Q~~. No bottles, broken glass, ~~ashes, waste paper~~wastepaper, or other rubbish ~~shall~~ may be left within waysides, rest areas, and parking lots and environs~~theseis areas~~, except in such receptacles~~at such places~~ as may be provided for the same.

M~~R~~. ~~No a~~Automobiles or other vehicles may only ~~shall~~ be taken into or driven upon designated locations within waysides, rest areas, and parking lots and environs~~these areas~~~~this area, except upon such drives and subject to such regulations as the commissioner may, from time to time, designate by a public notice set up for that~~

Commented [GALA15]: Current subsection K of Ch. 50. Not currently in Ch. 100.

Commented [GALA16]: Current subsection L of Ch. 50 and subsection G of Ch. 100. Text has been updated.

Commented [GALA17]: Current subsection M of Ch. 50 and subsection H of Ch. 100.

Commented [GALA18]: Moved to section 20 below.

Commented [GALA19]: Language moved to the sections below and revised to better align with each specific location.

Commented [GALA20]: Current subsection P of Ch. 50 and subsection K of Ch. 100.

Commented [GALA21]: Current subsection Q of Ch. 50 and subsection D of Ch. 100.

Commented [GALA22]: Provisions for ashes added to specific sections below where relevant.

Commented [GALA23]: Current subsection R of Ch. 50.

~~purpose within the same~~. Drivers shall obey all traffic signs posted in waysides, rest areas, and parking lots and environs~~these areas~~.

Commented [GALA24]: New language.

N~~S~~. Any person found in violation of this chapter~~violating any of the preceding rules and regulations~~ shall be guilty of a misdemeanor and, upon conviction, be fined not less than five dollars nor more than $100 for each offense and shall be civilly liable to the Commonwealth for all actual damage caused by a violation of this chapter.

Commented [GALA25]: Current subsection S of Ch. 50 and subsection L of Ch. 100. Edits made to conform to similar proposed amendments to the Land Use Permit Regulations.

24VAC30-51-20. Provisions governing waysides.

A. Unless otherwise posted, waysides identified by name and without lights are open from 8 a.m. to one hour after sunset and areas having security lighting are open at all times.

Commented [GALA26]: "Unless otherwise posted" proposed to add flexibility. The rest of the text for this subsection comes from the current subsection A of Ch. 50, with minor edits to reflect the Style Manual.

B. When posted, parking shall be limited to the period specified.

Commented [GALA27]: Current subsection C of Ch. 50.

C. Overnight parking is not permitted.

Commented [GALA28]: Current subsection D of Ch. 50. Reworded to reflect the Style Manual.

D. Unless otherwise posted, no person may swim or fish in any waters within a wayside~~this area~~.

Commented [GALA29]: "Unless otherwise posted" proposed to add flexibility.

E. No person may light, kindle or use any fire within ~~this area~~a wayside, except at designated areas designed and built for such purposes and the person or persons building a fire therein will be responsible for having it completely extinguished before leaving it. Ashes shall be removed from the designated areas and disposed of in such receptacles as may be provided for their disposal.

Commented [GALA30]: Current subsection N of Ch. 50; wording has been simplified and updated.

Commented [GALA31]: Current subsection O of Ch. 50. Reworded to align with the Style Manual and added a sentence regarding ashes.

24VAC30-51-30. Provisions governing rest areas.

A. Overnight parking is not permitted.

Commented [GALA32]: Current subsection D of Ch. 50. Reworded to reflect the Style Manual.

B. Sleeping in any section of the rest area building is not permitted at any time.

Commented [GALA33]: Current subsection F of Ch. 50.

C. Dogs may not be taken into any building; guide, hearing, or service dogs as defined by the Code of Virginia are an exception to this rule.

Commented [GALA34]: Second sentence of current subsection H of Ch. 50. Reworded to simplify and align with the Style Manual.

D. No person may light, kindle or use any fire within a rest~~this~~ area, except at designated areas designed and built for such purposes and the person or persons building a fire therein will be responsible for having it completely extinguished before leaving it. Ashes shall be removed from the designated areas and disposed of in such receptacles as may be provided for their disposal.

Commented [GALA35]: Current subsection O of Ch. 50. Reworded to align with the Style Manual and added a sentence regarding ashes.

E. Notwithstanding the provisions of this chapter, state government entities may request ~~permits~~permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law,~~.~~ and VDOT may grant such requests in its discretion.

Commented [GALA36]: New subsection.

24VAC30-51-40. Provisions governing parking lots and environs.

A. Overnight parking may be restricted in accordance with posted signs.

Commented [GALA37]: Allows for overnight parking.

B. In accordance with a permit issued pursuant to the Land Use Permit Regulations (24VAC30-151), the Commonwealth Transportation Board may permit persons, organizations, or groups to use these lots for various purposes and events when the use will not interfere with or disrupt the normal and intended function of the lots.

Commented [GALA38]: New subsection to allow for permitting of events in parking lots on weekends.

1. No activities will be permitted that would constitute a violation~~e~~ of or that are inconsistent with this chapter, Virginia or federal law, or local ordinances, including noise ordinances.

2. Events must provide reasonable safety for all participants, spectators, other parking lot users, and the public.

3. Events must preserve the aesthetic appearance of buildings and grounds and provide for the removal of waste that may be left by event participants.

4. Requests for permits generally will be considered on a first-come, first-served basis. Parking lots may only be available for permitted events on Saturdays and Sundays. No more than one event will be scheduled for the same time on the same day. This includes permitted setup and takedown time.

5. VDOT may require the cancellation of a permitted event and the immediate removal of all related equipment if the permittee violates the permit conditions, to preserve public safety or order, or prevent damage to the lot and environs.

C. Except as authorized by the terms of a land use permit issued to a mobile food vendor, no person may light, kindle, or use any fire within ~~this area~~parking lots and environs.

Commented [GALA39]: Current subsection J of Ch. 100. Updates made in accordance with the Style Manual.

D. Mobile food vending.

Commented [GALA40]: Current subsection I of Ch. 100.

1. Mobile food vending shall be allowed within commuter lots in Planning District 8, and may be allowed at other parking lots, except lots that meet at least one of the following conditions:

Commented [GALA41]: New expansion of this subsection to lots outside of Planning District 8.

a. Parking lots or the portions thereof determined to be part of the interstate system.

b. Parking lots that, as of last VDOT survey, had occupancy rates of 98% or higher, except that mobile food vending may be permitted in such lots (i) if a paved area, the use of which does not include one or more parking spaces or block one or more parking spaces, is available within the lot; (ii) if vending is from a nonmotorized cart on sidewalks, provided that the vehicle used to transport the cart is not parked within the commuter lot; or (iii) on weekends.

c. Parking lots that have been requested by the locality to not be made available for mobile food vending.

2. Permission for mobile food vending shall be granted through a land use permit issued to the mobile food vendor in accordance with the Land Use Permit Regulations (24VAC30-151).

3. In order for a mobile food vendor to be granted or to retain a land use permit for mobile food vending at commuter lots pursuant to this subsection, the vendor must comply with all of the following:

a. All relevant locality and Department of Health policies and requirements for mobile food vending.

b. All land use permit conditions and requirements set forth within or attached to the land use permit, which may include provisions relating to the location of the vending unit, the collection and disposal of litter, a limitation on vending times, a requirement for minimum insurance, and the provision of surety.

c. Posted signs or public notices setting out regulations or requirements for the use of commuter lots.

d. Mobile food vending shall be conducted with pedestrians only and may not be conducted with occupants of vehicles.

e. Neither the mobile food vendor nor the vendor's operation may interfere with the operation of the commuter lot and the safety of the lot's users, and the determination of interference shall be solely within the discretion of VDOT.

f. The mobile food vendor may not post advertising within or upon the grounds of the commuter lot. Advertising on the mobile food vending unit (vehicle, trailer, or pushcart), promoting the products or services offered by the mobile food vendor at that mobile food vending unit, is not considered a violation of this section.

Commented [GALA42]: For subparts a-c, changed “Commuter” to “Parking” to avoid confusion of terms.

Commented [GALA43]: Reworded to align with the Style Manual.

Commented [GALA44]: Language of this subpart has been simplified.

Commented [GALA45]: Reworded to align with the Style Manual.

Failure to comply with this subdivision 3 will result in the revocation of the permit.

Form: TH-02
August 2022

townhall.virginia.gov

Proposed Regulation
Agency Background Document

Agency name	Commonwealth Transportation Board
Virginia Administrative Code (VAC) Chapter citation(s)	24 VAC 30-21
VAC Chapter title(s)	General Rules and Regulations of the Commonwealth Transportation Board
Action title	Chapter 21 Regulatory Reform and Periodic Review
Date this document prepared	_____, 2024

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

General Rules and Regulations of the Commonwealth Transportation Board, 24VAC30-21, provides for the Commonwealth Transportation Board (CTB) to regulate generally the activities that occur on highway right of way under the jurisdiction of the CTB and the Virginia Department of Transportation (VDOT), dictating that uses other than travel are subject to the land use permit framework and that access/entrances are subject to the access management framework, and providing for regulation of other uses of the highway systems. The CTB has undertaken a comprehensive review of 24VAC30-21. The intent of this action is to remove redundant or obsolete language and to achieve regulatory reduction and streamlining in accordance with Governor Youngkin's Executive Order 19 (EO 19).

Acronyms and Definitions

Define all acronyms used in this form, and any technical terms that are not also defined in the "Definitions" section of the regulation.

CTB means the Commonwealth Transportation Board.

VDOT means the Virginia Department of Transportation.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

On July 16, 2024, the CTB approved a Notice of Intended Regulatory Action to review 24VAC30-21 to potentially amend any overly burdensome requirements, remove any obsolete information, and provide more clarity with streamlined text. The CTB conducted a review of this regulation in accordance with Governor Youngkin's Executive Order 19. As a result of this review, the CTB identified several areas for streamlining within this regulation. The CTB approved the proposed amendments on _____, 2024.

Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

The Commonwealth Transportation Board has general authority to adopt regulations "for the protection of and covering traffic on and for the use of systems of state highways" and has "the authority to add to, amend, or repeal such regulations" pursuant to § 33.2-210 of the Code of Virginia.

Purpose

Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.

The proposed regulatory changes are intended to remove redundant or obsolete language, add clarity, and achieve regulatory reduction and streamlining in accordance with Executive Order 19. Changes include the removal of text which is duplicative of that contained in other CTB or VDOT regulations. These proposed amendments are intended to reduce confusion for regulated entities by removing text which is unnecessary and by ensuring regulatory requirements are only associated with the most appropriate regulation and not unnecessarily restated in multiple regulations.

Substance

Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the "Detail of Changes" section below.

In addition to streamlining the regulatory text and removing requirements restated in other regulatory chapters, further clarity will be added to definitions in section 10 and to the restrictions applying to activities occurring on bridges forming a part of the system of state highways in section 20.

Issues

Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.

The primary benefit to the public through removing redundant language, streamlining regulatory text, and providing additional clarity is to ensure the regulation is easy to read and understand. These changes are not anticipated to present a disadvantage to the public or the Commonwealth.

Requirements More Restrictive than Federal

Identify and describe any requirement of the regulatory change which is more restrictive than applicable federal requirements. Include a specific citation for each applicable federal requirement, and a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements, or no requirements that exceed applicable federal requirements, include a specific statement to that effect.

There are no applicable federal requirements.

Agencies, Localities, and Other Entities Particularly Affected

Consistent with § 2.2-4007.04 of the Code of Virginia, identify any other state agencies, localities, or other entities particularly affected by the regulatory change. Other entities could include local partners such as tribal governments, school boards, community services boards, and similar regional organizations. "Particularly affected" are those that are likely to bear any identified disproportionate material impact which would not be experienced by other agencies, localities, or entities. "Locality" can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulation or regulatory change are most likely to occur. If no agency, locality, or entity is particularly affected, include a specific statement to that effect.

Other State Agencies Particularly Affected

State fire and law enforcement agencies may be affected by the added exception for fire and law enforcement vehicles or vessels from the regulation's provisions concerning activities occurring on bridges forming a part of the state system of highways.

Localities Particularly Affected

Local fire and law enforcement agencies may be affected by the added exception for fire and law enforcement vehicles or vessels from the regulation's provisions concerning activities occurring on bridges forming a part of the state system of highways.

Other Entities Particularly Affected

No other entities are particularly affected by the regulatory changes.

Economic Impact

Consistent with § 2.2-4007.04 of the Code of Virginia, identify all specific economic impacts (costs and/or benefits) anticipated to result from the regulatory change. When describing a particular economic impact, specify which new requirement or change in requirement creates the anticipated economic impact. Keep in mind that this is the proposed change versus the status quo.

Impact on State Agencies

For your agency: projected costs, savings, fees, or revenues resulting from the regulatory change, including: a) fund source / fund detail; b) delineation of one-time versus on-going expenditures; and c) whether any costs or revenue loss can be absorbed within existing resources.	There are no anticipated costs, savings, fees, or revenues for VDOT resulting from the regulatory change.
For other state agencies: projected costs, savings, fees, or revenues resulting from the regulatory change, including a delineation of one-time versus on-going expenditures.	There are no anticipated costs, savings, fees, or revenues for other state agencies resulting from this regulatory action.
For all agencies: Benefits the regulatory change is designed to produce.	The benefits of the proposed changes are improved clarity and reduced redundancy of the regulatory text.

Impact on Localities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a or 2) on which it was reported. Information provided on that form need not be repeated here.

Projected costs, savings, fees, or revenues resulting from the regulatory change.	There are no anticipated costs, savings, fees, or revenues for localities resulting from this regulatory action.
Benefits the regulatory change is designed to produce.	The benefits of the proposed changes are improved clarity and reduced redundancy of the regulatory text.

Impact on Other Entities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a, 3, or 4) on which it was reported. Information provided on that form need not be repeated here.

Description of the individuals, businesses, or other entities likely to be affected by the	No other entities are expected to be particularly affected by the proposed changes.

regulatory change. If no other entities will be affected, include a specific statement to that effect.	
Agency's best estimate of the number of such entities that will be affected. Include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that: a) is independently owned and operated, and; b) employs fewer than 500 full-time employees or has gross annual sales of less than $6 million.	N/A
All projected costs for affected individuals, businesses, or other entities resulting from the regulatory change. Be specific and include all costs including, but not limited to: a) projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses; b) specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the regulatory change; c) fees; d) purchases of equipment or services; and e) time required to comply with the requirements.	N/A
Benefits the regulatory change is designed to produce.	The benefits of the proposed changes are improved clarity and reduced redundancy of the regulatory text.

Alternatives to Regulation

Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the regulatory change. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulatory change.

The proposed regulatory changes were identified during a review conducted in accordance with the principles of EO 19. The focus of the review was to reduce overly burdensome requirements, remove any obsolete information, and provide more clarity with streamlined regulatory requirements. As such, no alternatives to the proposed changes were identified.

If this analysis has been reported on the ORM Economic Impact form, indicate the tables on which it was reported. Information provided on that form need not be repeated here.

Regulatory Flexibility Analysis

Consistent with § 2.2-4007.1 B of the Code of Virginia, describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) establishing less stringent compliance or reporting requirements; 2) establishing less stringent schedules or deadlines for compliance or reporting

requirements; 3) consolidation or simplification of compliance or reporting requirements; 4) establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the regulatory change.

No alternative regulatory methods are applicable nor were alternative regulatory methods considered.

If this analysis has been reported on the ORM Economic Impact form, indicate the tables on which it was reported. Information provided on that form need not be repeated here.

Periodic Review and Small Business Impact Review Report of Findings

If you are using this form to report the result of a periodic review/small business impact review that is being conducted as part of this regulatory action, and was announced during the NOIRA stage, indicate whether the regulatory change meets the criteria set out in EO 19 and the ORM procedures, e.g., is necessary for the protection of public health, safety, and welfare; minimizes the economic impact on small businesses consistent with the stated objectives of applicable law; and is clearly written and easily understandable. In addition, as required by § 2.2-4007.1 E and F of the Code of Virginia, discuss the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation; (3) the complexity of the regulation; (4) the extent to the which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, discuss why the agency's decision, consistent with applicable law, will minimize the economic impact of regulations on small businesses.

The proposed changes to 24VAC30-21 are intended to reduce redundancy and improve clarity of the regulation in alignment with the criteria set out in Executive Order 19 and the ORM procedures. The regulation enables VDOT to protect the public health, safety, and welfare by preserving the integrity of the state system of highways and by facilitating the safe and convenient transportation of goods and people and continues to be necessary. The regulation was last reviewed in 2021 and no complaints have been received. The regulation does not overlap or conflict with state law, federal law, or federal regulation, and the text which overlaps with other state regulations is proposed to be removed. The regulation does not negatively affect small businesses.

Public Comment

<u>Summarize</u> all comments received during the public comment period following the publication of the previous stage, and provide the agency's response. Include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. If no comment was received, enter a specific statement to that effect.

No public comments were received during the public comment period following the publication of the previous stage.

Public Participation

Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below.

The CTB is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal, (ii) any alternative approaches, (iii) the potential impacts of the regulation, and (iv) the agency's regulatory flexibility analysis stated in that section of this background document.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: https://townhall.virginia.gov. Comments may also be submitted by mail, email or fax to Jo Anne Maxwell, Agency Regulatory Coordinator, 1401 E. Broad St. Richmond, VA 23219, telephone (804) 786-1830, fax (804) 225-4700, JoAnne.Maxwell@VDOT.Virginia.gov. In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

A public hearing will not be held following the publication of this stage of this regulatory action.

Detail of Changes

List all regulatory changes and the consequences of the changes. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Use all tables that apply, but delete inapplicable tables.

If an existing VAC Chapter(s) is being amended or repealed, use Table 1 to describe the changes between the existing VAC Chapter(s) and the proposed regulation. If the existing VAC Chapter(s) or sections are being repealed and replaced, ensure Table 1 clearly shows both the current number and the new number for each repealed section and the replacement section.

Table 1: Changes to Existing VAC Chapter(s)

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of new requirements
21-10	N/A	Section 10 defines the words and terms used in the regulation.	The definitions of “Commissioner” and “Commonwealth” will be removed as they are no longer used in or relevant for the regulation. “Right of Way,” “System of state highways” and “VDOT” will be amended to clarify and streamline the definitions.
21-20	N/A	Section 20 covers general provisions concerning permits. Subsection A prohibits work on any real property under the ownership, control, or jurisdiction of the board or VDOT until written	The title of this section will be expanded to include uses of right of way to reflect the combination of sections 20 and 30. Clarifying amendments will be made to subsection A to conform to similar proposed changes to 24VAC30-151-20. Occupancy restrictions will also be

		permission is obtained from VDOT through a permit. Subsection B requires permit applicants to comply with the conditions set forth in applicable VDOT regulations. Subsection C contains indemnification and save harmless requirements for permittees. Subsection D requires removal, at no cost to the Commonwealth unless VDOT agrees, of any structure placed upon or within the right of way by a permittee.	added to subsection A to reflect the combination of sections 20 and 30. Subsections B and C are proposed to be removed as they are duplicative of requirements contained in 24VAC30-151, the Land Use Permit Regulations. 24VAC30-151 is the more appropriate regulation for these requirements. Additionally, clarifying changes will be made and minor edits will be added in accordance with the "Form, Style and Procedure Manual for Publication of Virginia Regulations."
21-30	N/A	Section 30 relates to general provisions concerning use of right of way. Specifically, this section covers occupancy of the right of way; restrictions on activities occurring on bridges; treatment of property that is growing or has been placed on the right of way; restrictions on causing water to flow from any source upon the right of way and causing any increase of the water lawfully on the right of way; and restrictions on laying roads, railroads, and tracks along, upon, or across highways in the system of state highways.	The current section 30 will be merged with section 20 to streamline the regulation. Current subsection A of section 30 will be removed as it is generally duplicative of subsection A of section 20; however, "occupancy" will be added to subsection A of section 20 to ensure that this potential use of state highway right of way remains prohibited without written permission from VDOT. Subdivision B1 will be removed as it is duplicative of the prohibition on parking, stopping, or standing on bridges contained in 24VAC30-640-20. 24VAC30-640, Parking on Primary and Secondary Highways, is the more appropriate regulation for this prohibition. The exemption contained in the current subdivision B5 will be expanded to included fire and law enforcement vehicles or vessels. Minor formatting, streamlining, and clarifying updates will be made throughout this section. Additionally, minor changes will be made in this section in accordance with the "Form, Style and Procedure Manual for Publication of Virginia Regulations."
21-40	N/A	Section 40 outlines the statutory authority for regulation of entrances from adjacent property to right of way of highways within the state highway system and prohibits any entrance from being made, built, or constructed upon the right of way of any highway within	Section 40 is duplicative of 24VAC30-73, the Access Management Regulations, and 24VAC30-151, the Land Use Permit Regulations, and as such is proposed to be removed. 24VAC30-73 and 24VAC30-151 are the more appropriate regulations for the information contained in this section.

		the system of state highways until VDOT has determined the location is acceptable from a public safety standpoint and has granted approval for the entrance.	
21-50	N/A	Section 50 restricts placement of airport or heliport facilities adjacent to highway rights of way.	This section will be renumbered to section 30 to reflect the reorganization of this chapter. Minor changes will be made in this section in accordance with the "Form, Style and Procedure Manual for Publication of Virginia Regulations."
21-60	N/A	Section 60 states that VDOT shall allow documents to be submitted by electronic means where practicable.	This section will be renumbered to section 40 to reflect the reorganization of this chapter.

If a new VAC Chapter(s) is being promulgated and is not replacing an existing Chapter(s), use Table 2.

Table 2: Promulgating New VAC Chapter(s) without Repeal and Replace

New chapter-section number	New requirements to be added to VAC	Other regulations and laws that apply	Change, intent, rationale, and likely impact of new requirements

*If the regulatory change is replacing an **emergency regulation**, and the proposed regulation is identical to the emergency regulation, complete Table 1 and/or Table 2, as described above.*

*If the regulatory change is replacing an **emergency regulation**, but changes have been made since the emergency regulation became effective, also complete Table 3 to describe the changes made since the emergency regulation.*

Table 3: Changes to the Emergency Regulation

Emergency chapter-section number	New chapter-section number, if applicable	Current emergency requirement	Change, intent, rationale, and likely impact of new or changed requirements since emergency stage

Attachment D

Form: TH-02
August 2022

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Proposed Regulation
Agency Background Document

Agency name	Commonwealth Transportation Board
Virginia Administrative Code (VAC) Chapter citation(s)	24VAC30-50 and 24VAC30-100
VAC Chapter title(s)	Review of Rules for the Administration of Waysides, Rest Areas, Parking Lots and Environs
Action title	Chapters 50 and 100 Regulatory Reform and Periodic Review
Date this document prepared	____, 2024

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The Rules and Regulations for the Administration of Waysides and Rest Areas, 24VAC30-50, establishes overall policies, procedures, and conditions under which waysides and rest areas under the control of the CTB may be used. Currently, Chapter 50 addresses subjects such as operating hours and prohibited and restricted activities. The Rules and Regulations for the Administration of Parking Lots and Environs, 24VAC30-100, establishes the rules and conditions governing the use of, and activities that may be conducted in, parking lots and related environs under the control of the CTB. Currently, Chapter 100 addresses subjects such as restrictions on parking, prohibited activities, and activities that may be performed under a permit.

The CTB has undertaken a comprehensive review of 24VAC30-50 and 24VAC30-100. The intent of this action is to achieve regulatory reduction and streamlining and to remove redundant or obsolete language in accordance with Governor Youngkin's Executive Order 19 (EO 19). The two regulatory chapters are

proposed to be combined into a new Chapter 51 to remove the overlapping requirements currently duplicated in both regulations. The requirements common to both current chapters will be consolidated into one section within the new regulatory text. The unique provisions of each current chapter will be retained as new standalone sections to ensure the public can easily find and understand the applicable requirements.

Other proposed new additions include the allowance for state government entities to request and be granted permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law, allowance for permitting of events in parking lots on weekends, and expansion of the allowance for mobile food vending to parking lots outside of Planning District 8.

Acronyms and Definitions

Define all acronyms used in this form, and any technical terms that are not also defined in the "Definitions" section of the regulation.

"Agency" or "VDOT" means the Virginia Department of Transportation.

"CTB" means the Commonwealth Transportation Board.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

On July 16, 2024, the CTB approved a Notice of Intended Regulatory Action to review 24VAC30-50 and 24VAC30-100 to potentially amend any overly burdensome requirements, remove any obsolete information, and provide more clarity with streamlined text. The CTB conducted a review of these regulations in accordance with Governor Youngkin's Executive Order 19. As a result of this review, the CTB identified several areas for streamlining, including combining the two regulations to eliminate overlapping requirements. The CTB approved the proposed amendments on _____, 2024.

Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

Authority for these chapters comes from § 33.2-210 of the Code of Virginia and 23 USC § 111 and related federal regulations. The Commonwealth Transportation Board has general authority to adopt regulations "for the protection of and covering traffic on and for the use of systems of state highways" and has "the authority to add to, amend, or repeal such regulations" pursuant to § 33.2-210 of the Code of Virginia. 23 USC § 111 and 23 CFR § 752.5 govern agreements between states and the federal government for the construction of projects on the Interstate System and grant states the ability to acquire, construct, operate, and maintain rest areas along Interstate highways and place restrictions and limitations on the use of the areas.

Additional authority for Chapter 50 is provided under subsection E of § 33.2-246 of the Code of Virginia, which authorizes the CTB to "establish regulations for the use of recreational waysides, including regulations relating to (i) the time, place, and manner of parking of vehicles; (ii) activities that may be conducted within such waysides; (iii) solicitation and selling within the waysides; and (iv) such other matters as may be necessary or expedient in the interest of the motoring public."

Additional authority for Chapter 100 comes from § 33.2-118 of the Code of Virginia, which provides authority for regulation of mobile food vending in commuter parking lots in Planning District 8.

Purpose

Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.

The CTB believes Chapters 50 and 100 are necessary for the protection of public health, safety, and welfare. The safety of users and the integrity of the facilities are preserved through the prohibitions on potentially dangerous conduct and restrictions of other conduct which may negatively interfere with the intended uses of these areas. The combination of Chapters 50 and 100 into a new Chapter 51 is beneficial as there is considerable overlap between the two existing regulations. This change will streamline and improve the clarity of the regulations. Text that is outdated and no longer reflects agency practice is proposed for removal. Many changes to the text of the regulation will be made in accordance with the Virginia Register of Regulation's "Form, Style and Procedure Manual for Publication of Virginia Regulations" to ensure the regulation is easily readable and understandable.

A provision will be added to allow for state government entities to request permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law. This will ensure the restrictions on uses of rest areas by state government entities do not prohibit the distribution of relevant safety information to travelers. Additional changes allow for permitting of events in parking lots on weekends. This will provide for use of the parking lot facilities on weekends when they are typically not otherwise being used by parked vehicles. Another change is to expand mobile food vending to parking lots outside of Planning District 8. Other changes to the regulation are necessary to update language which is no longer relevant or which no longer reflects current practice.

Substance

Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the "Detail of Changes" section below.

Substantive changes include combining the two regulatory chapters into a new Chapter 51 to remove the overlapping requirements currently duplicated in both regulations. The overlapping requirements will be consolidated into one section within the new regulatory text and the unique provisions of each current chapter will be retained as new standalone sections to ensure the public can easily find and understand the applicable requirements.

Furthermore, new substantive additions include the allowance for state government entities to request permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law, the allowance for permitting events in parking lots on weekends, and expansion of the allowance for mobile food vending to parking lots outside of Planning District 8.

Other proposed amendments will achieve administrative updates, add clarifying language, and bring the text in line with current practice.

Issues

Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.

The primary benefit to the public of combining the two regulatory chapters into a new Chapter 51 is to ensure the regulatory requirements are easy to find and understand. Other proposed changes will benefit the public through removing outdated language and providing clarity as to current VDOT practice.

The allowance for state government entities to request permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law will benefit other state government entities as they will be able to request permission to set up tables or hand out educational materials to the public at Virginia's rest areas. This will also benefit the traveling public as they will be better informed as a result of the information provided to them by government entities.

The allowance for permitting events in parking lots will benefit the public as there will be more opportunities for productive use of the parking lots on weekends. Example activities that could be permitted include farmers markets or car shows.

Expanding the opportunity for mobile food vending in parking lots outside of Planning District 8 will benefit mobile food vendors as they will be able to obtain permits for vending in more lots than allowed under the current regulation. The number and location of lots where new vending would be permitted has not yet been determined.

There are no anticipated disadvantages to the public or the Commonwealth from the proposed regulatory changes.

Requirements More Restrictive than Federal

Identify and describe any requirement of the regulatory change which is more restrictive than applicable federal requirements. Include a specific citation for each applicable federal requirement, and a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements, or no requirements that exceed applicable federal requirements, include a specific statement to that effect.

There are no requirements that exceed applicable federal requirements.

Agencies, Localities, and Other Entities Particularly Affected

Consistent with § 2.2-4007.04 of the Code of Virginia, identify any other state agencies, localities, or other entities particularly affected by the regulatory change. Other entities could include local partners such as tribal governments, school boards, community services boards, and similar regional organizations. "Particularly affected" are those that are likely to bear any identified disproportionate material impact which would not be experienced by other agencies, localities, or entities. "Locality" can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulation or

regulatory change are most likely to occur. If no agency, locality, or entity is particularly affected, include a specific statement to that effect.

Other State Agencies Particularly Affected

Other state agencies may benefit from the new allowance for requesting permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law.

Localities Particularly Affected

Local governments will not be particularly affected by the proposed regulatory changes.

Other Entities Particularly Affected

Mobile food vendors may benefit from the new allowance for mobile food vending within commuter lots outside of Planning District 8.

Economic Impact

Consistent with § 2.2-4007.04 of the Code of Virginia, identify all specific economic impacts (costs and/or benefits) anticipated to result from the regulatory change. When describing a particular economic impact, specify which new requirement or change in requirement creates the anticipated economic impact. Keep in mind that this is the proposed change versus the status quo.

Impact on State Agencies

For your agency: projected costs, savings, fees, or revenues resulting from the regulatory change, including: a) fund source / fund detail; b) delineation of one-time versus on-going expenditures; and c) whether any costs or revenue loss can be absorbed within existing resources.	There are no projected costs, savings, fees, or revenues for VDOT resulting from the regulatory changes.
For other state agencies: projected costs, savings, fees, or revenues resulting from the regulatory change, including a delineation of one-time versus on-going expenditures.	There are no projected costs, savings, fees, or revenues for other state agencies resulting from the regulatory changes.
For all agencies: Benefits the regulatory change is designed to produce.	General benefits of the regulatory changes include the streamlining and improved clarity of the regulations which will come from combining Chapters 50 and 100. The removal of text that is outdated and no longer reflects agency practice and the changes made in accordance with the Virginia Register of Regulation's "Form, Style and Procedure Manual for Publication of Virginia Regulations" will ensure the regulation is easily readable and understandable. Other state agencies may specifically benefit from the new allowance for requesting permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law.

Impact on Localities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a or 2) on which it was reported. Information provided on that form need not be repeated here.

Projected costs, savings, fees, or revenues resulting from the regulatory change.	There are no projected costs, savings, fees, or revenues for localities resulting from the regulatory changes.
Benefits the regulatory change is designed to produce.	General benefits of the regulatory changes include the streamlining and improved clarity which will come from combining Chapters 50 and 100. The removal of text that is outdated and no longer reflects agency practice and the changes made in accordance with the Virginia Register of Regulation's "Form, Style and Procedure Manual for Publication of Virginia Regulations" will ensure the regulation is easily readable and understandable.

Impact on Other Entities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a, 3, or 4) on which it was reported. Information provided on that form need not be repeated here.

Description of the individuals, businesses, or other entities likely to be affected by the regulatory change. If no other entities will be affected, include a specific statement to that effect.	Mobile food vendors may benefit from the new allowance for mobile food vending within parking lots outside of Planning District 8.
Agency's best estimate of the number of such entities that will be affected. Include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that: a) is independently owned and operated, and; b) employs fewer than 500 full-time employees or has gross annual sales of less than $6 million.	In the last 6 years, 81 permits have been issued to mobile food vendors in Planning District 8 for operating in commuter lots. Most of these vendors are assumed to be small businesses, and expanding the opportunity to operate in other districts across the state can be expected to be beneficial to these and other mobile food vendors. The specific number of mobile food vendors that would be affected by the regulatory change cannot be estimated at this time.
All projected costs for affected individuals, businesses, or other entities resulting from the regulatory change. Be specific and include all costs including, but not limited to: a) projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses; b) specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the regulatory change; c) fees; d) purchases of equipment or services; and e) time required to comply with the requirements.	There are no projected costs for other entities resulting from the regulatory changes.
Benefits the regulatory change is designed to produce.	General benefits of the regulatory changes include the streamlining and improved clarity that will come from combining Chapters 50 and 100.

	The removal of text that is outdated and no longer reflects agency practice and the changes made in accordance with the Virginia Register of Regulation's "Form, Style and Procedure Manual for Publication of Virginia Regulations" will ensure the regulation is easily readable and understandable.

Alternatives to Regulation

Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the regulatory change. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulatory change.

The proposed regulatory changes were identified during a review conducted in accordance with the principles of EO 19. The focus of the review was to reduce overly burdensome requirements, remove any obsolete information, and provide more clarity with streamlined regulatory requirements. As such, no alternative to the proposed changes were identified. The proposed changes add flexibility for small businesses and no alternatives were considered.

If this analysis has been reported on the ORM Economic Impact form, indicate the tables on which it was reported. Information provided on that form need not be repeated here.

Regulatory Flexibility Analysis

Consistent with § 2.2-4007.1 B of the Code of Virginia, describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) establishing less stringent compliance or reporting requirements; 2) establishing less stringent schedules or deadlines for compliance or reporting requirements; 3) consolidation or simplification of compliance or reporting requirements; 4) establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the regulatory change.

No alternative regulatory methods are applicable, nor were alternative regulatory methods considered.

If this analysis has been reported on the ORM Economic Impact form, indicate the tables on which it was reported. Information provided on that form need not be repeated here.

Periodic Review and Small Business Impact Review Report of Findings

If you are using this form to report the result of a periodic review/small business impact review that is being conducted as part of this regulatory action, and was announced during the NOIRA stage, indicate whether the regulatory change meets the criteria set out in EO 19 and the ORM procedures, e.g., is necessary for the protection of public health, safety, and welfare; minimizes the economic impact on small

businesses consistent with the stated objectives of applicable law; and is clearly written and easily understandable. In addition, as required by § 2.2-4007.1 E and F of the Code of Virginia, discuss the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation; (3) the complexity of the regulation; (4) the extent to the which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, discuss why the agency's decision, consistent with applicable law, will minimize the economic impact of regulations on small businesses.

The proposed changes are largely intended to reduce redundancy and improve clarity in alignment with the criteria set out in EO 19 and the ORM procedures. The regulations allow for the protection of public health, safety, and welfare and continue to be needed. The regulations overlap considerably, which is why the combination of the two existing regulations into a new consolidated Chapter 51 is beneficial. The regulatory text is not overly complex. These regulations were last reviewed in 2021 and no complaints have been received since the last reviews. The proposed regulation is not overly burdensome for small businesses.

Public Comment

Summarize all comments received during the public comment period following the publication of the previous stage, and provide the agency's response. Include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. If no comment was received, enter a specific statement to that effect.

No public comments were received during the public comment period following the publication of the previous stage.

Public Participation

Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below.

The CTB is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal, (ii) any alternative approaches, (iii) the potential impacts of the regulation, and (iv) the agency's regulatory flexibility analysis stated in that section of this background document.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: https://townhall.virginia.gov. Comments may also be submitted by mail, email or fax to Jo Anne Maxwell, Agency Regulatory Coordinator, 1401 E. Broad St. Richmond, VA 23219, telephone (804) 786-1830, fax (804) 225-4700, JoAnne.Maxwell@VDOT.Virginia.gov. In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

A public hearing will not be held following the publication of this stage of this regulatory action.

Detail of Changes

List all regulatory changes and the consequences of the changes. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Use all tables that apply, but delete inapplicable tables.

If an existing VAC Chapter(s) is being amended or repealed, use Table 1 to describe the changes between the existing VAC Chapter(s) and the proposed regulation. If the existing VAC Chapter(s) or sections are being repealed and replaced, ensure Table 1 clearly shows both the current number and the new number for each repealed section and the replacement section.

Table 1: Changes to Existing VAC Chapter(s)

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of new requirements
50-10(A)	51-20(A)	Sets the hours during which certain waysides will be open.	This language will be added to the new section pertaining to waysides. In the new regulatory text, "Unless otherwise posted," will be added to the beginning of this provision to allow flexibility for signage to be posted at specific waysides setting different opening hours.
50-10(B)		States that when an area is posted for limited parking, the operator of each vehicle may be required to sign a register setting forth the time of arrival.	This language is proposed to be removed as it is not current practice to require vehicle operators to sign a register setting forth the time of arrival.
50-10(C)	51-20(B)	States that when posted, parking shall be limited to the period specified.	This language will be added to the new section pertaining to waysides.
50-10(D)	51-20(C) and 51-30(A)	Prohibits overnight parking.	This language will be simplified and added to the new sections pertaining to waysides and rest areas.
50-10(E)	51-10(B)	States that camping is not permitted at any time.	The text of this requirement will be simplified to state, "Camping is not permitted." In the combined regulation, this will become a generally applicable requirement for waysides, rest areas, and parking lots and environs.
50-10(F)	51-30(B)	Prohibits sleeping in rest area buildings.	This language will be added to the new section pertaining to rest areas.
50-10(G) and 100-10(B)	51-10(C)	States that no vehicle shall be parked in such manner as to occupy more than one marked parking space. The word "marked" is not included in the very similar text from Chapter 100.	The text of this requirement will be simplified, and the word "marked" will be included. In the combined regulation, this will become a generally applicable requirement for waysides, rest areas, and parking lots and environs.
50-10(H)	51-10(E) and 51-30(C)	Prohibits domestic animals from going at large; requires dogs to be kept on leash and	The prohibition on domestic animals going at large will become a generally applicable requirement for waysides, rest

		prohibits them from being taken into any shelter or other building; and exempts guide, hearing, or service dogs as defined by the Code of Virginia.	areas, and parking lots and environs. The text will be simplified. Specific language regarding dogs entering buildings will be added to the new section pertaining to rest areas. The text will also be simplified.
50-10(I) and 100-10(E)	51-10(F)	Prohibit picking any flowers, foliage, or fruit; cutting, breaking, digging up or in any way mutilating or injuring any tree, shrub, plant, grass, turf, fence, structure, or anything within the area; or cutting, carving, painting, marking, pasting, or in any way attaching on any tree, stone, fence, wall, building, or other object therein, any bill, advertisement, or inscription whatsoever.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified.
50-10(J) and 100-10(F)	51-10(G)	State that no person shall disturb or injure any bird, birds' nest or eggs, or any squirrel or other animal within the area.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified.
50-10(K)	51-10(H)	Prohibits digging up or removing any dirt, stones, rock or other thing, making any excavation, quarrying any stone or laying or setting off any blast, or causing or assisting in doing any of said things without the special order or license of the commissioner.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified and modified to reflect the current agency practice of requiring a Land Use Permit in accordance with 24VAC30-151 for conduct of the noted activities.
50-10(L) and 100-10(G)	51-10(I)	Prohibit threatening, abusive, boisterous, insulting or indecent language or gestures within these areas and prohibits any oration, or other public demonstration, unless permitted by the commissioner.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be rewritten and clarified to state, “No oration, demonstration, picketing, public display, assembly, dissemination, or similar activity may occur in waysides, rest areas, and parking lots and environs except as may be allowed in section 40 of this chapter. This prohibition does not apply to the Virginia Department of Transportation (VDOT).” These changes will reflect text proposed to be added to section 40 of the new regulation pertaining to parking lots and environs.
50-10(M) and 100-10(H)	51-10(J)	Prohibit offering any article or thing for sale within these areas except by permission of the CTB for waysides and	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified and modified to

		rest areas or the commissioner for parking lots and environs.	reflect the current agency practice of requiring a vendor contract or a Land Use Permit in accordance with 24VAC30-151 for conduct of the noted activities and to reflect text proposed to be added to section 40 of the new regulation pertaining to parking lots and environs.
50-10(N)	51-20(D)	Prohibits bathing or fishing in any waters within waysides or rest areas, except in such places and subject to such regulations as the commissioner may, from time to time, specially designate by a public notice set up for that purpose within the same.	This language will be simplified and added to the new section pertaining to waysides.
50-10(O) and 100-10(J)	51-20(E), 51-30(D), and 51-40(C)	Prohibit lighting, kindling, or using any fire within these areas. The current Chapter 50 text provides an exemption for fires at fireplaces designed and built for such purposes and requires the person or persons building a fire therein to be responsible for having it completely extinguished before leaving it. The current Chapter 100 text provides an exemption for fires authorized by the terms of a land use permit issued to a mobile food vendor.	The proposed fire-related text for the new sections on waysides and rest areas will make minor changes to the current Chapter 50 text, including replacing "fireplaces" with "designated areas." An additional sentence will clarify that, "Ashes shall be removed from the designated areas and disposed of in such receptacles as may be provided for their disposal." The proposed text for the new section on parking lots and environs will make minor changes to the current Chapter 100 text.
50-10(P) and 100-10(K)	51-10(K)	Prohibit the discharge or setting off of any firearms, firecrackers, and other various incendiary devices except by permit from the commissioner.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified and modified to reflect the current agency practice of requiring a Land Use Permit in accordance with 24VAC30-151 for conduct of the noted activities.
50-10(Q) and 100-10(D)	51-10(L)	Prohibit bottles, broken glass, ashes, waste paper, or other rubbish from being left within these areas except in such receptacles as may be provided for the same.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified.
50-10(R)	51-10(M)	Prohibits automobiles or other vehicles from being taken into or driven upon these areas, except upon such drives and subject to such regulations as the commissioner may, from time	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified. A new sentence will also be added to state, "Drivers shall obey all traffic signs posted

		to time, designate by a public notice set up for that purpose within the same.	in waysides, rest areas, and parking lots and environs."
50-10(S) and 100-10(L)	51-10(N)	State that, "Any person violating any of the preceding rules and regulations shall be guilty of a misdemeanor and, upon conviction, be fined not less than five dollars nor more than $100 for each offense.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. Edits regarding civil liability will be made to the text to conform to similar proposed amendments to the Land Use Permit Regulations.
100-10(A)	51-10(A)	Requires all persons within the regulated parking lots and associated environs to be subject to such regulations as the commissioner may designate by posted signs or public notice posted within the area.	This requirement will be simplified to state, "While in waysides, rest areas, and parking lots and environs, persons shall obey signs or public notices posted within the areas." In the combined regulation, this will be a generally applicable requirement for waysides, rest areas, and parking lots and environs.
100-10(C)	51-10(D)	Requires that no person paste, attach or place on any vehicle parked in parking lots any bill, advertisement or inscription whatsoever.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified.
100-10(I)	51-40(D)	Sets the requirements for mobile food vending within commuter lots in Planning District 8.	This language will be added to the new section pertaining to parking lots and environs. The requirement that mobile food vending be allowed within commuter lots in Planning District 8 will be expanded to state, "…and may be allowed at other parking lots…" This change reflects interest from localities and mobile food vendors in having the option for mobile food vending available in parking lots not in Planning District 8. Additional changes will be made to simplify and clarify the text.
N/A	51-30(E)		Adds the ability for state government entities to request permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law.
N/A	51-40(A)		A new subsection in the section pertaining to parking lots and environs will state, "Overnight parking may be restricted in accordance with posted signs." This is in accordance with § 46.2-1219.2 of the Code of Virginia which requires parking to be in conformance with posted signs and pavement markings and which also requires in Planning District 8 that such signs clearly indicate that before 10:00 a.m. Monday through Friday except holidays parking is

			only for commuters using mass transit or who are car pool or bicycle riders.
N/A	51-40(B)		A new subsection in the section pertaining to parking lots and environs will provide the ability for the CTB to permit persons, organizations, or groups to use the lots for various purposes and events when the use will not interfere with or disrupt the normal and intended function of the lots in accordance with 24VAC30-151. This addition is proposed to reflect requests from localities to allow for events to be held in these parking lots on weekends. Proposed restrictions will state that no activities will be permitted that violate or are inconsistent with the regulatory chapter, Virginia or federal law, or local ordinances, including noise ordinances; that events must provide reasonable safety for all participants, spectators, other parking lot users, and the public; and that events must preserve the aesthetic appearance of buildings and grounds and provide for the removal of waste that may be left by event participants. Additional proposed text will clarify that requests for permits generally will be considered on a first-come, first-served basis, that parking lots may only be available for permitted events on Saturdays and Sundays, and that no more than one event will be scheduled for the same time on the same day, including set up and break down. Text will also be added to state that VDOT may require the cancellation of a permitted event and the immediate removal of all related equipment if the permittee violates the permit conditions, to preserve public safety or order, or prevent damage to the lot and environs.

If a new VAC Chapter(s) is being promulgated and is not replacing an existing Chapter(s), use Table 2.

Table 2: Promulgating New VAC Chapter(s) without Repeal and Replace

New chapter-section number	New requirements to be added to VAC	Other regulations and laws that apply	Change, intent, rationale, and likely impact of new requirements

*If the regulatory change is replacing an **emergency regulation**, and the proposed regulation is identical to the emergency regulation, complete Table 1 and/or Table 2, as described above.*

*If the regulatory change is replacing an **emergency regulation**, but changes have been made since the emergency regulation became effective, also complete Table 3 to describe the changes made since the emergency regulation.*

Table 3: Changes to the Emergency Regulation

Emergency chapter-section number	New chapter-section number, if applicable	Current emergency requirement	Change, intent, rationale, and likely impact of new or changed requirements since emergency stage


VDOT
Virginia Department of Transportation

REGULATORY REDUCTION PROGRAM & PROPOSED REGULATORY AMENDMENTS

Rules and Regulations Governing the Transportation of Hazardous Materials Through Bridge-Tunnel Facilities (24VAC30-61)

Jo Anne Maxwell, Director,
Governance and Legislative Affairs

October 22, 2024

Periodic Regulatory Review/Regulatory Reduction Program

- In July, to fulfill regulatory periodic review requirements and to further regulatory reduction and streamlining efforts, the CTB approved the Notice of Intended Regulatory Action (NOIRA) for the following regulation:
  - Rules and Regulations Governing the Transportation of Hazardous Materials Through Bridge-Tunnel Facilities (24VAC30-61)
- VDOT filed the NOIRA and it was published in the Virginia Register in August for a 30-day public comment period – no comments were received.
- Filing the Proposed stage is the next step of the regulatory process.

Background – Transportation of Hazardous Materials Through Bridge-Tunnel Facilities

Rules and Regulations Governing the Transportation of Hazardous Materials Through Bridge-Tunnel Facilities

- This regulation establishes the rules by which transporters of hazardous materials are governed while traveling through state owned bridge-tunnel facilities.
- The earliest CTB policy (now repealed and archived) regarding rules and regulations on this topic dates to 1987. Adopted as regulation in its current form in 1995.
- Last periodic review was in 2020. No substantive amendments have been made since 1995 while minor technical amendments were made in 2011.

Proposed Amendments – Transportation of Hazardous Materials Through Bridge-Tunnel Facilities

Summary of Amendments

- Remove redundant or obsolete language, add clarity, and streamline the text.
- Bring the regulation into alignment with the relevant sections of the Code of Federal Regulations.

Next Steps

- If amendments are approved by the CTB, VDOT staff will file the proposed regulation on Town Hall.*
- The amendments will then go through executive branch review, after which they will be published in the Virginia Register for the public to review.
- Public comment will be received for 60 days.
- Proposed Regulations may be adopted as Final Regulations with or without further amendments or not at all.

* Text of proposed amendments and proposed Town Hall documentation is included in CTB package.


VDOT
Virginia Department of Transportation

Attachment A

Chapter 61. Rules and Regulations Governing the Transportation of Hazardous Materials Through Bridge-Tunnel Facilities

24VAC30-61-10. Applicability and purpose.
This chapter ~~applies to all~~ state-owned ~~state-owned bridge-tunnel facilities in the Commonwealth of Virginia, and~~ establishes the rules by which all ~~interstate, intrastate, and public and private~~ transporters of hazardous materials are governed while traveling through ~~these~~ certain bridge-tunnel facilities.

24VAC30-61-20. List of state-owned bridge-tunnel facilities in the Commonwealth.
The following table lists the six state-owned bridge-tunnel facilities in the Commonwealth to which this chapter applies. ~~The Virginia Department of Transportation owns and operates all six facilities listed.~~ A list of telephone numbers for each facility is available at the following website: https://www.vdot.virginia.gov/travel-traffic/freight/hazmat/.

Name of Facility	Route	Type
Big Walker Mountain Tunnel	Interstate 77	Rural
East River Mountain Tunnel	Interstate 77	Rural
Elizabeth River Tunnel-Downtown	Interstate 264	Urban
Elizabeth River Tunnel-Midtown	Route 58	Urban
Hampton Roads Bridge-Tunnel	Interstate 64	Urban
Monitor-Merrimac Memorial Bridge-Tunnel	Interstate 664	Urban

For purposes of this chapter, the facilities listed above are classified into two groups: rural ~~and essentially distanced from bodies of water,~~ and urban ~~and essentially proximate to bodies of water~~, as listed in the table.

24VAC30-61-30. Restrictions on hazardous material transportation across rural ~~and distanced-from-water~~ facilities.
~~The two rural and distanced-from-water tunnel facilities are: the Big Walker Mountain Tunnel and the East River Mountain Tunnel.~~ For the~~se~~ two rural tunnels, ~~and these two only,~~ no restrictions apply on the transport of hazardous materials, so long as transporters and shippers are in compliance with 49 CFR 100 through 180~~,~~ and any ~~present and future~~applicable state regulations ~~which may become in force to implement the federal regulations~~. In addition, the Commissioner of Highways may, at any time, impose emergency or temporary restrictions on the transport of hazardous materials through these facilities, so long as sufficient advanced signage is positioned to allow for a reasonable detour.

Questions on this section of the regulation should be directed to the VDOT Office of Safety, Security and Emergency Management, which can be reached by calling VDOT at 804-786-4692. Copies of the regulation will be provided free of charge. For copies, please write to:

Commented [GALA1]: The Elizabeth River Tunnels are operated by a concessionaire. This sentence is proposed to be removed for accuracy.

Commented [GALA2]: Language regarding proximity to water will be removed as these geographic distinctions are not necessary and the rural and urban distinctions provide the more appropriate differentiation between the two categories of tunnels and their respective restrictions on the transportation of hazardous materials.

Attachment A

Virginia Department of Transportation

ATTN: Office of Safety, Security and Emergency Management

1221 East Broad Street

Richmond, Virginia 23219

24VAC30-61-40. Restrictions on hazardous material transportation across urban ~~and water-proximate~~ facilities.

Hazardous materials are regulated in the four urban ~~and water-proximate~~ tunnels ~~(Elizabeth River (Midtown and Downtown), Hampton Roads, and Monitor-Merrimac)~~ based ~~exclusively~~ on the "hazard class" of the material being conveyed. The following tables list those categories of materials grouped under the designations "Prohibited," "No Restrictions," or "Restricted."

~~Regulations concerning the transportation of hazardous materials across the Chesapeake Bay Bridge Tunnel (CBBT) are available from the CBBT website: https://www.cbbt.com/regulations/#hazmat.~~

PROHIBITED

Materials defined in the following classes are not allowed passage through the four urban~~, water-proximate~~ tunnels.

CATEGORY	PLACARD NAME	PLACARD REFERENCE
1.1	Explosives 1.1	49 CFR 172.522
1.2	Explosives 1.2	49 CFR 172.522
1.3	Explosives 1.3	49 CFR 172.522
2.3	Poison Gas	49 CFR 172.540
4.3	Dangerous When Wet	49 CFR 172.548
6.1 (Packing Group (PG) I, inhalation hazard only)	Poison Inhalation Hazard	49 CFR 172.5554

NO RESTRICTIONS

Materials in the following hazard classes are not restricted in the four urban~~, water-proximate~~ tunnels.

CATEGORY	PLACARD NAME	PLACARD REFERENCE
1.4	Explosives 1.4	49 CFR 172.523
1.5	Explosives 1.5	49 CFR 172.524

Commented [GALA3]: This information is not necessary for this regulation and reference to them may create confusion. The CBBT website will remain linked on the public facing VDOT hazmat page.

Commented [GALA4]: The three tables in this section are being updated to reflect changes to the relevant sections of the Code of Federal Regulations.

Attachment A

1.6	Explosives 1.6	49 CFR 172.525
2.2	Nonflammable Gas	49 CFR 172.528
3	Combustible ~~Liquids~~	49 CFR 172.544
4.1	Flammable Solid	49 CFR 172.546
4.2	Spontaneously Combustible	49 CFR 172.547
6.1 (PG I or II, other than PG I inhalation hazard)	Poison	49 CFR 172.554
6.1 (PG III)	~~Keep Away From Food~~Inhalation Hazard	49 CFR 172.555~~3~~
6.2	~~(None)~~Infectious Substance	49 CFR 172.432
7 Radioactive	Radioactive	49 CFR 172.556
9	Class 9	49 CFR 172.560
~~ORM-D~~	~~(None)~~	

RESTRICTED

Materials in the following hazard classes are allowed access to the four urban~~, water-proximate~~ tunnels in "Non-bulk" (maximum capacity of 119 gallons/450 liters or less as a receptacle for liquids, a water capacity of 1000 pounds/454 kilograms or less as a receptacle for gases, and a maximum net mass of 882 pounds/400 kilograms or less and a maximum capacity of 119 gallons/450 liters or less as a receptacle for solids) quantities per container only.

CATEGORY	PLACARD NAME	PLACARD REFERENCE
2.1	Flammable Gas	49 CFR 172.532
3	Flammable	49 CFR 172.542
5.1	Oxidizer	49 CFR 172.550
5.2	Organic Peroxide	49 CFR 172.552
8	Corrosive	49 CFR 172.558

Form: TH-02
August 2022

townhall.virginia.gov

Proposed Regulation
Agency Background Document

Agency name	Commonwealth Transportation Board
Virginia Administrative Code (VAC) Chapter citation(s)	24VAC30-61
VAC Chapter title(s)	Rules and Regulations Governing the Transportation of Hazardous Materials Through Bridge-Tunnel Facilities
Action title	Chapter 61 Regulatory Reform and Periodic Review
Date this document prepared	____, 2024

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The Rules and Regulations Governing the Transportation of Hazardous Materials Through Bridge-Tunnel Facilities, 24VAC30-61, establishes the rules by which transporters of hazardous materials are governed while traveling through state owned bridge-tunnel facilities. The Commonwealth Transportation Board (CTB) has undertaken a comprehensive review of 24VAC30-61. The intent of this action is to remove or update redundant or obsolete language.

Acronyms and Definitions

Define all acronyms used in this form, and any technical terms that are not also defined in the "Definitions" section of the regulation.

CTB means the Commonwealth Transportation Board.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

On July 16, 2024, the CTB approved a Notice of Intended Regulatory Action to review 24VAC30-61 to potentially amend any overly burdensome requirements, remove any obsolete information, and provide more clarity with streamlined text. The CTB conducted a review of this regulation in accordance with Governor Youngkin's Executive Order 19. As a result of this review, the CTB identified opportunities for updating and streamlining this regulation. The CTB approved the proposed amendments on _____, 2024.

Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

The Commonwealth Transportation Board is authorized to make regulations for the protection of and covering traffic on and for the use of systems of state highways pursuant to § 33.2-210 of the Code of Virginia, and that authority is extended to Interstate highways pursuant to § 33.2-300. 49 USC 5112 and 49 CFR Part 397 authorize each state to establish, maintain, and enforce designations of specific highway routes over which hazardous material may and may not be transported by motor vehicles in commerce and limitations and requirements related to highway routing.

Purpose

Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.

The proposed regulatory changes are intended to remove or update redundant or obsolete language. The regulatory changes are necessary to protect the health, safety, and welfare of the traveling public. The changes align 24VAC30-61 with the current federal regulation, ensuring consistency and ease of interpretation for the regulated community.

Substance

Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the "Detail of Changes" section below.

The proposed amendments will achieve administrative updates, eliminate redundancy, and clarify the regulatory language.

Issues

Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.

The proposed changes benefit the public through removing or updating redundant or outdated language and providing clarity and are not anticipated to present a disadvantage to the public or the Commonwealth.

Requirements More Restrictive than Federal

Identify and describe any requirement of the regulatory change which is more restrictive than applicable federal requirements. Include a specific citation for each applicable federal requirement, and a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements, or no requirements that exceed applicable federal requirements, include a specific statement to that effect.

None of the regulatory changes implement requirements that exceed applicable federal requirements.

Agencies, Localities, and Other Entities Particularly Affected

Consistent with § 2.2-4007.04 of the Code of Virginia, identify any other state agencies, localities, or other entities particularly affected by the regulatory change. Other entities could include local partners such as tribal governments, school boards, community services boards, and similar regional organizations. "Particularly affected" are those that are likely to bear any identified disproportionate material impact which would not be experienced by other agencies, localities, or entities. "Locality" can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulation or regulatory change are most likely to occur. If no agency, locality, or entity is particularly affected, include a specific statement to that effect.

Other State Agencies Particularly Affected

No other state agencies are particularly affected by the regulatory changes.

Localities Particularly Affected

No localities are particularly affected by the regulatory changes.

Other Entities Particularly Affected

No other entities are particularly affected by the regulatory changes.

Economic Impact

Consistent with § 2.2-4007.04 of the Code of Virginia, identify all specific economic impacts (costs and/or benefits) anticipated to result from the regulatory change. When describing a particular economic impact, specify which new requirement or change in requirement creates the anticipated economic impact. Keep in mind that this is the proposed change versus the status quo.

Impact on State Agencies

For your agency: projected costs, savings, fees, or revenues resulting from the regulatory change, including: a) fund source / fund detail; b) delineation of one-time versus on-going expenditures; and c) whether any costs or revenue loss can be absorbed within existing resources.	There are no anticipated costs, savings, fees, or revenues for VDOT resulting from the regulatory changes.
For other state agencies: projected costs, savings, fees, or revenues resulting from the regulatory change, including a delineation of one-time versus on-going expenditures.	There are no anticipated costs, savings, fees, or revenues for other state agencies resulting from this regulatory action.
For all agencies: Benefits the regulatory change is designed to produce.	The benefits of the proposed changes are improved clarity and updating of the regulatory text.

Impact on Localities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a or 2) on which it was reported. Information provided on that form need not be repeated here.

Projected costs, savings, fees, or revenues resulting from the regulatory change.	There are no anticipated costs, savings, fees, or revenues for localities resulting from this regulatory action.
Benefits the regulatory change is designed to produce.	The benefits of the proposed changes are improved clarity and updating of the regulatory text.

Impact on Other Entities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a, 3, or 4) on which it was reported. Information provided on that form need not be repeated here.

Description of the individuals, businesses, or other entities likely to be affected by the regulatory change. If no other entities will be affected, include a specific statement to that effect.	No other entities are expected to be affected by the regulatory changes.
Agency's best estimate of the number of such entities that will be affected. Include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that: a) is independently owned and operated, and; b) employs fewer than 500 full-time employees or has gross annual sales of less than $6 million.	N/A

All projected costs for affected individuals, businesses, or other entities resulting from the regulatory change. Be specific and include all costs including, but not limited to: a) projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses; b) specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the regulatory change; c) fees; d) purchases of equipment or services; and e) time required to comply with the requirements.	
Benefits the regulatory change is designed to produce.	The benefits of the proposed changes are improved clarity and updating of the regulatory text.

Alternatives to Regulation

Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the regulatory change. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulatory change.

The proposed regulatory changes were identified during a review conducted in accordance with the principles of EO 19. The focus of the review was to reduce overly burdensome requirements, remove any obsolete information, and provide more clarity with streamlined regulatory requirements. As such, no alternatives to the proposed changes were identified.

If this analysis has been reported on the ORM Economic Impact form, indicate the tables on which it was reported. Information provided on that form need not be repeated here.

Regulatory Flexibility Analysis

Consistent with § 2.2-4007.1 B of the Code of Virginia, describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) establishing less stringent compliance or reporting requirements; 2) establishing less stringent schedules or deadlines for compliance or reporting requirements; 3) consolidation or simplification of compliance or reporting requirements; 4) establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the regulatory change.

The regulation does not adversely impact small businesses. No alternative regulatory methods are applicable, nor were alternative regulatory methods considered.

If this analysis has been reported on the ORM Economic Impact form, indicate the tables on which it was reported. Information provided on that form need not be repeated here.

Periodic Review and Small Business Impact Review Report of Findings

If you are using this form to report the result of a periodic review/small business impact review that is being conducted as part of this regulatory action, and was announced during the NOIRA stage, indicate whether the regulatory change meets the criteria set out in EO 19 and the ORM procedures, e.g., is necessary for the protection of public health, safety, and welfare; minimizes the economic impact on small businesses consistent with the stated objectives of applicable law; and is clearly written and easily understandable. In addition, as required by § 2.2-4007.1 E and F of the Code of Virginia, discuss the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation; (3) the complexity of the regulation; (4) the extent to the which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, discuss why the agency's decision, consistent with applicable law, will minimize the economic impact of regulations on small businesses.

The proposed changes to 24VAC30-61 are intended to reduce redundancy and improve clarity of the regulation in alignment with the criteria set out in Executive Order 19 and the ORM procedures. The regulation enables VDOT to protect the public health, safety, and welfare by preserving the integrity of the state system of highways, tunnels in particular, and by facilitating the safe transportation of hazardous materials and continues to be necessary. The regulation was last reviewed in 2020 and no complaints have been received. The regulation does not overlap or conflict with state law, federal law, or federal regulation. The regulation does not negatively affect small businesses.

Public Comment

Summarize all comments received during the public comment period following the publication of the previous stage, and provide the agency's response. Include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. If no comment was received, enter a specific statement to that effect.

No public comments were received during the public comment period following the publication of the previous stage.

Public Participation

Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below.

The CTB is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal, (ii) any alternative approaches, (iii) the potential impacts of the regulation, and (iv) the agency's regulatory flexibility analysis stated in that section of this background document.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: https://townhall.virginia.gov. Comments may also be submitted by mail, email or fax to Jo Anne Maxwell, Agency Regulatory

Coordinator, 1401 E. Broad St. Richmond, VA 23219, telephone (804) 786-1830, fax (804) 225-4700, JoAnne.Maxwell@VDOT.Virginia.gov. In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

A public hearing will not be held following the publication of this stage of this regulatory action.

Detail of Changes

List all regulatory changes and the consequences of the changes. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Use all tables that apply, but delete inapplicable tables.

If an existing VAC Chapter(s) is being amended or repealed, use Table 1 to describe the changes between the existing VAC Chapter(s) and the proposed regulation. If the existing VAC Chapter(s) or sections are being repealed and replaced, ensure Table 1 clearly shows both the current number and the new number for each repealed section and the replacement section.

Table 1: Changes to Existing VAC Chapter(s)

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of new requirements
61-10		This section outlines the applicability and purpose of the regulation.	Redundant text will be removed from this section for streamlining and clarity.
61-20		This section includes the list of the state-owned bridge-tunnel facilities to which the regulation applies.	Redundant text will be removed from this section for streamlining and clarity. Clarity will be added to the table in this section by adding the designations of "rural" or "urban." Language regarding proximity to water will be removed as these geographic distinctions are not necessary and the rural and urban distinctions provide the more appropriate differentiation between the two categories of tunnels and their respective restrictions on the transportation of hazardous materials.
61-30		Section 30 explains that there are no restrictions on the transport of hazardous materials through the two rural tunnels named in the regulation, so long as transporters and shippers are in compliance with relevant federal and state regulations.	Language regarding proximity to water will be removed as these geographic distinctions are not necessary and the rural and urban distinctions provide the more appropriate differentiation between the two categories of tunnels and their respective restrictions on the transportation of hazardous materials. Redundant text will be removed from this section for streamlining and clarity.
61-40		Section 40 lists the hazard classes of materials which	Language regarding proximity to water will be removed as these geographic

		are designated as either prohibited, restricted, or not restricted in the four urban tunnels named in the regulation.	distinctions are not necessary and the rural and urban distinctions provide the more appropriate differentiation between the two categories of tunnels and their respective restrictions on the transportation of hazardous materials. The sentence referencing the Chesapeake Bay Bridge Tunnel's regulation concerning the transportation of hazardous materials is proposed to be removed. This information is not necessary to be contained in VDOT's regulation and is proposed to be removed for streamlining and clarity. A similar sentence, however, will remain on VDOT's public hazardous materials website. Updates related to changes to the relevant sections of the Code of Federal Regulations will be made to the tables in this section. Redundant text will be removed from this section for streamlining and clarity.

If a <u>new</u> VAC Chapter(s) is being promulgated and is <u>not</u> replacing an existing Chapter(s), use Table 2.

Table 2: Promulgating New VAC Chapter(s) without Repeal and Replace

New chapter-section number	New requirements to be added to VAC	Other regulations and laws that apply	Change, intent, rationale, and likely impact of new requirements

*If the regulatory change is replacing an **emergency regulation**, and the proposed regulation is <u>identical</u> to the emergency regulation, complete Table 1 and/or Table 2, as described above.*

*If the regulatory change is replacing an **emergency regulation**, but <u>changes have been made</u> since the emergency regulation became effective, <u>also</u> complete Table 3 to describe the changes made <u>since</u> the emergency regulation.*

Table 3: Changes to the Emergency Regulation

Emergency chapter-section number	New chapter-section number, if applicable	Current <u>emergency</u> requirement	Change, intent, rationale, and likely impact of new or changed requirements since emergency stage


VDOT
Virginia Department of Transportation

MAINTENANCE AND OPERATIONS COMPREHENSIVE REVIEW BRIEFING

Kevin Gregg, Chief of Maintenance and Operations

October 22, 2024

Comprehensive Review Update

- Pavements
- Structures
- Routine Maintenance
- Special Structures
- Emergencies

VDOT's Maintenance and Operations Program

Maintenance and Operations
$2.7 Billion Annually less $616 Million Localities

VDOT - $2.2 Billion Annually

MAINTENANCE

*Over **$700** million*



Pavement

*Over **$215** million*



Bridges

*Over **$430** million*



Routine Maintenance

*Over **$230** million*



Roadside

*Over **$220** million*



Emergency Funds

TRAFFIC AND OPERATIONS

*Over **$35** million*



Guardrail

*Over **$20** million*



Ferries

*Over **$200** million*



Traffic Items

*Over **$50** million*



Special Structures
Daily Operations

*Over **$100** million*



Operations Centers

Pavements

Pavement Assessment Process

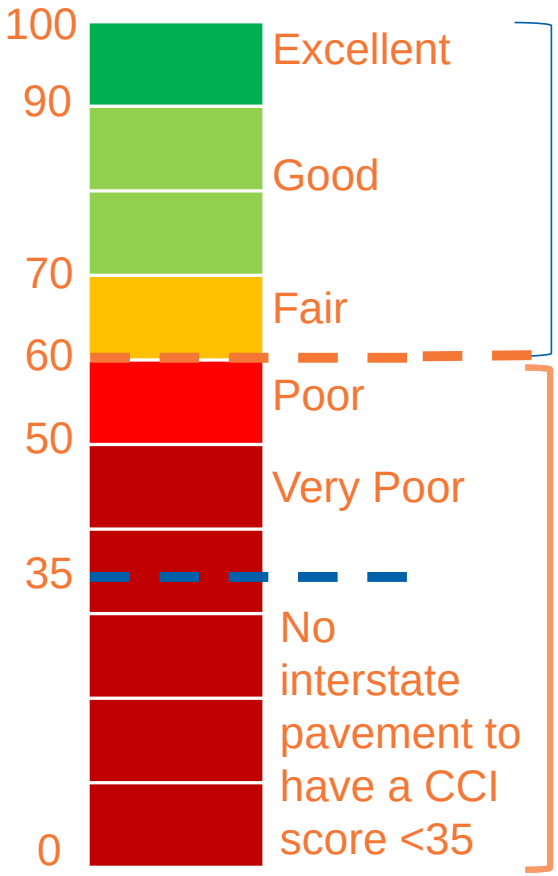
Interstate, Primary, Secondary ≥ 3500 – annual
Secondary < 3500 - 20% annually







Pavement Rating – What is Critical Condition Index (CCI)?



Sufficiency Percentage is the percentage of lane miles with a CCI score ≥ 60

What does CCI look like?



CCI 90-100 (Excellent)



CCI 50-59 (Poor)





Image shows approximately CCI 35

Pavement Treatment - Maintenance Activities

Preventive (CCI 88-66)*





Surface Layer (covered)
Intermediate Layer
Base Layer
Subbase Layer
Subgrade

Preserves good pavements in good condition at low costs

* All CCI ranges are for plant mix, across all system categories

Corrective (CCI 65-41)*





Surface Layer (replaced)
Intermediate Layer
Base Layer
Subbase Layer
Subgrade

Addresses moderate distresses

4 times more expensive than PM

Restorative (CCI 59-26)*





Surface Layer (replaced)
Int. Layer (replaced)
Base Layer
Subbase Layer
Subgrade

Addresses moderate to heavy distresses

2 times more expensive than CM

Reconstruction (CCI <37)*





Surface Layer (replaced)
Int. Layer (replaced)
Base Layer (replaced)
Subbase Layer (replaced)
Subgrade

Addresses pavements under heavy distresses or in failed condition

2 times more expensive than RM

Pavements - Performance Measures

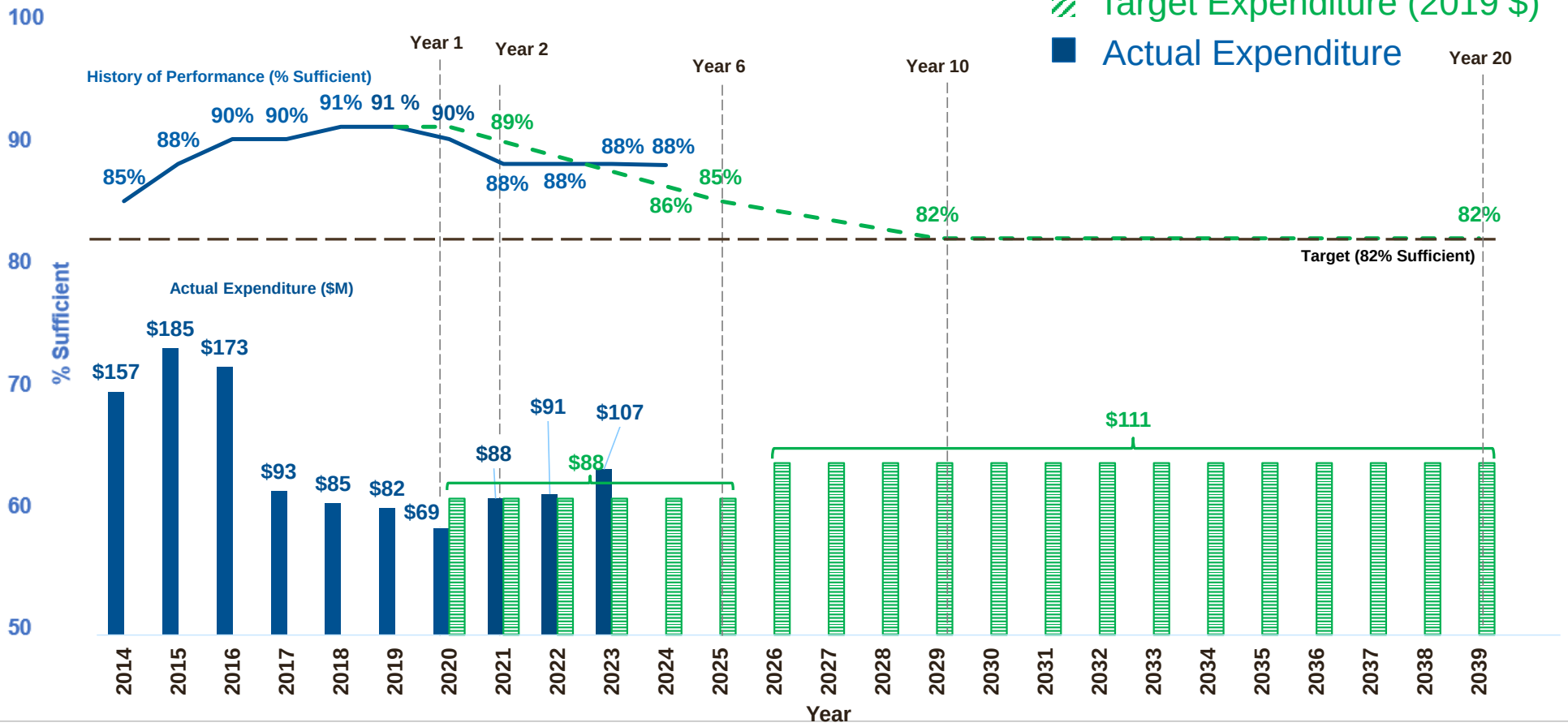
Performance Measure	Current Policy (CTB Approved December 2019) % Sufficiency*
Interstate	**82% No Section Critical Condition Index** less than 35**
Primary	**82% for ≥ AADT*** 3,500 75% for < AADT 3,500**
Secondary	**82% for ≥ AADT 3,500 60% for < AADT 3,500**

*% Sufficiency – the percent of the pavement inventory with a CCI of 60 or better
**Critical Condition Index – (CCI) – rating system
***Annual Average Daily Traffic - AADT

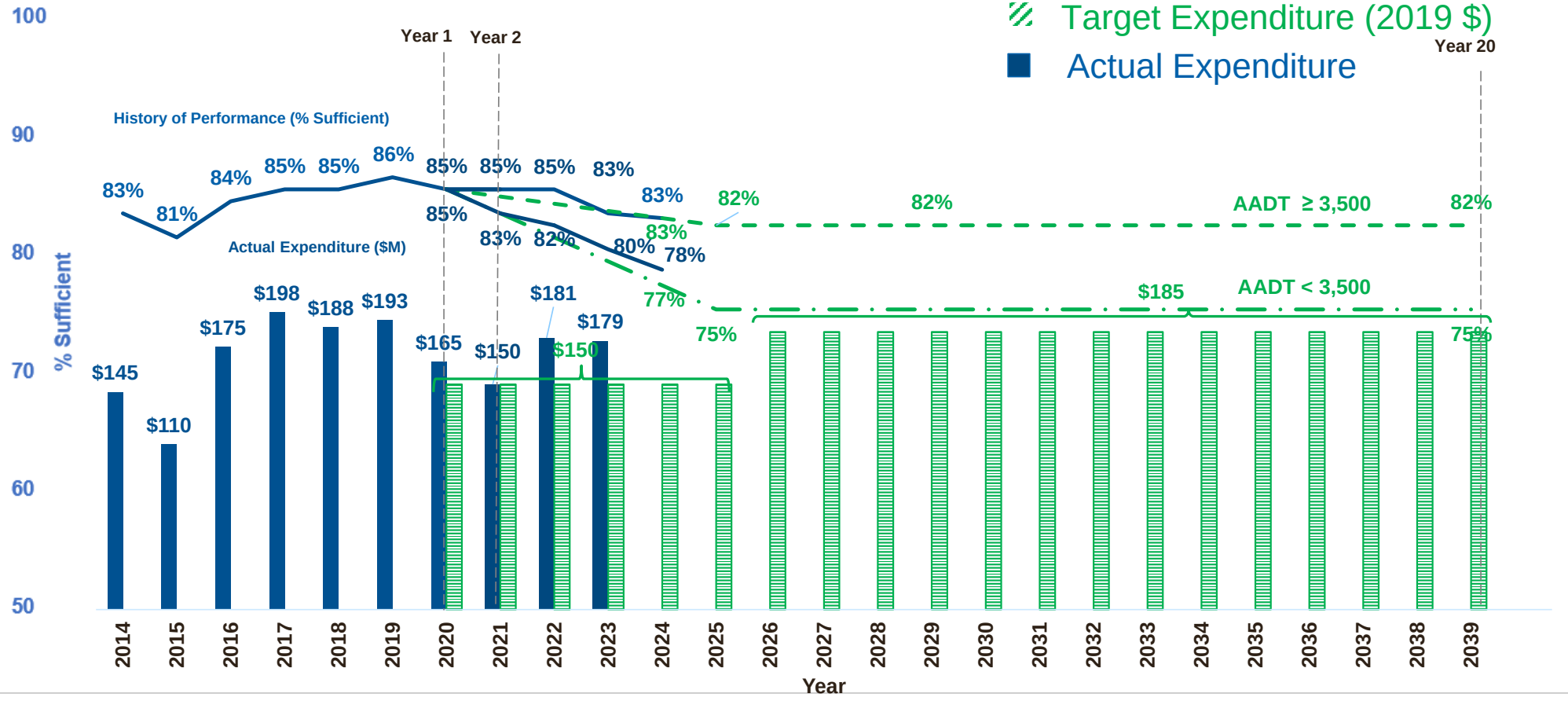
Interstate Network – 20 Year Outlook

(*Predicted* & *Actual* Performance)

5,749 lane miles



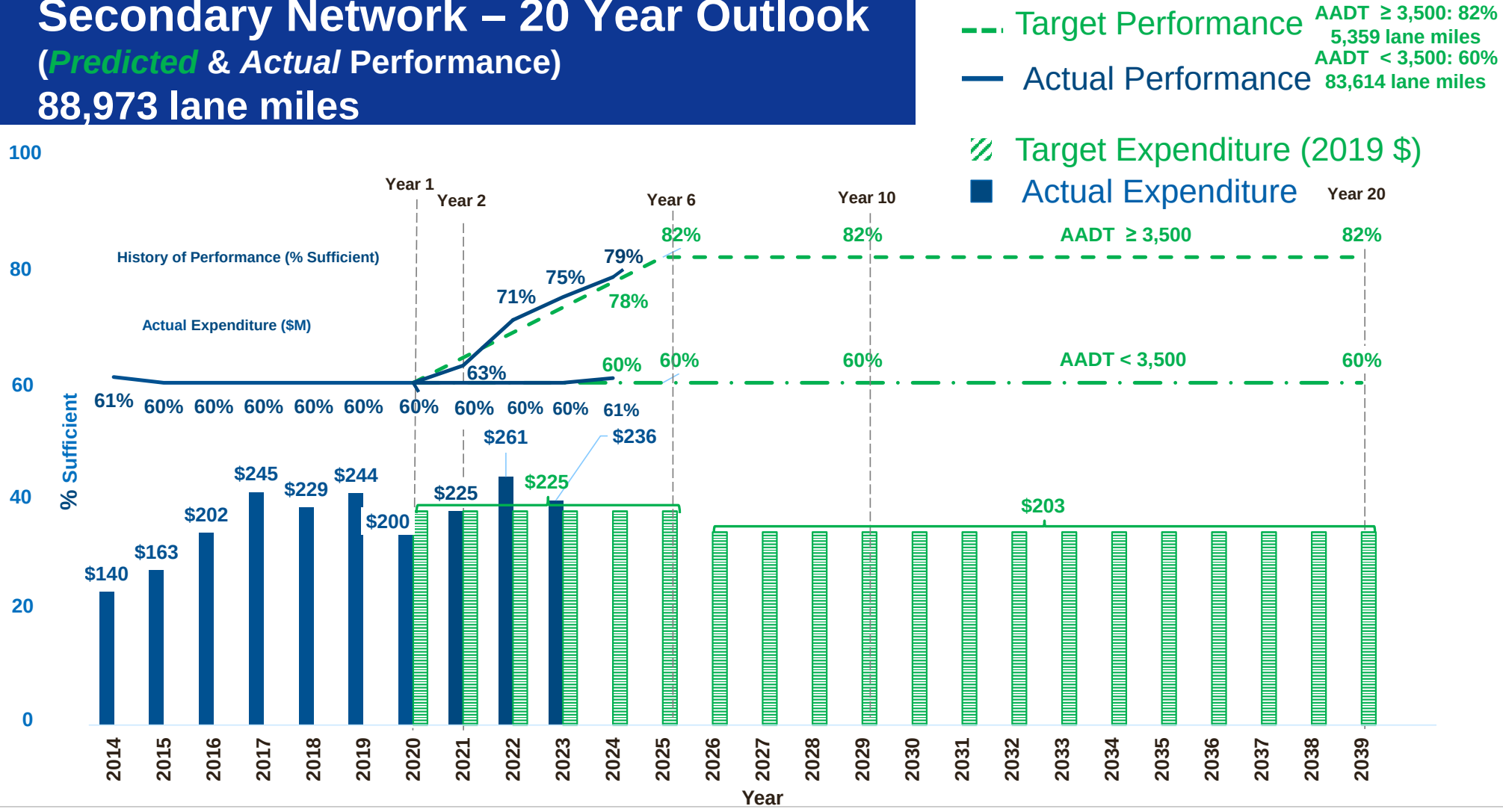
Primary Network – 20 Year Outlook
(*Predicted* & *Actual* Performance)
21,938 lane miles



Secondary Network – 20 Year Outlook

(*Predicted* & *Actual* Performance)

88,973 lane miles



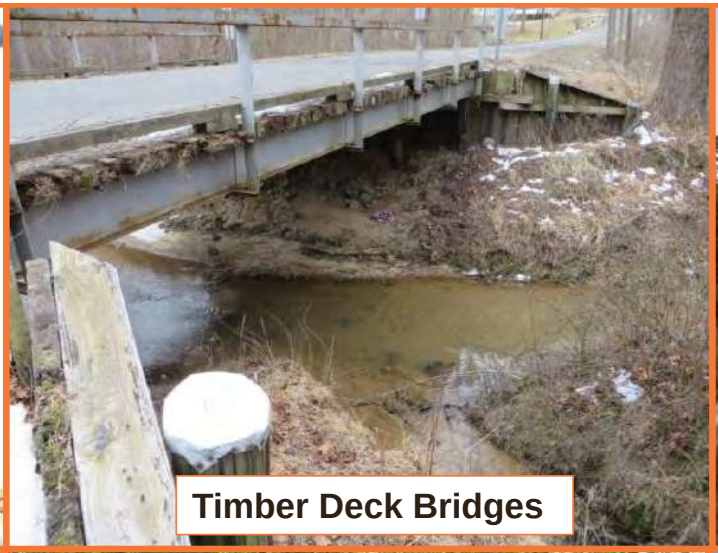
Pavements – Annual Contract Values

Year	Lane Miles	Amounts ($ in Millions)*
2020**	3,998	$435
2021	6,030	$463
2022	5,876	$533
2023	5,732	$523
2024	7,143	estimated $765
2025	7,461	estimated $710

*Amounts reflected in this chart are the awarded contract amounts which may differ from expenditure amounts due to lag in billings
**Targets approved in December 2019 – this work was already advertised/awarded

Structures

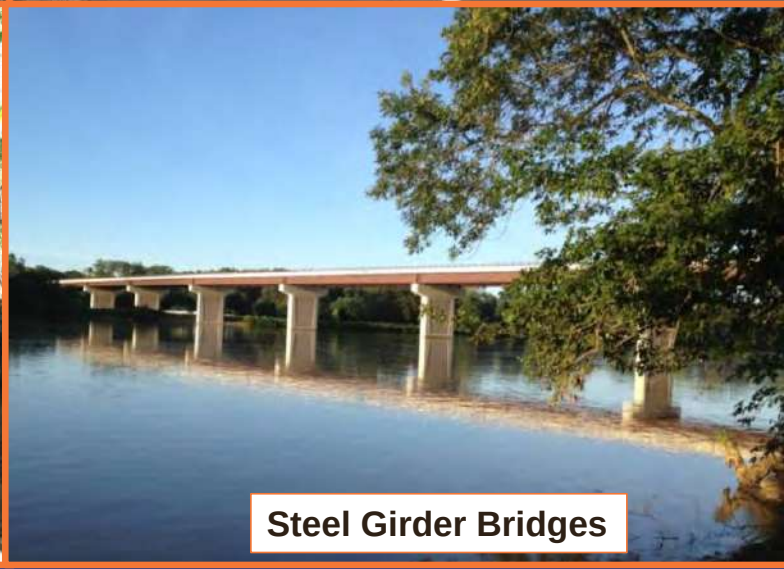








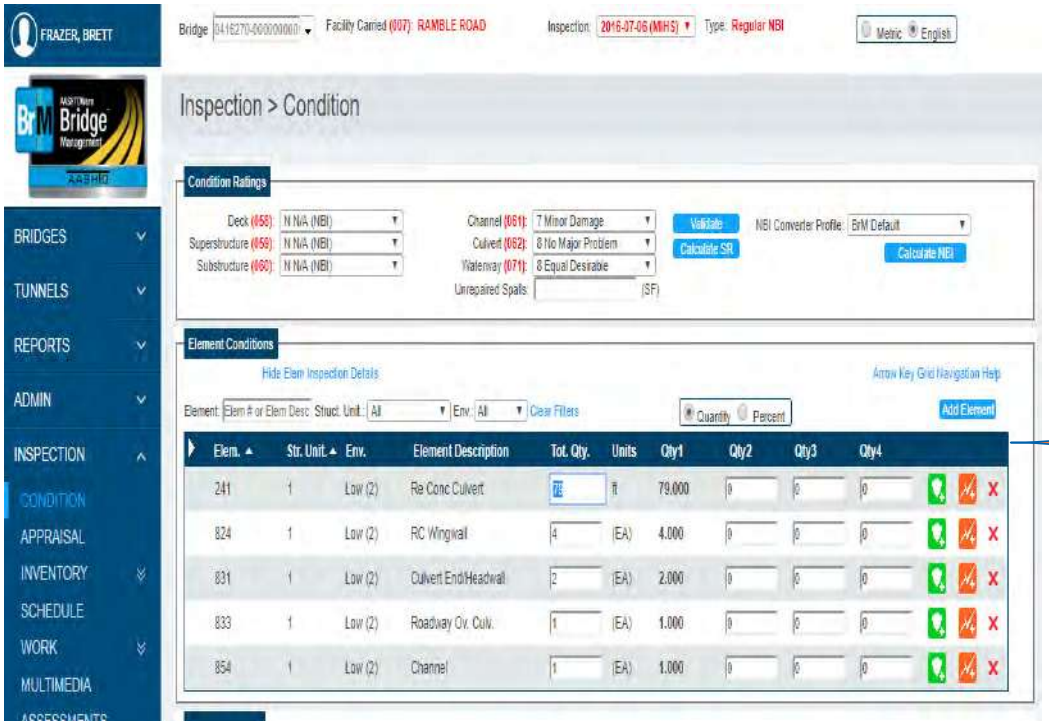




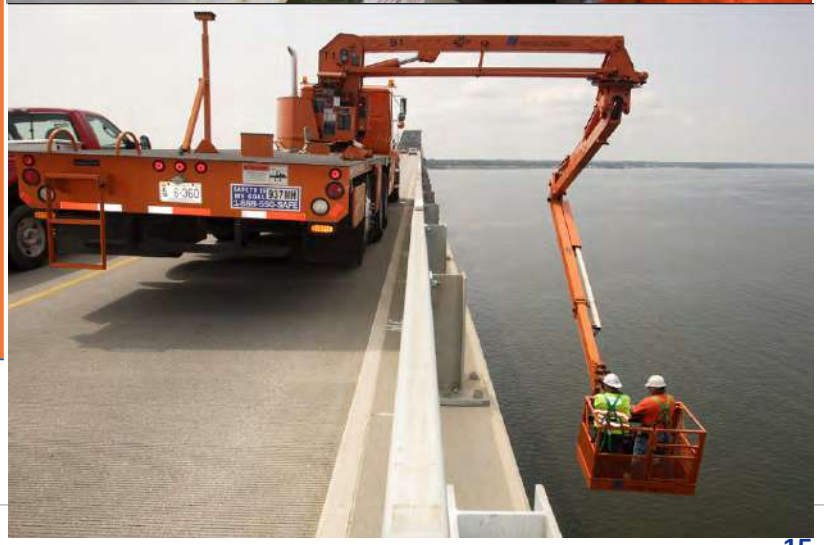
VDOT

Structures Inventory – by Type

Structure Inspection & Assessment Process





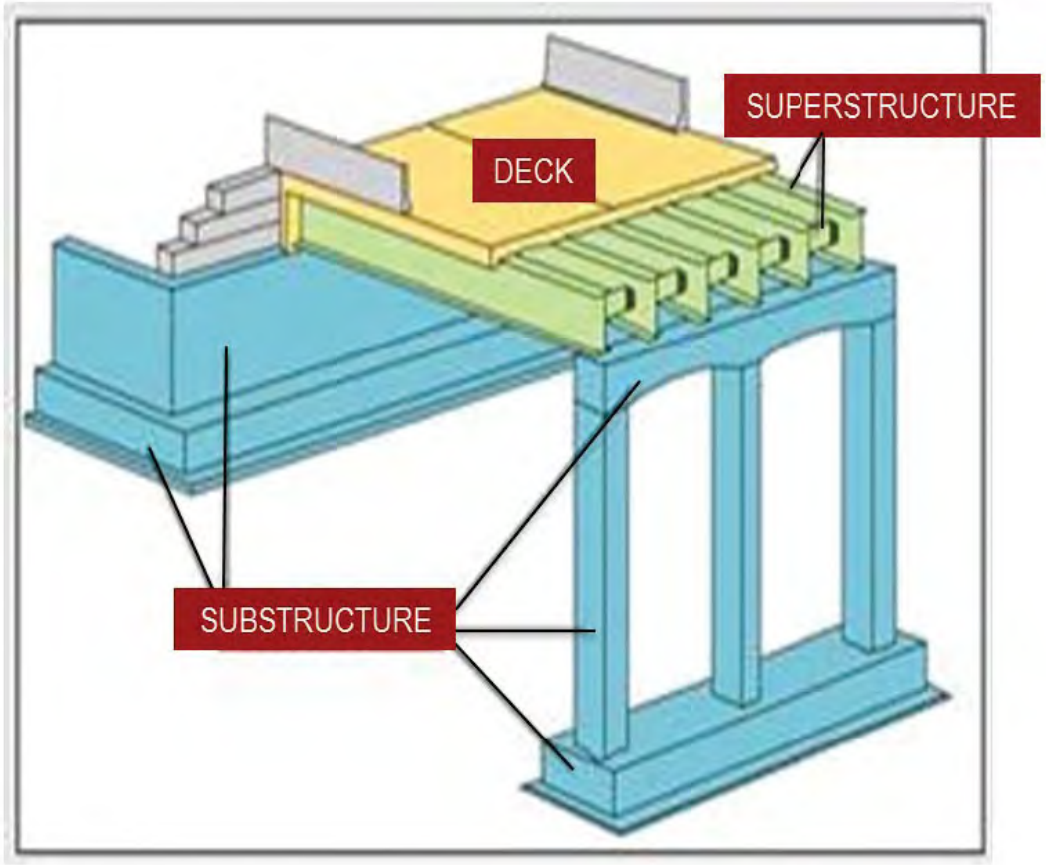


2 year cycle

Bridge Rating - What is a GCR (General Condition Rating)?

9	Excellent	Good
8	Very Good	
7	Good	
6	Satisfactory	Fair
5	Fair	
4	Poor	Poor
3	Serious	
2	Critical	
1	Imminent Failure	
0	Failed	

Bridge Components

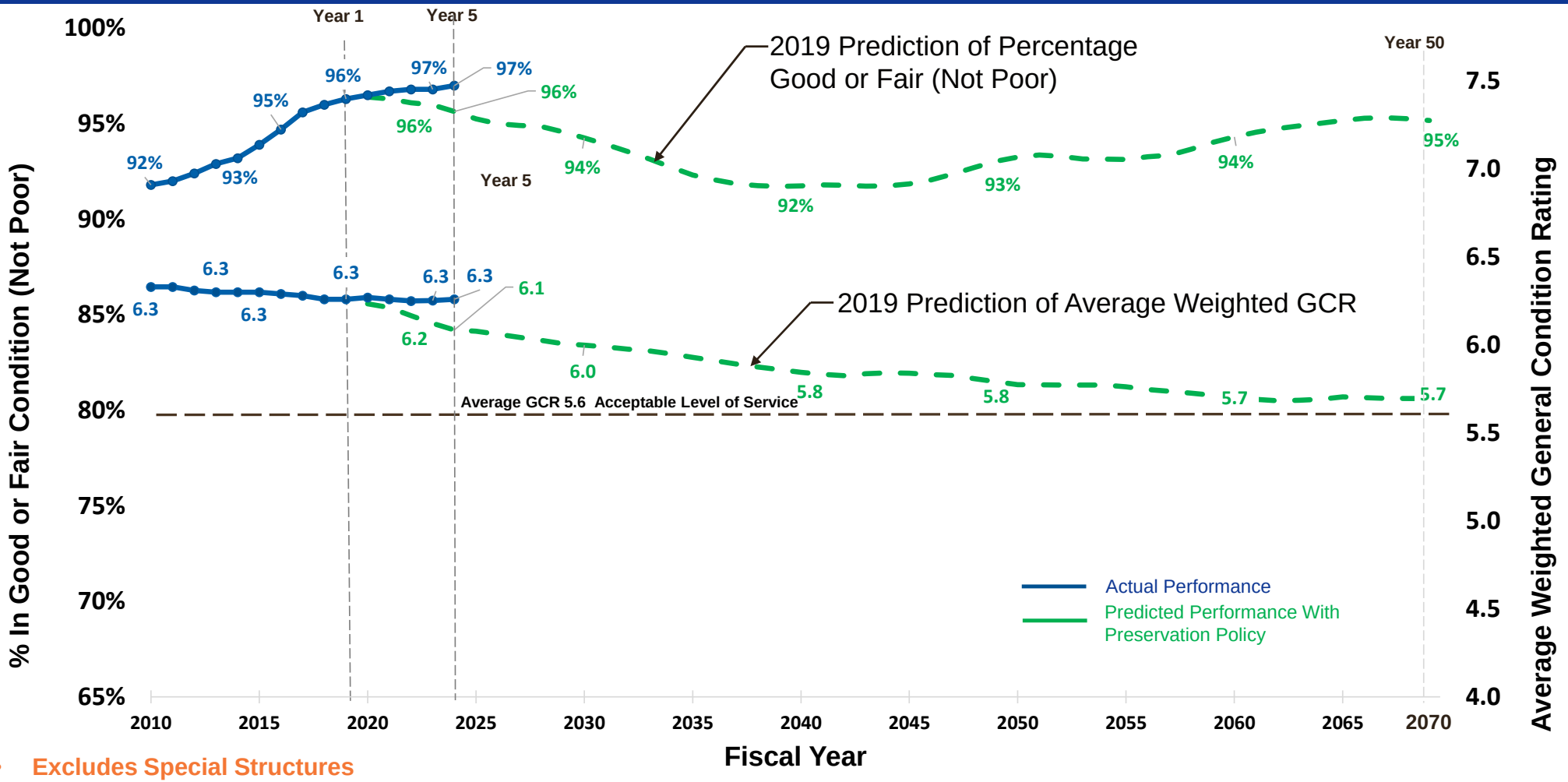


Structures - Performance Measures

Performance Measure Description	Current Policy Preservation (CTB Approved December 2019)	
	Average General Condition Rating (GCR)	% Not Poor
All Systems	≥ 5.6	N/A
Interstate		97% No Postings
Primary		93%
Secondary		90%

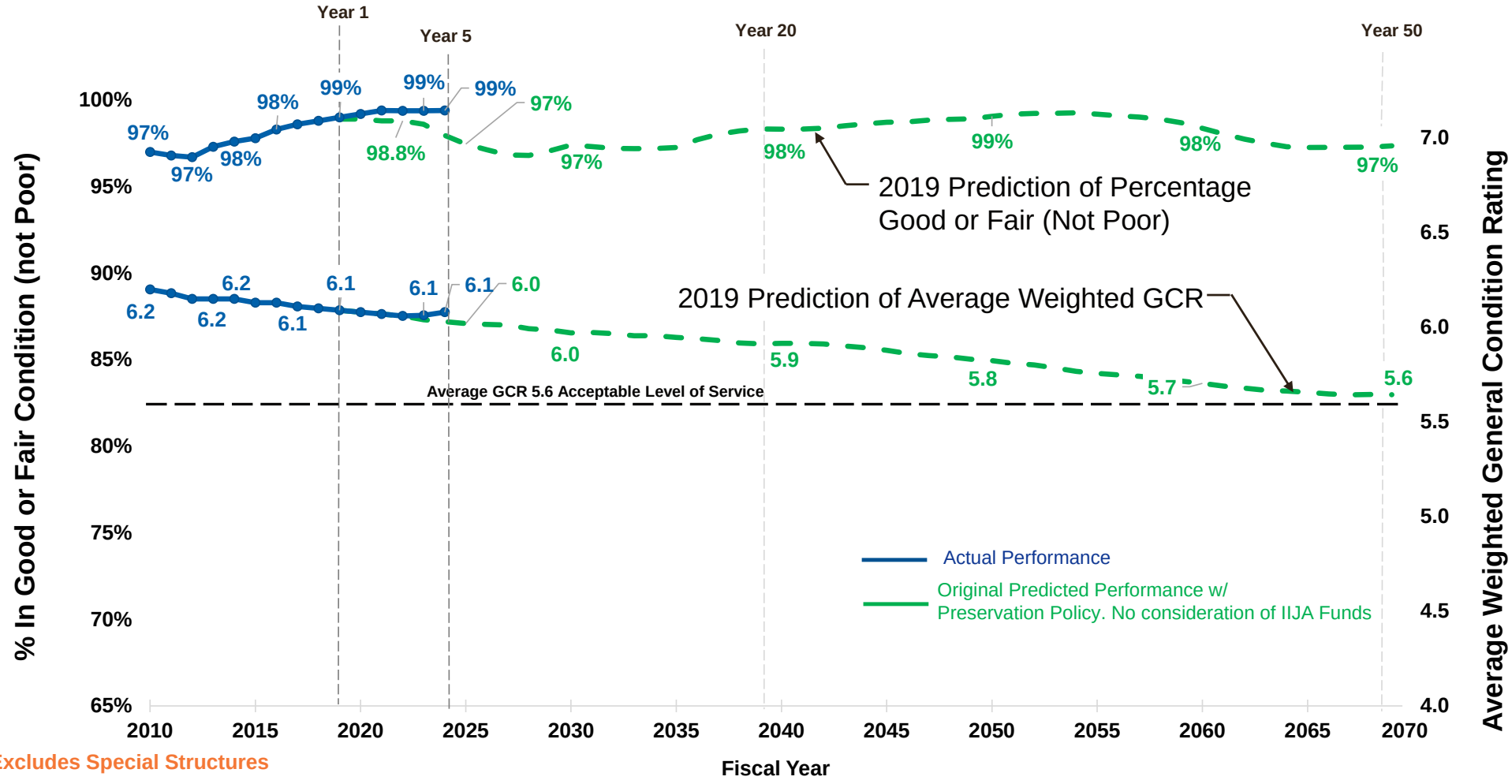
% Not Poor – percentage of structures with a GCR of 5 (Fair) or better

All Networks Combined – 50 Year Outlook - 21,199 Structures



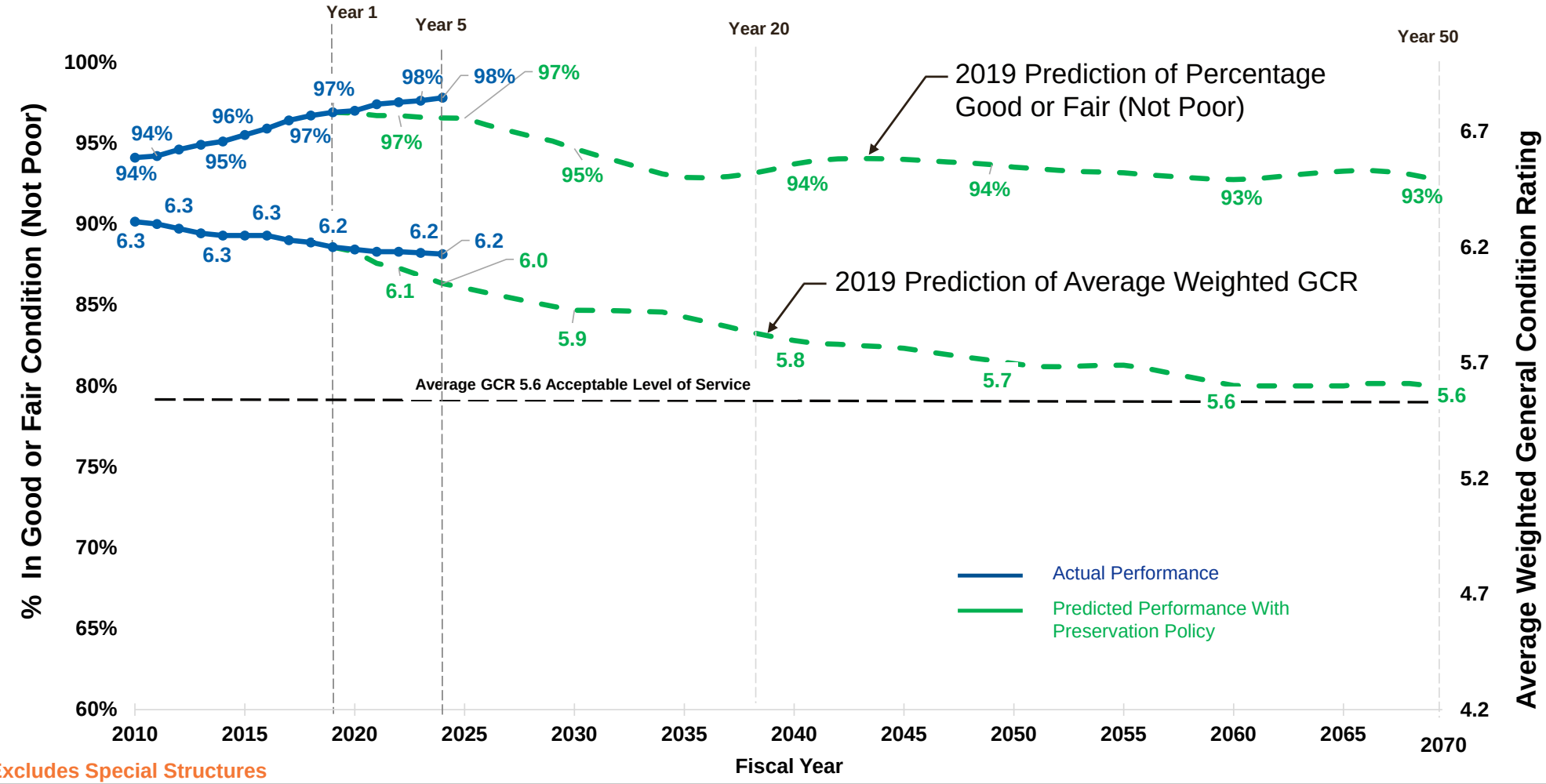
- Excludes Special Structures

Interstate Network – 50 Year Outlook - 2,436 Structures



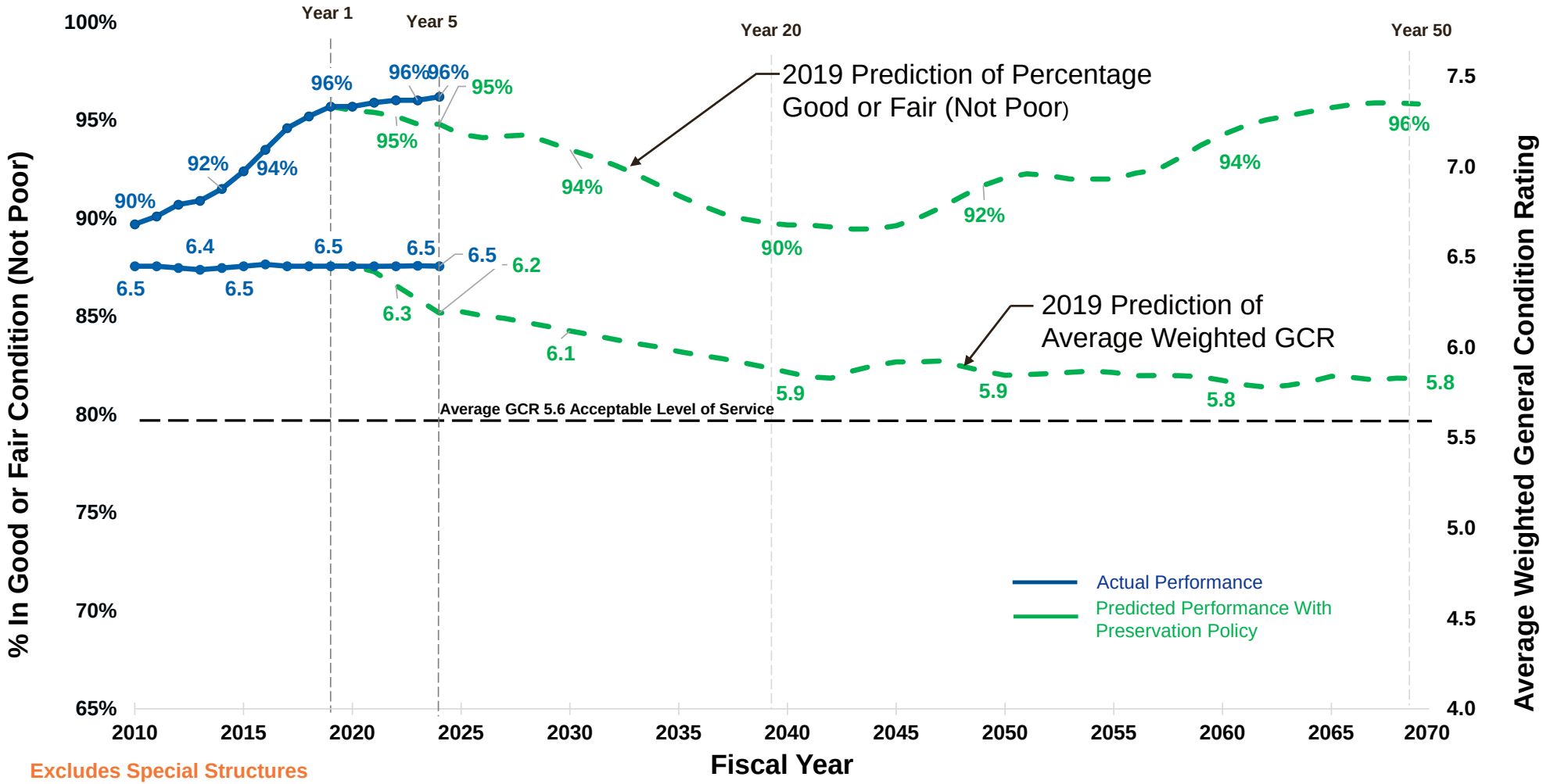
- Excludes Special Structures

Primary Network – 50 Year Outlook - 5,758 Structures



- Excludes Special Structures

Secondary Network – 50 Year Outlook - 13,005 Structures



- Excludes Special Structures

Routine Maintenance

Routine Maintenance – Performance Metrics

Asset	2019 Interim Target			FY 2023 Frequency Avg. / yr	FY 2024 Frequency Avg. / yr
	Frequency	Quantity			
Turf (Mowing)	IS: 3 times / yr PR: 3 times / yr SC: 2 times/ yr	340,600	acres	IS: 2 times / yr PR: 3 times / yr SC: 2 times/ yr	IS: 2 times / yr PR: 3 times / yr SC: 2 times/ yr
Trees	6% of inventory	8,200	shoulder miles	23%	19%
Pipes	10% of inventory	33,900	each	10%	25%
SWM Facilities	2 times / yr	4,400	each	3 times / yr	3 times / yr
Ditches	5% of inventory	4,400	ditch miles	3%	8%
Unpaved Roads	4 times / yr	25,500	center line miles	5 times / yr	5 times / yr
Unpaved Shoulders	20% of inventory	14,800	shoulder miles	29%	24%
Signs	5% of inventory	47,300	each	4%	5%
Signals	20% of inventory	630	each	14%	14%
Pavement Marking	70% of inventory	50,800	miles	66%	57%

TREES: Bristol District



Before



After

SWM BASINS: Salem District





DITCHES: Bristol District

Interstate Maintenance Operations

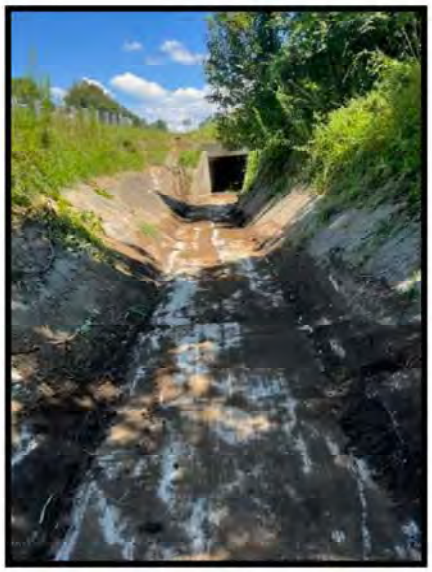
Interstate Zone Efforts

Ditch Cleaning – Additional Funding

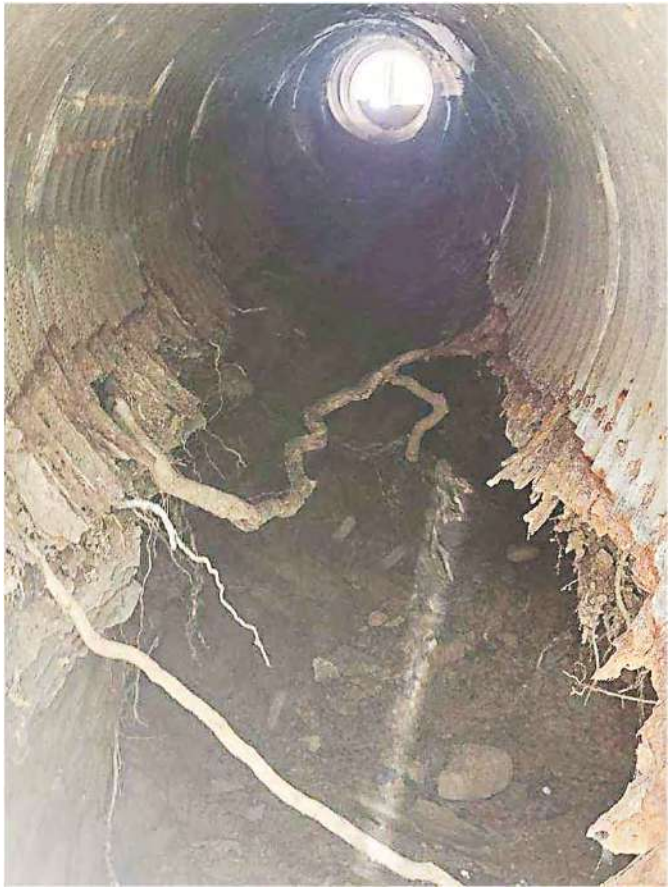
Before



After



PIPES: Salem District







UNPAVED SHOULDERS: Salem District





SOUNDWALLS: Hampton Roads District



Special Structures

Special Structures – Health Index

- **Unique Health Index Developed for Each Category**
  - **Movable Bridges (introduced in 2021)**
  - **Tunnels (introduced in 2021)**
  - **Fixed-Span Structures (introduced in 2022)**
- **Current Briefing**
  - **3 Year of progress on movable bridge health index**
  - **3 Year of progress on tunnel health index**
  - **2 Year of progress on fixed-span structure index**

Special Structures – Health Index

- **Measures the Overall Health from 0 (Worst) to 100 (Best)**
  - **Assesses individual structures and systems within a structure**

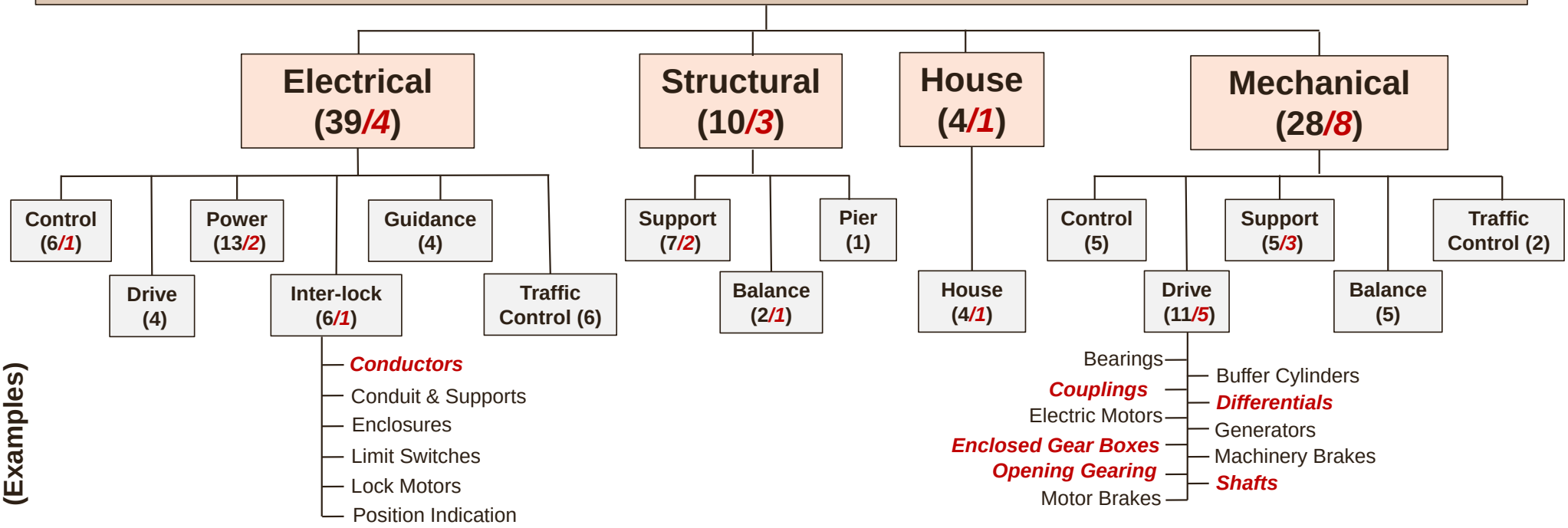


- **Data Collection and Inspection**
  - **Each element on each structure evaluated**
  - **Assigned “condition states”, which can vary from Good to Severe**
  - **Inspected every 2 years**

- **Health Index Calculated by Weighting Elements by Safety & Risk**

Health Index Sample Methodology- Movable Bridges

Movable Bridge Example
(4 Systems, 15 Subsystems, 81 Elements & *16 Critical Elements*)



Movable Bridge Health Index: Changes 2023 - 2024

2023 Summary of Health Index for Each System or Component on Each Movable Bridge

Bridge	Movable Span Systems					Approach (Fixed) Span Components			
	Electrical	House*	Mechanical	Structural	Overall HI Movable Bridge	Deck	Super-structure	Sub-structure	Overall HI Approach Spans
Benjamin Harrison	Poor	Fair	Poor	Fair	Poor	Fair	Fair	Fair	Fair
Berkley EBL	Poor	Fair	Fair	Fair	Fair	Fair	Good	Fair	Fair
Berkley WBL	Poor	Fair	Poor	Poor	Poor	Fair	Good	Fair	Fair
Chincoteague	Good	Good	Good	Good	Good	Good	Good	Good	Good
Coleman	Fair	Good	Fair	Poor	Fair	Fair	Good	Good	Fair
Eltham	Fair	Good	Good	Good	Fair	Fair	Fair	Good	Fair
Gwynn's Island	Poor	Fair	Poor	Severe	Poor	Good	Good	Fair	Fair
High Rise	Fair	Fair	Fair	Poor	Fair	Good	Fair	Fair	Fair
James River	Poor	Fair	Fair	Fair	Fair	Fair	Fair	Fair	Fair

2023 Percentage & Number of Systems in Each Condition Category	
Good	30% (19)
Fair	51% (32)
Poor	17% (11)
Severe	2% (1)

2024 Summary of Health Index for each System or Component on Each Movable Bridge

Bridge	Movable Span Systems					Approach (Fixed) Span Components			
	Electrical	House System Elements Have Been Recategorized with the Publication of New AASHTO Element Data Definitions	Mechanical	Structural	Overall HI Movable Bridge	Deck	Super-structure	Sub-structure	Overall HI Approach Spans
Benjamin Harrison	Fair ↑		Fair ↑	Fair	Fair ↑	Fair	Fair	Fair	Fair
Berkley EBL	Severe ↓		Fair	Fair	Fair	Fair	Good	Fair	Fair
Berkley WBL	Poor		Poor	Fair ↑	Poor	Fair	Good	Fair	Fair
Chincoteague	Good		Good	Good	Good	Good	Good	Good	Good
Coleman	Fair		Fair	Fair ↑	Fair	Fair	Good	Good	Fair
Eltham	Fair		Good	Good	Fair	Fair	Fair	Good	Fair
Gwynn's Island	Fair ↑		Good ↑	Fair ↑	Fair ↑	Good	Good	Fair	Fair
High Rise	Fair		Poor ↓	Fair ↑	Fair	Good	Fair	Fair	Fair
James River	Poor		Fair	Fair	Fair	Fair	Fair	Fair	Fair

2024 Percentage & Number of Systems in Each Condition Category	
Good	32% (17)
Fair	59% (32)
Poor	7% (4)
Severe	2% (1)

Improvement (8)
Severe to Fair: **Gwynn's Island** - Structural
Poor to Good: **Gwynn's Island** - Mechanical
Poor to Fair: **Gwynn's Island** - Electrical; **High Rise** - Structural; **Benjamin Harrison** - Electrical & Mechanical; **Coleman** - Structural; **Berkley WBL** - Structural

Deterioration (2)
Fair to Poor: **High Rise** - Mechanical
Poor to Severe: **Berkley EBL** - Electrical

Work Recently Completed On:
- Gwynn's Island
- Benjamin Harrison
- Berkley WBL
- High Rise

Health index expected to improve as work is completed

Tunnel Health Index: Changes 2023 - 2024

2023 Summary of Health Index for Each System on Each Tunnel						
Tunnel	Civil	Electrical	Fire/Life Safety/Security	Mechanical	Structural	Overall HI
Big Walker						
East River						
Hampton Roads EBL						
Hampton Roads WBL						
Monitor Merrimac						
Rosslyn						
I-564						

2023 Percentage & Number of Systems in Each Condition Category	
Good	34% (12)
Fair	57% (20)
Poor	9% (3)
Severe	0% (0)

2024 Summary of Health Index for Each System on Each Tunnel						
Tunnel	Civil	Electrical	Fire/Life Safety/Security	Mechanical	Structural	Overall HI
Big Walker						
East River						
Hampton Roads EBL		↓	↓			
Hampton Roads WBL						
Monitor Merrimac						
Rosslyn						
I-564						

2024 Percentage & Number of Systems in Each Condition Category	
Good	28% (10)
Fair	63% (22)
Poor	9% (3)
Severe	0% (0)

Improvement - None

Deterioration – (2)

Good to Fair: **Hampton Roads EBL:** Electrical,

Good to Fair: **Hampton Roads EBL:** Fire/Life Safety/Security

Notable Elements of 10 Year Plan

- Work is underway on:
  - Big Walker
  - East River (On Virginia side only)
  - Rosslyn
  - HRBT
  - MMMBT

Health index expected to improve as work is completed

Fixed Span Bridge* Health Index: Changes 2023 - 2024

2023 Summary of Health Index for Each Component on Each Fixed Span Bridge				
Bridge Name	**Deck**	**Superstructure**	**Substructure**	**Overall**
460 Connector Bridges				
HRBT** Approaches				
MMMBT*** Approaches				
Norris Bridge				
Smart Road Bridge				
Varina Enon Bridge				
Willoughby Bay Bridges				

2023 Percentage & Number of Components in Each Condition Category	
Good	43% (9)
Fair	52% (11)
Poor	5% (1)
Severe	0% (0)

2024 Summary of Health Index for Each Component on Each Fixed Span Bridge				
Bridge Name	**Deck**	**Superstructure**	**Substructure**	**Overall**
460 Connector Bridges				
HRBT Approaches				
MMMBT Approaches				
Norris Bridge				
Smart Road Bridge				
Varina Enon Bridge				
Willoughby Bay Bridges				

2024 Percentage & Number of Components in Each Condition Category	
Good	43% (9)
Fair	52% (11)
Poor	5% (1)
Severe	0% (0)

Notable Elements of 10 Year Plan

- HRBT Approaches and Willoughby Bay Bridges will be complete
- Preservation emphasis for:
  - Varina-Enon
  - James River Approaches
  - MMMBT Approaches
- Norris construction starts after the 10 year window

*Condition information for High Rise Bridge Approach Spans & James River Bridge Approach Spans is provided on the Movable Bridge Health Index slide

**Hampton Roads Bridge Tunnel

***Monitor Merrimac Memorial Bridge-Tunnel

Improvements - None

Deterioration - None

Special Structures - Accomplishments

Berkley Emergency Generator

- CN contract award value: $9,388,000
- Project delivery: ASD through Capital Outlay
- Replaced obsolete generators on the bridge with new landside facility to improve reliability and meet current design criteria
- New utility feed reducing demand on existing tunnel utility









High Rise Emergency Generator

- CN contract award value: $2,987,972
- Project delivery: ASD
- Replaced obsolete generator on the bridge with new landside elevated platform to improve reliability and meet current design criteria
- New transformer on elevated pad to increase resiliency to flooding
- Tied in navigation and bridge lighting from new bridge







High Rise Grid Deck Replacement

- CN contract award value:
  - $3,787,447 (material incl. change orders)
  - $5,632,379 (installation incl. change orders)
- Project delivery: ASD (material) / Tier 1 RAAP (installation)
- Replaced deteriorated steel grid deck and stringer repairs
- Coordinated with I-64 widening project during traffic shift to new bridge



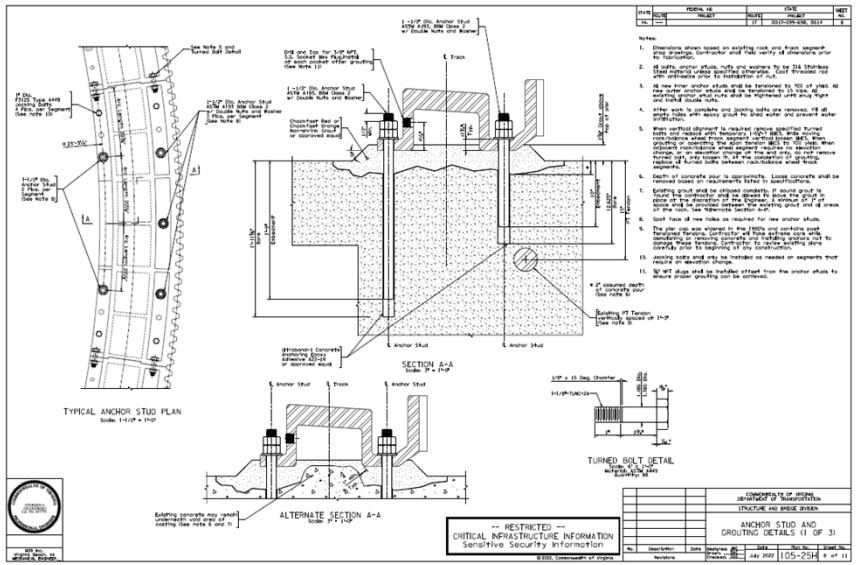






Coleman Balance Wheel Track Repairs

- CN contract award value: $3,485,000
- Project delivery: Tier 1 RAAP
- Several anchor bolts with crack indications based on UT
- Replaced all grout beneath balance wheel track and top of both pivot piers in 20” sections so bridge could remain operational
- Installed and tensioned new anchor bolts
- Shimmed and leveled balance wheel assemblies





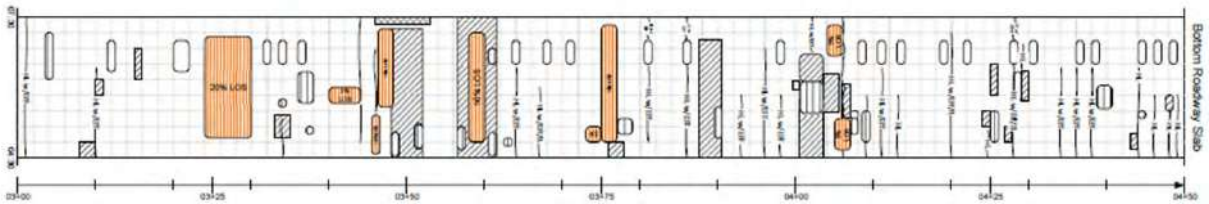


Hampton Roads Bridge Tunnel Invert Slab Repairs

- CN contract award value: $9,000,000
- Project delivery: On-call term contract
- Concrete repair to underside of EB roadway slab in lower supply duct
- Improved 7,300 SF of Condition State (CS3 to CS2) of tunnel element
- Mitigate risk of load posting tunnel facility







James River Bridge Beam Strengthening

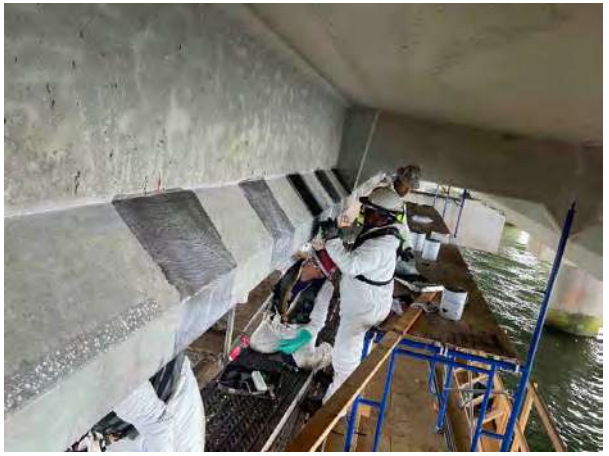
- CN contract award value: $4,242,340
- Project delivery: Tier 1 RAAP
- Repaired 29 deteriorated prestressed beams on the south approach trestle
- Carbon fiber reinforced polymer (CFRP) to restore capacity
- Mitigate risk of load posting major water crossing route







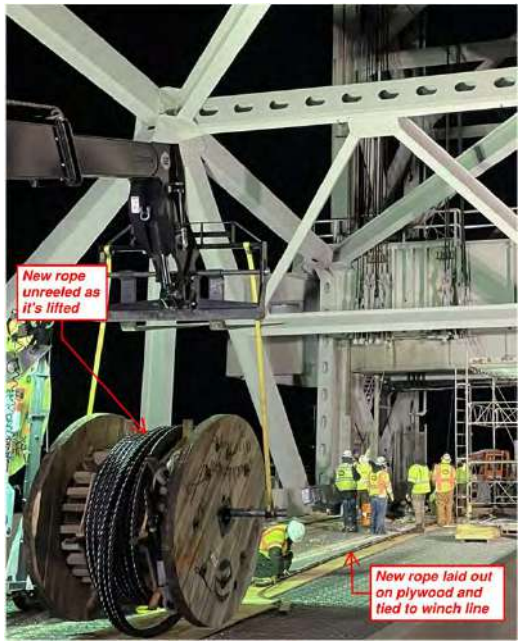




James River Bridge Lifting Cable Replacement

- CN contract award value:
  - $2,067,366 (material)
  - $3,490,000 (installation)
- Project delivery: ASD (material) / Tier 1 RAAP (installation)
- Replaced all (80) original main counterweight wire ropes and auxiliary ropes (8)
- Extensive public outreach and stakeholder coordination
- Two full operational outages 4 days ea. (100 hrs)
  - First outage completed in 88 hrs
  - Second outage competed in 71 hrs



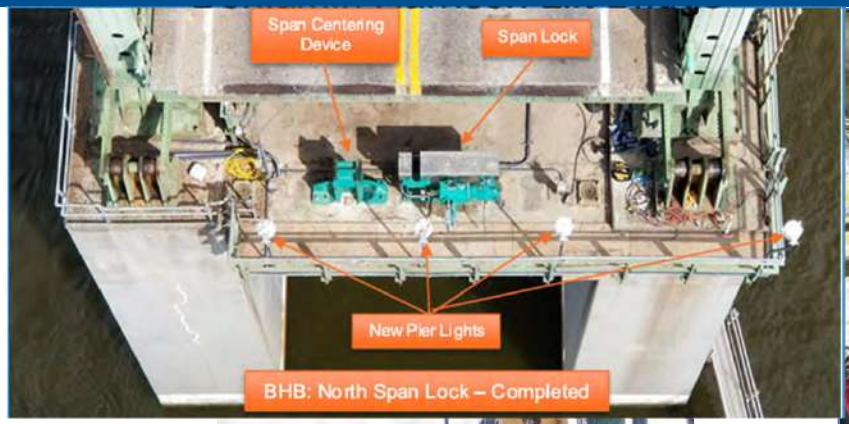




Varina Enon Bridge & Benjamin Harrison Movable Bridge



Installation of weather sensor



BHB: North Span Lock – Completed

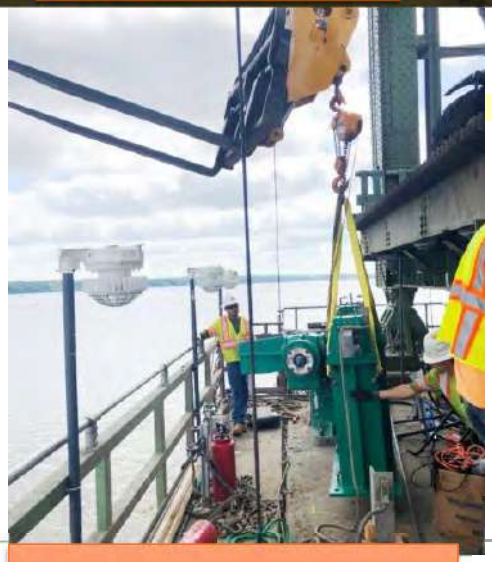


BHB: Span Lock – In Place
(Anchor bolts and Grout next)

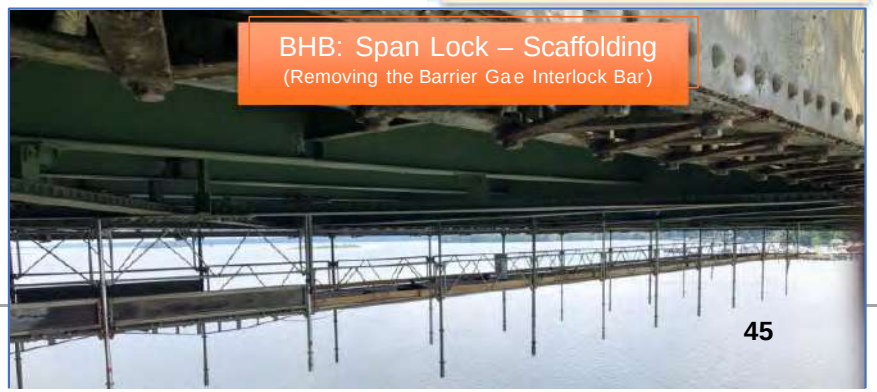


Installation of new scuppers

VEB: Bundled Project



BHB: Span Lock – Installation
(South Pier)



BHB: Span Lock – Scaffolding
(Removing the Barrier Gae Interlock Bar)

VDOT Virginia Department of Transportation

Benjamin Harrison Movable Bridge



Generator Facility
(Completed)



New Gensets





(Sheet Piles & FRP Delivery Complete)



Fender Material



Emergencies

Maintenance and Operations Program - Flexibility

Emergencies

- **Extreme weather events**
  - Snow and ice
  - Hurricanes
  - Floods
- **Unexpected events**
  - Bridge hits
  - Sinkhole









Need to Retain Flexibility

Next

- **Special Structures 50-Year Long Term Plan approval**
  - **Draft resolution and plan**
  - **CTB only approves plan every 2 years**
- **Proposed Routine Maintenance Metrics**


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BIPARTISAN INFRASTRUCTURE LAW (BIL)

Bridge Formula Work Accomplishments

Greg Henion, P.E., State Structure & Bridge Engineer

October 22, 2024

Bipartisan Infrastructure Law (BIL)

- **The Infrastructure Investment and Jobs Act was signed into law on November 15, 2021**

- **Established the Bridge Formula Program to replace, rehabilitate, preserve, protect, and construct highway bridges**
  - **Focused on preservation / rehabilitation of existing bridges**
  - **Funds allocated based upon Needs**
  - **Aligns with findings of the 2019 Comprehensive Review**
  - **All funds must be expended by October 1, 2034**

BIL - Overview

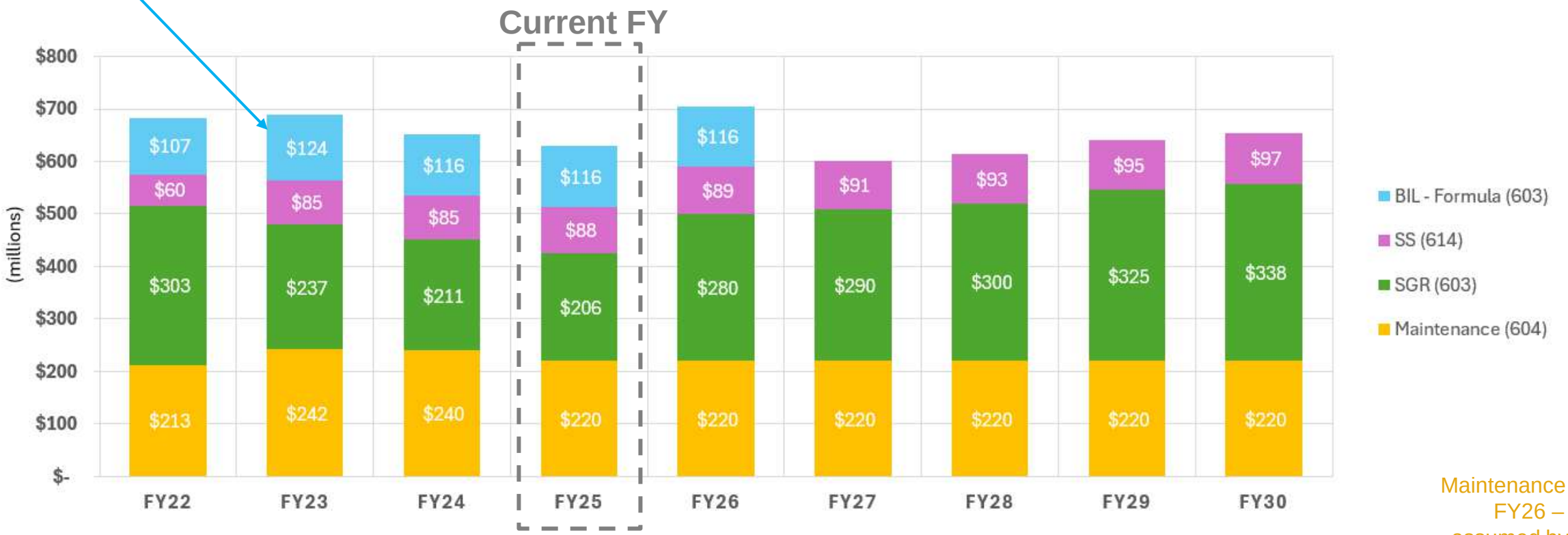
Bridge Formula

VDOT: 325 Structures

Localities: 19 Structures

$578 M

Over 5 years



Maintenance (604)
FY26 – FY30
assumed by AMD

Bridge Formula Funds

Total Available: $578 Million

Programmed Projects by Scope

Scope	VDOT # of Structures	Locality # of Structures	Total # of Structures
Structure Replacement	7	14	21
Super Replacement	2	1	3
Deck Replacement	2	1	3
Major Rehabilitation	103	2	105
Overlays	21	1	22
Painting	155		155
Steel Repairs	6		6
Culvert Rehabilitation	29		29
Total	325	19	344

Programmed Projects by Project Status

Status	VDOT # of Structures	Locality # of Structures	Total # of Structures
PE Underway/Complete	177	19	196
CN Underway	126		126
Completed	22		22
Total	325	19	344

Programmed Projects by District

Scope	VDOT # of Structures	Locality # of Structures	Total # of Structures
Bristol	53	2	55
Salem	20	4	24
Lynchburg	26		26
Richmond	28	4	32
Hampton Roads	63	3	66
Fredericksburg	9	1	10
Culpeper	1		1
Staunton	83	2	85
Northern Virginia	42	3	45
Total	325	19	344

Bridge Formula - Work Being Performed





Joint Elimination

- Protects Girders and Bridge Supports from Chlorides and Water
- 35 to 50 years additional service life for protected elements





Steel Repairs

- 50 Years of additional service life when joints above are properly addressed to protect the repair
- Rehab is approximately 10% of replacement cost
- Must be performed before too much corrosion has occurred





Culvert Lining

- Cementitious spray liner, ½” steel lined, or partial flow liner
- May receive flow liner or full liner depending on condition (20 years additional service life)

Bridge Formula - Work Being Performed













Deck Overlays and Replacement

- Hydro-demolition provides an excellent roughened surface for bonding
- Rigid Overlays (35 Years Additional Service Life)
- Epoxy Overlays (15 Years Additional Service Life)
- Deck Replacement (50 Years Additional Service Life)

Painting

- Serves as the primary protective element against corrosion
- Corrosion is the leading cause of bridge replacement
- Painting can extend service lives by 15 to 20 years

Pier / Column Rehabilitation

- +35 years service life when joints are properly addressed
- Removes chloride-contaminated concrete and replaces with high performance concrete

Bridge Formula – NOVA, I-495 & Dulles Access Road



Before



After

Before



After



Bridge Formula – NOVA, I-495 & Dulles Access Road



Before



After

Before



After



Bridge Formula – NOVA, Loudon & Prince William Counties



Before



After


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POWHITE PARKWAY PROJECT

Purpose and Need Briefing

Scott Smizik, Assistant Environmental Division Director

October 22, 2024

Presentations to CTB on the Powhite Parkway EIS



- Study Background
- Study Location
- Study Process

- Purpose and Need Summary
- Supporting Information

Per § 33.2-208 Location of Routes

Chesterfield County Powhite Projects

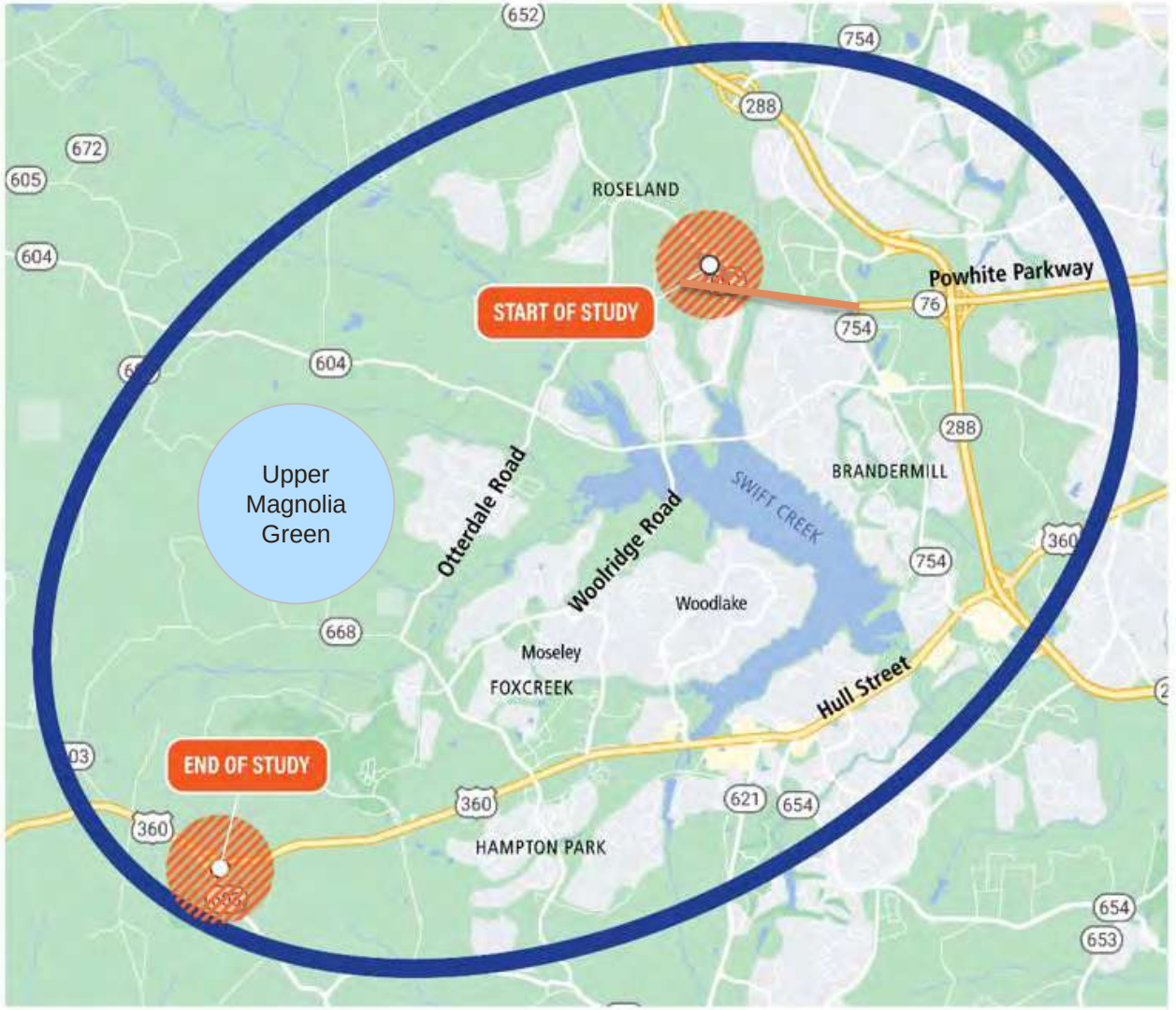
Subject of EIS Study: Woolridge Road to Hull Street Road on new alignment

Legend:

Termini of EIS study

EIS Study Area

Widening and Extension of Powhite Parkway from Charter Colony Parkway to Woolridge Road (separate project)



PURPOSE AND NEED

- As lead federal agency, FHWA develops a Purpose and Need focused on the necessary transportation improvements in the study area.
- The Council on Environmental Quality (CEQ) regulations require an EIS to "summarize the underlying purpose and need for the proposed agency action."*
- As described by AASHTO**, the purpose and need sets the Lead Federal Agency's goals for the study and serves as the primary criteria in the alternative screening process.
- The Purpose and Need is focused on the given federal action and need not address ancillary benefits or goals of other actions.

* 40 CFR 1502.13
** AASHTO Practitioner's Handbook: Defining the Purpose and Need and Determining the Range of Alternatives for Transportation Projects.

DEVELOPMENT OF A PURPOSE AND NEED

- **Scoping – Completed**
  - Solicit input from agencies and the public on potential issues, constraints, and identified needs
  - Review previous VDOT, reginal, and local studies, plans, and existing traffic data
- **Present Potential Need Items to Agencies – Completed**
  - Present scoping findings to agencies and receive feedback from agencies
  - Have received preliminary concurrence from environmental review agencies*
- **Draft Purpose and Need Chapter – In Progress**
  - Document current and future needs for Chapter 1 of NEPA document
  - Includes more detail obtained through study process

*Cannot request formal concurrence until after FHWA issues the Notice of Intent.

PURPOSE AND NEED STATEMENT

The purpose of the Powhite Parkway Project is to enhance options for potential transportation improvements that would enhance travel conditions from Hull Street Road to Woolridge Road in western Chesterfield County, Virginia. In order to meet the purpose, the Project must address the following needs:



Relieve congestion on existing roadways and at intersections within the project study area



Improve regional connectivity and accessibility between Hull Street Road and Woolridge Road

RELIEVE CONGESTION

- **Existing travel speed conditions**
  - ~25% of roadway segments in study area experience severe congestion
- **Existing signalized and unsignalized intersection delays**
  - ~50% of intersections evaluated in study area experience moderate/severe congestion
- **Public comments emphasize capacity and congestion issues**

An alternative's ability to meet this need element will be assessed by reduction of intersection delays, travel time, and traffic volumes

IMPROVE REGIONAL CONNECTIVITY AND ACCESSIBILITY

- **Existing Regional Connectivity is impacted by heavy traffic**
  - There are few free-flowing options for through traffic
    - Existing freeways/expressways experience moderate/severe congestion
  - Existing Minor Arterials/Major Collectors are subject to heavy traffic movement
    - Not intended for such high traffic numbers, results in moderate/severe congestion
- **Future travel demand**
  - Anticipated increase in population (~80%), housing (~80%), and employment (~250%) in Study Area

An alternative's ability to meet this need element will be assessed by reduced travel time and increased accessibility to employment and residential zones.

NEXT STEPS with CTB

Activity	Timeframe*
Public Involvement on Range of Alternatives	November 2024
CTB Briefing on Range of Alternatives	Early 2025
CTB Action on Location Decision/Preferred Alternative	Summer 2025
Draft Environmental Impact Statement	Late 2025

*Schedule subject to change as NEPA process advances


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NIMMO PARKWAY PHASE VII-B PROJECT

Purpose and Need Briefing

Scott Smizik, Assistant Environmental Division Director

October 22, 2024

PRESENTATIONS TO CTB ON NIMMO PARKWAY PHASE VII-B EIS



- Study Background
- Study Location
- Study Process

- Purpose and Need Statement
- Existing Conditions / Supporting Information

Per § 33.2-208 Location of Routes

NIMMO PARKWAY PHASE VII-B EIS STUDY AREA



Legend

- Study Area
- Back Bay National Wildlife Refuge
- Military Base

Build Alternatives Alignment

- Nimmo Parkway
- Sandbridge Road

EXISTING CONDITIONS

- Two-lane roadway with no shoulders, suitable recovery area, or emergency pull-off
- Does not meet current design standards



Source: Google Earth 2023

PURPOSE AND NEED

- As lead federal agency, FHWA develops a Purpose and Need focused on the necessary transportation improvements in the study area.
- Council on Environmental Quality (CEQ) regulations require an EIS to “summarize the underlying purpose and need for the proposed agency action.”*
- As described by AASHTO**, the purpose and need sets the Lead Federal Agency’s goals for the EIS and serves as the primary criteria in the alternative screening process.
- The Purpose and Need is focused on the given federal action and need not address ancillary benefits or goals of other actions.

* 40 CFR 1502.13
** AASHTO Practitioner’s Handbook: Defining the Purpose and Need and Determining the Range of Alternatives for Transportation Projects.

DEVELOPMENT OF A PURPOSE AND NEED

Developing a Purpose and Need

- **Scoping – Completed**
  - Solicit input from agencies and the public on potential issues, constraints, and identified needs
  - Review previous VDOT, regional, and local studies, plans, and existing traffic data
  - Review EA's purpose and need and supporting documentation
- **Present Potential Need Items to Agencies – Completed**
  - Present scoping findings to agencies and receive feedback from agencies
  - Have received preliminary concurrence from environmental review agencies*
- **Draft Purpose and Need Chapter – In Progress**
  - Document current and future needs for Chapter 1 of NEPA document
  - Includes more detail obtained through NEPA process

*Cannot request formal concurrence until after FHWA issues the Notice of Intent (NOI).

PURPOSE AND NEED STATEMENT

The purpose of the Project is to provide reliable access and connectivity to the Sandbridge Community. In order to meet the purpose, the Project must address the following needs that limit reliable access and connectivity:

- Flooding
- Roadway deficiencies
- Crashes and other obstructions

RELIABLE ACCESS

Reliable access to the Sandbridge Community is needed due to:

- Obstructions, vehicle crashes, and summer congestion, which reduce mobility along Sandbridge Road to and from the Sandbridge Community
- Flooding on Sandbridge Road due to wind-driven tides, rain events, or large storms, which cuts off access to the Sandbridge Community.

Public comments support the data collected on the impact safety and flooding have on reliable access

An alternative's ability to meet this need element will be assessed by reducing the impact flooding, crashes, and other events have on reliable access to and from the Sandbridge Community

CONNECTIVITY

Enhanced connectivity to the Sandbridge community is needed due to:

- Lack of alternative public routes to provide emergency response access to the Sandbridge Community.
- Risk of evacuation due to hurricanes or other emergencies.

An alternative's ability to meet this need element will be assessed by improving emergency response and/or evacuation for the Sandbridge Community.

NEXT STEPS with CTB

Activity	Timeframe*
CTB Briefing on Range of Alternatives	Early 2025
Public Hearing and Comment Period to Inform CTB Action on Location Decision/Preferred Alternative	Spring 2025
CTB Action on Location Decision/Preferred Alternative	Spring 2025
Draft Environmental Impact Statement	Fall 2025

*Schedule subject to change as NEPA process advances


VDOT
Virginia Department of Transportation

COMMONWEALTH of VIRGINIA
Office of the
SECRETARY of TRANSPORTATION

Overview: Office of Intermodal Planning and Investment
&
Recommended VTrans Vision, Guiding Principles, Goals and Objectives

John Lawson, Deputy Secretary of Transportation
Jitender Ramchandani, Statewide Transportation Planning Manager
Office of Intermodal Planning and Investment (OIPI)
October 2024

PURPOSE OF THE PRESENTATION

- Overview of Secretary's Office of Intermodal Planning and Investment (OIPI)
- Overview of VTrans, Virginia's Surface Transportation Plan
- Recommendations
  - VTrans Vision, Guiding Principles, Goals, and Objectives
- Next Steps



OVERVIEW: OFFICE OF INTERMODAL PLANNING AND INVESTMENT (OIPI)

- **OIPI is an office of the Secretary, established by Code of Virginia §2.2-229.**
- **OIPI reports to the Secretary and is responsible for developing a comprehensive multimodal transportation policy.**
  - Serves as liaison between transportation agencies.
  - Focuses on using data to inform investment decisions and drive outcomes.
- **The office consists of a Director appointed by the Secretary and staff.**
  - John Lawson, Director
  - Ronique Day, Deputy Director
  - Program Managers and
  - Technical staff



- **Goals of the Office established by the Code (§2.2-229)**
  - Promote transparency and accountability in the programming of transportation funds.
  - Establish and maintain a statewide prioritization process.
    - SMART SCALE tool
  - Ensure Virginia's multimodal network promotes economic development, connectivity, environmental quality, accessibility, and safety.
    - VTrans identifies transportation needs associated with congestion, economic development, safety, etc. SMART SCALE evaluates projects using similar matrices.
  - Encourage innovation and best practices to improve the efficiency of the network and related strategies.
    - Project Pipeline program focuses on innovative solutions and strategies to address VTrans needs.
  - Promote coordination between transportation investments and land use planning.
    - The Growth and Accessibility Planning (GAP) Technical Assistance Program provides resources to localities to promote such coordination.

- **Responsibilities and Programs of the Office**
  - Develop for Board approval, VTrans, the Statewide Transportation Plan.
  - Oversee and implement the statewide prioritization process SMART SCALE, approved by the Board.
    - SMART SCALE is Virginia's scoring process that evaluates projects and ranks them based on a relative benefit and cost decision-making tool.
  - Develop measures and targets for Board approval related to the performance of Virginia's surface transportation network, including any federal measures.
    - Safety, pavement, bridge targets, etc.

- **Responsibilities and Programs of the Office (cont.)**
  - Conduct and oversee studies of potential improvements or strategies that address needs identified in the Statewide Transportation Plan.
    - Project Pipeline Program, a performance-based planning program that identifies cost-effective solutions to critical needs identified in VTrans.
  - Provide technical assistance to local governments and regional entities.
    - Growth and Accessibility Planning (GAP) and Multimodal Planning technical assistance program supports localities and planning partners with studies that support further study of a need identified in VTrans.
  - Oversee for Board approval the Virginia Transportation Infrastructure Bank and the Toll Facilities Revolving Account.
  - Additional information on OIPI programs:
    - www.oipi.virginia.gov

OVERVIEW: PURPOSE OF VTRANS

- **VTrans helps the state meet several Federal requirements.**
  - Key requirements: States must develop a transportation plan (23 CFR § 450.216) and a freight plan (49 U.S.C. § 70202).
- **VTrans addresses several items and requirements included in the Code of Virginia.**
  - Key requirement: SMART SCALE applications are screened to ensure they meet transportation needs identified in VTrans (§ 33.2-214.1).
- **VTrans serves as the CTB's primary statewide planning process, which:**
  - Directs resources to CTB-identified needs and priority locations and promotes shared understanding.
  - Establishes a common and comprehensive understanding of risks and opportunities due to external factors.
  - Based on the identified needs, priority locations, risks, and opportunities inform agency decision-making.

OVERVIEW: VTRANS FOCUS AREAS

VTrans Vision, Guiding Principles, Goals, and Objectives

- Informs the entire planning process and guides VDOT and DRPT's efforts.

Mid-term Needs and Priority Locations

- Identifies and develops a shared understanding of needs and priorities for the next 10 years.

Long-term Risk and Opportunity Register

- identifies, analyzes, and monitors the cumulative impact of transformative global and national trends on Virginia's transportation system.

Strategic Actions / Recommendations

- Identifies near-term actions that OIPI, VDOT, and DRPT plan to undertake to address the identified risks and opportunities and ensure the advancement of VTrans Vision.

OVERVIEW: VTRANS FOCUS AREAS



Presentation	Today	January 2025	June 2025	September 2025
Action	December 2024	February 2025	July 2025*	December 2025

VTRANS | VIRGINIA'S TRANSPORTATION PLAN

* If policy changes, formal action required

RECOMMENDATION: VISION

Virginia's transportation system will be **Good for Business, Good for Communities, and Good to Go**.

Virginians will benefit from a sustainable, reliable transportation system that advances Virginia businesses, attracts a 21st-century workforce, and promotes healthy communities where Virginians of all ages and abilities can thrive.

Existing (adopted 2014, affirmed 2020)

Virginia's **best-in-class multimodal transportation system** provides safe and reliable mobility, connects people and commerce, fosters economic growth and investment, embraces environmental stewardship, and enhances quality of life.

Recommended End State

RECOMMENDATION: GUIDING PRINCIPLES

Existing Guiding Principle	Recommended Guiding Principle
GP 2: Ensure Safety, Security, and Resiliency Provide a transportation system that is safe for all users, responds immediately to short-term shocks such as weather events or security emergencies, and adapts effectively to long-term stressors such as sea level rise.	**GP 1: Ensure Safety, Security, and Resiliency:** Provide a safe transportation system for all users that responds immediately to short-term events such as weather or security emergencies and adapts effectively to long-term issues (e.g., resiliency).
GP 1: Optimize Return on Investments Implement the right solution at the right price, striving to meet current needs while advancing long-term prosperity and livability.	**GP 2: Optimize Return on Investments:** Implement the right solution at the right price to meet identified needs while advancing long-term prosperity and livability.
GP 3: Efficiently Deliver Programs Deliver high-quality projects and programs in a cost-effective and timely manner.	**GP 3: Deliver Programs Efficiently:** Deliver high-quality projects and programs in a cost-effective and timely manner.
GP 4: Consider Operational Improvements and Demand Management First Maximize capacity of the transportation network through increased use of technology and operational improvements as well as managing demand for the system before investing in major capacity expansions.	**GP 4: Implement Operational Improvements and Demand Management First:** Maximize the capacity of the transportation network by managing the demand through increased use of technology and operational improvements before investing in major capacity expansions.

RECOMMENDATION: GUIDING PRINCIPLES (CONT.)

Existing Guiding Principle	Recommended Guiding Principle
GP 5: Ensure Transparency and Accountability, and Promote Performance Management Work openly with partners and engage stakeholders in project development and implementation. Establish performance targets that consider the needs of all communities, measure progress towards targets. Adjust programs and policies as necessary to achieve the established targets	**GP 5: Ensure Transparency, Accountability, And Promote Performance Management:** Work with stakeholders in developing transportation plans and programs. Establish performance targets, measure progress, and adjust programs and policies as necessary.
GP6: Improve Coordination Between Transportation and Land Use Encourage local governments to plan and manage transportation-efficient land development by providing incentives, technical support, and collaborative initiatives.	**GP 6: Enhance Coordination Between Transportation and Land Planning:** Inform and advise local governments to ensure coordination between local land planning and potential impacts on transportation.
GP 7: Ensure Efficient Intermodal Connections Provide seamless connections between modes of transportation to harness synergies.	**GP 7: Ensure Efficient Intermodal Connections:** Provide seamless connections between modes of transportation.
	GP 8: Maintenance First: Maintain the current system to the agreed-upon performance standards to ensure the lowest life-cycle cost.

RECOMMENDATION: GOALS

Existing Goal	Recommended Goal
Goal C - Safety for All Users: Provide a safe and secure transportation system for passengers and goods on all travel modes.	**Goal A - Transportation System Safety:** Reduce fatalities and serious injuries to make the transportation network safer for the traveling public.
Goal D - Proactive System Management: Maintain the transportation system in good condition and leverage technology to optimize existing and new infrastructure.	**Goal B - System Preservation:** Provide well-maintained and managed transportation infrastructure and services across the Commonwealth.
Goal A - Economic Competitiveness and Prosperity: Invest in a transportation system that supports a robust, diverse, and competitive economy**.**	**Goal C - Economic Competitiveness through Travel Time Reliability:** Encourage economic competitiveness and prosperity by improving travel time reliability by minimizing congestion and providing multiple modes and routes.

RECOMMENDATION: GOALS

Existing Goal	Recommended Goal
Goal B - Accessible and Connected Places: Increase opportunities for people and businesses to efficiently access jobs, services, activity centers, and distribution hubs.	**Goal D - Inter-Connected Systems and Services:** Provide an integrated multimodal transportation system for better accessibility and travel options.
Goal E - Healthy Communities and Sustainable Transportation Communities: Support a variety of community types promoting local economies and healthy lifestyles that provide travel options, while preserving agricultural, natural, historic and cultural resources.	**Goal E - Environmental Stewardship:** Provide transportation solutions that enhance the quality of life while preserving agricultural, natural, historical, and cultural resources.

RECOMMENDATION: GOAL A – TRANSPORTATION SYSTEM SAFETY

Existing Goal C – Safety for All Users: Provide a safe and secure transportation system for passengers and goods on all travel modes.

- Objective C.1: Reduce the number and rate of motorized fatalities and serious injuries.
- Objective C.1: Reduce the number of non-motorized fatalities and serious injuries.

Recommended Goal A – Transportation System Safety: Reduce fatalities and serious injuries to make the transportation network safer for the traveling public.

- Objective A.1: Reduce the number and rate of motorized fatalities and serious injuries through implementation of the Strategic Highway Safety Plan.
- Objective A.2: Reduce the number of non-motorized fatalities and serious injuries through implementation of the Strategic Highway Safety Plan.
- Objective A.3: Reduce fatalities and serious injuries by implementing annual Safety Performance Targets in Public Transportation Agency Safety Plans.

RECOMMENDATION: GOAL B – SYSTEM PRESERVATION

Existing Goal D – Proactive System Management: **Maintain the transportation system in good condition and leverage technology to optimize existing and new infrastructure.**

- Objective D.1: Improve the condition of all bridges based on deck area.
- Objective D.2: Increase the lane miles of pavement in good or fair condition.

Recommended Goal B - System Preservation: **Provide well-maintained and managed transportation infrastructure and services across the Commonwealth.**

- Objective B.1: Obtain the following outcomes through the implementation of the recommendations from VDOT's Maintenance and Operations Comprehensive Review.
  - Meet long-term sustainable pavement and bridge performance targets adopted by the Board.
  - Maintain VDOT's special structures in accordance with the annually updated 50-year special structures plan.
  - Meet routine maintenance best practices performance metrics.

RECOMMENDATION: GOAL B – SYSTEM PRESERVATION (CONT.)

Existing Goal D – Proactive System Management: **Maintain the transportation system in good condition and leverage technology to optimize existing and new infrastructure.**

- Objective D.3: Increase percent of transit vehicles and facilities in good or fair condition.

Recommended Goal B - System Preservation: **Provide well-maintained and managed transportation infrastructure and services across the Commonwealth.**

- Objective B.2: Ensure transit state of good repair through the prioritization of investments and implementation of performance targets in Transit Asset Management plans.
- Objective B.3: Maximize the benefits of the Rail Preservation Fund through effective allocations to Class 2 (Shortline/Freight) and Class 3 (Passenger Rail) railroads.

RECOMMENDATION: GOAL C - ECONOMIC COMPETITIVENESS THROUGH TRAVEL TIME RELIABILITY

Existing Goal A - Economic Competitiveness and Prosperity: **Invest in a transportation system that supports a robust, diverse, and competitive economy.**

- Objective A.1: Reduce the amount of travel that takes place in severe congestion.
- Objective A.3: Improve reliability on key corridors for all modes.

Recommended Goal C - Economic Competitiveness through Travel Time Reliability: **Encourage economic competitiveness and prosperity by improving travel time reliability by minimizing congestion and providing multiple modes and routes.**

- Objective C.1: Improve travel time reliability and throughput by reducing the amount of travel that takes place in congested conditions by prioritizing performance-based investments, including operational improvements.

RECOMMENDATION: GOAL C - ECONOMIC COMPETITIVENESS THROUGH TRAVEL TIME RELIABILITY (CONT.)

Existing Goal A - Economic Competitiveness and Prosperity: **Invest in a transportation system that supports a robust, diverse, and competitive economy.**

- Objective A.2: Reduce the number and severity of freight bottlenecks.

Recommended Goal C - Economic Competitiveness through Travel Time Reliability: **Encourage economic competitiveness and prosperity by improving travel time reliability by minimizing congestion and providing multiple modes and routes.**

- Objective C.2: Improve freight throughput through the implementation of the Virginia Freight Plan and 2022 Statewide Rail Plan.
- Objective C.3: Improve transit efficiency and effectiveness by implementing system-wide and route-level performance standards established in Transit Strategic Plans and Transit Development Plans.

RECOMMENDATION: GOAL D - INTER-CONNECTED SYSTEMS AND SERVICES

Existing Goal B - Accessible and Connected Places: **Increase opportunities for people and businesses to efficiently access jobs, services, activity centers, and distribution hubs.**

- Objective B.1: Reduce average peak-period travel times in metropolitan areas.
- Objective B.2: Reduce average daily trip lengths in metropolitan areas.
- Objective B.3: Increase the accessibility to jobs via transit, walking, and driving in metropolitan areas.

Recommended Goal D - Inter-Connected Systems and Services: **Provide an integrated multimodal transportation system for better accessibility and travel options.**

- Objective D.1: Create multimodal redundancy to support network resiliency by providing alternative modes of travel where appropriate.
- Objective D.2: Provide a safe and secure transportation system by ensuring redundancy and appropriate cyber security protection.
- Objective D.3: Increase bus ridership by improving bus stop condition and accessibility.
- Objective D.4: Enhance freight rail movements to support economic development and freight fluidity for the Port of Virginia by implementing the 2022 Statewide Rail Plan.
- Objective D.5: Support economic development initiatives through investments in site accessibility.

RECOMMENDATION: GOAL E - ENVIRONMENTAL STEWARDSHIP

Existing Goal E - Healthy Communities and Sustainable Transportation Communities: Support a variety of community types promoting local economies and healthy lifestyles that provide travel options, while preserving agricultural, natural, historic and cultural resources.

- Objective E.1: Reduce per-capita vehicle miles traveled.
- Objective E.2: Reduce transportation-related NOX, VOC, PM, and CO emissions.
- Objective E.3: Increase the number of trips traveled by active transportation (bicycling and walking).

Recommended Goal E - Environmental Stewardship: Provide transportation solutions that enhance the quality of life while preserving agricultural, natural, historical, and cultural resources.

- Objective E.1: Deliver transportation solutions that consider watershed impacts, habitat preservation, and required environmental regulatory review.
- Objective E.2: Implement solutions to support the attainment of National Ambient Air Quality Standards.

NEXT STEPS

	CTB Vision, Guiding Principles, Goals and Objectives	Mid-term Needs and Priority Locations (0 – 10 Years)	Long-term Risk & Opportunity Register (20+ Years)	Strategic Actions (Recommendations)
Presentation	Today	January 2025	June 2025	September 2025
Action	December 2024	February 2025	July 2025*	December 2025



VTRANS | VIRGINIA'S TRANSPORTATION PLAN

* If policy changes, formal action required

COMMONWEALTH of VIRGINIA
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SMART SCALE Update

Brooke Jackson, P.E. – SMART SCALE Program Manager
Office of Intermodal Planning and Investment
October 2024

SMART SCALE Update Agenda

- Process Overview
- FY 2026 Overview
- FY 2026 Screening and Validation
- FY 2026 Funding Requests
- Next Steps

History and Purpose

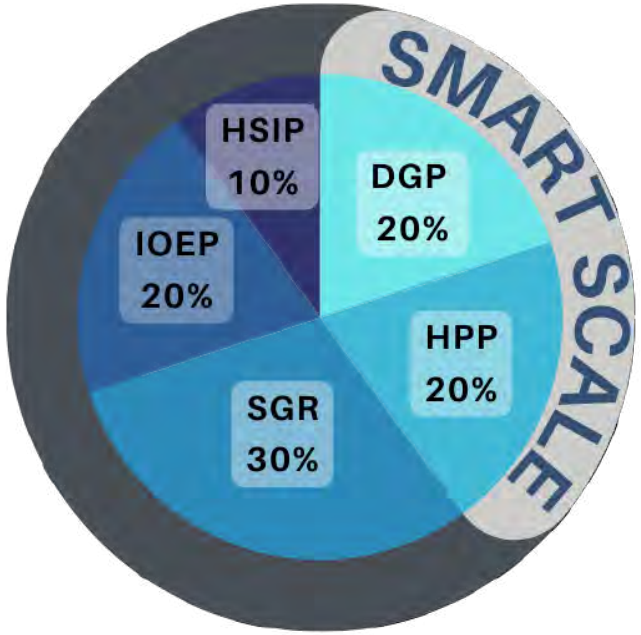
- **SMART SCALE was created to improve the transparency and accountability of project selection and stabilize the Six-Year Improvement Program**
- **Effective July 1, 2014 (Virginia HB2 as defined in § 33.2-214.1), required developing a prioritization process that the CTB was to use for project selection by July 2016.**
  - Needed to remove the political element and select projects that bring the best value
- **It reformed Virginia's transportation programming process by requiring the use of a data-driven, outcome-based prioritization process**
  - SMART SCALE has improved the transparency and accountability of project selection
  - The process scores projects based on an objective and fair analysis that is applied statewide
- **SMART SCALE is a tool to help CTB select projects that provide the greatest benefits for tax dollars spent**

Virginia HB 2 Defines the Process

- **Benefit-Cost Relationship Required**
- **Six Factor Areas Required (SCALE) –** safety, congestion mitigation, accessibility, land use*, economic development, and environmental quality
- **Multi-Modal Project Evaluation –** must consider highway, transit, rail, roadway, technology operational improvements, and transportation demand management strategies
- **Meet a VTrans Need**
- **Projects must be fully funded when added to the SYIP**

**Note: Land Use is required in populations over 200,000 defined in the 6th enactment clause*

Virginia HB 1414 Defines Funding to Construction Programs



Program	Formula Percentage	Update Cycle
Construction District Grant (DGP)	20%	Even FYs
High Priority Projects (HPP)	20%	Even FYs
State of Good Repair Program (SGR)	30%	Annual
Interstate Operations and Enhancement Program (IOEP)	20%	4 Years
Virginia Highway Safety Improvement Program (HSIP)	10%	Annual
Revenue Sharing (state and local match)	NA	Odd FYs
Transportation Alternatives (TAP)	NA	Odd Fys

Updates from the 2023 SMART SCALE Review

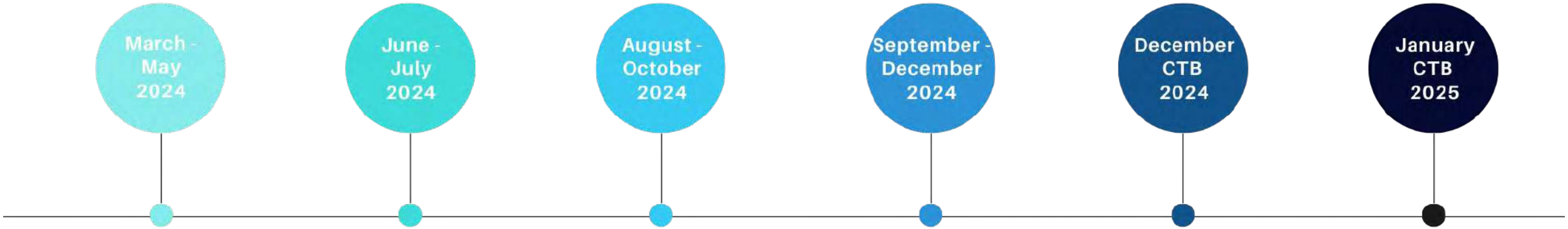
- **Administrative Improvements**
  - Applications must pass readiness gates before submission to improve application quality and reduce staff resources
- **Policy Improvements**
  - Refine High-Priority Projects Program (HPP) Eligibility
  - Calculate congestion benefits for 7 years in the future
  - Modify the Land Use factor to a multiplier of all other factor areas and modify factor weightings
  - Utilize forward-looking economic development measure developed by VEDP
  - Tie consensus funding decisions to performance in delivering projects

SMART SCALE Summary Compared to Previous Rounds

PROJECT APPLICATIONS	FY 2017 ROUND 1	FY 2018 ROUND 2	FY 2020 ROUND 3	FY 2022 ROUND 4	FY 2024 ROUND 5	FY 2026 ROUND 6
Pre-Application Submitted	N/A	N/A	557	484	490	325
Full Application Submitted	321	436	468	406	413	277
Scored	287	404	433	397	394	TBD
Funded	163	147	134	167	164	TBD
Total Funding Requested*	$7.4 B	$8.6 B	$7.4 B	$6.3 B	$8.3 B	$7.5 B
Total Funding Allocated	$1.7 B	$1.1 B	$0.9 B	$1.4 B	$1.6 B	TBD
Value of Projects Supported	$3.3 B	$2.4 B	$5.1 B	$1.9 B	$2.4 B	TBD

**Total of scored applications funding requested*

Fiscal Year 2026 Program Cycle Timeline



Pre-Application

Pre-screening to verify VTrans and Eligibility.

325 Pre-Applications Submitted

Full Application

Applicant finalizes scope, studies, and estimates.

308 Full Application Development (7 Withdrawn, 10 Pre-Screened Out)

Final Screening

State validates VTrans, Eligibility, and Readiness.

277 Full Applications Submitted (31 Withdrawn)

Benefit Scoring

State calculates measures for each of the six factor areas.

273 Applications Screened-In (2 Withdrawn, 2 Screen Out)

Selection of CTB Application(s)

Up to two CTB projects can be submitted for scoring.

TBD Applications Scored

Staff Recommended Funding Scenario

CTB begins consideration of projects for SYIP inclusion.

TBD Projects Recommended for Funding

Application Validation

Applications are evaluated at Pre-Application Submission and Full Application Submission with three designations:

- **Ready**
- **Application Withdrawn**
- **Screened Out**
    1. Does not meet VTrans Need
    2. Project Readiness
    3. Project Eligibility

Screening and Validation Summary

	Pre-Application					Full Application						
District	Number of Pre-Apps	Withdrawn	Screen Out Readiness	Screen Out Eligibility	To Full App	Withdrawn in Full App Development	Submitted	Screen Out VTrans	Screen Out Readiness	Screen Out Eligibility	Withdrawn after Submission	Ready
Bristol	21	-	-	-	21	1	20	-	-	-	-	20
Culpeper	25	-	-	-	25	1	24	-	-	-	-	24
Fredericksburg	49	1	4	-	44	10	34	-	-	-	-	34
Hampton Roads	36	1	-	-	35	3	32	-	-	-	1	31
Lynchburg	15	1	1	-	13	-	13	1	-	-	-	12
Northern Virginia	29	1	-	-	28	3	25	-	1	-	1	23
Richmond	79	3	4	1	71	3	68	-	-	-	-	68
Salem	40	-	-	-	40	6	34	-	-	-	-	34
Staunton	31	-	-	-	31	4	27	-	-	-	-	27
Grand Total	**325**	**7**	**9**	**1**	**308**	**31**	**277**	**1**	**1**	**-**	**2**	**273**

Total FY 2017	N/A		-	-	321	9	12	11	2	**287**
Total FY 2018	N/A		-	19	436	5	6	19	2	**404**
Total FY 2020	557	13	544	76	468	9	11	3	12	**433**
Total FY 2022	484	23	461	55	406	2	1	4	2	**397**
Total FY 2024	490	6	484	71	413	-	9	2	8	**394**

Summary of Funding Requests

Round	Funding Requested (billions)	Funding Leveraged (billions)	Average Request (millions)	Average HPP Request (millions)	Average DGP Request (millions)
FY 2017	$7.4	$6.0	$25.7	$32.6	$19.5
FY 2018	$8.6	$2.3	$21.2	$25.9	$19.3
FY 2020	$7.4	$4.9	$17.0	$24.1	$12.9
FY 2022	$6.3	$1.1	$15.7	$17.3	$15.7
FY 2024	$8.3	$1.5	$21.1	$24.4	$21.6
FY 2026	**$7.5**	**$1.1**	**$27.4**	**$35.2**	**$22.2**

*Data as of October 3, 2024
**Does Not Include Potential (up to two) CTB Applications

Summary of Full Application Request By District

District	Number of Applications	Request (Millions)*	Total Cost (Millions)*
Bristol	20	$290	$290
Culpeper	24	$790	$790
Fredericksburg	34	$850	$940
Hampton Roads	31	$595	$670
Lynchburg	12	$320	$320
Northern Virginia	23	$1,185	$1,710
Richmond	68	$2,050	$2,435
Salem	34	$1,060	$1,080
Staunton	27	$370	$405
Grand Total	273	$7,510	$8,640

*Data as of October 3, 2024 – Rounded to nearest $5M

**Does Not Include Potential (up to two) CTB Applications

Summary of Request by Principal Improvement Type

	FY 2024			FY 2026		
Principal Improvement Type	Number of Applications	Request (millions)	Total Cost (millions)	Number of Applications	Request (Millions)*	Total Cost (Millions)*
Highway	294	$7,225	$8,645	219	$6,570	$7,605
Bike/Pedestrian	97	$1,075	$1,190	50	$780	$875
TDM	0	$0	$0	1	$25	$25
Rail Transit	0	$0	$0	0	$0	$0
Bus Transit	3	$20	$30	3	$135	$135
Rail Freight	0	$0	$0	0	$0	$0
Grand Total	**394**	**$8,320**	**$9,865**	**273**	**$7,510**	**$8,640**

*Data as of October 3, 2024 (cost estimate validation is in progress) – Rounded to nearest $5M

**Does Not Include Potential (up to two) CTB Applications

Next Steps

- **Now through January – Validation of cost estimates and complete scoring**
- **December CTB Meeting**
  - Action on up to two CTB projects to evaluate, if applicable
- **January CTB Meeting – Provide Project Scorecards and Staff Recommended Funding Scenario released**

COMMONWEALTH *of* VIRGINIA

Office of the

SECRETARY *of* TRANSPORTATION

Thank you.

Display ID	Organization	Application Name	Principal Improvement
11735	Abingdon Town	Cummings St at US 11 and Remsburg Dr Improvements	Highway
11747	Bristol City	Old Airport Road at Bonham Road Intersection Improvements	Highway
11748	Bristol City	Bonham Road at Suncrest Drive Turn Lane Improvements	Highway
11586	Bristol MPO	French Moore Blvd Extension	Highway
11722	Bristol MPO	US 11 (Main Street) Corridor Improvements	Highway
11609	Grayson County	Route 89 at Mount Vale Road Right-Turn Lane	Highway
11601	Lee County	Route 58 Truck Climbing Lane Phase III	Highway
11749	Lee County	ALT US 58 at N Combs Road Corridor Improvements	Highway
11606	Norton City	Park Avenue Reconfiguration	Highway
11744	Russell County	US 19 at Route 80 Offset Left-Turn Lanes	Highway
11587	Scott County	US 23 at Natural Tunnel Parkway Intersection Realignment	Highway
11713	Tazewell County	US 19/460 Corridor Shoulder Improvements	Highway
11535	Tazewell Town	BUS 19 at Bulldog Lane Intersection Improvement	Highway
11536	Tazewell Town	BUS 19 at Ben Bolt Avenue Pedestrian Improvements	Bike/Pedestrian
11589	Washington County	Route 75 at Green Springs Church Road Turn Lane	Highway
11594	Washington County	US 11 at Route 91 Intersection Improvements	Highway
11550	Wise County	Coeburn Mountain Road Turn Lane Improvements	Highway
11745	Wise County	US 23 at Wise-Norton Road (Route 757) Turn Lane Improvement	Highway
11737	Wise Town	US 23 at Norton Road (BUS 23) Turn Lane Improvements	Highway
11752	Wytheville Town	N 4th Street Pedestrian Improvements	Bike/Pedestrian

Display ID	Organization	Application Name	Principal Improvement
11600	Albemarle County	Old Trail Drive and US 250 West Intersection Improvements	Highway
11715	Albemarle County	US 29 and Plank Road Intersection Improvements	Highway
11721	Albemarle County	Rio Road and Hillsdale/Northfield/Old Brook Improvements	Highway
11772	Albemarle County	Barracks Road and Georgetown Road Improvements	Highway
11487	Charlottesville-Albemarle MPO	US250/Peter Jeff. Pkway and Rolkin Road Pipeline Bundle	Highway
11675	Charlottesville-Albemarle MPO	I64/Fifth Street Interchange Improvement (Exit 120)	Highway
11678	Charlottesville-Albemarle MPO	Barracks Road Pipeline US 29/250 Interchange and SUP	Highway
11679	Charlottesville-Albemarle MPO	Barracks Road Pipeline Corridor Improvements	Highway
11573	Culpeper County	Rt. 229, Rt.694 Double Lane Roundabout	Highway
11794	Culpeper Town	Ira Hoffman Roundabout	Highway
11795	Culpeper Town	Madison/Germanna Roundabout	Highway
11800	Culpeper Town	US Bus 15/Walmart Entrance Roundabout	Highway
11801	Culpeper Town	US Bus 15 Bicycle/Pedestrian Improvements	Bike/Pedestrian
11457	Fauquier County	Dumfries Rd (Rt 605) & Greenwich Rd (Rt 603) - Roundabout	Highway
11459	Fauquier County	Route 28 & Old Dumfries Road (Route 667) - Roundabout	Highway
11650	Greene County	RT29-616 RCUT Project	Highway
11771	Greene County	US33-743 (Advance Mills) & 1050 (Greenecroft) Intersections	Highway
11442	Louisa County	Route 250 and Route 15 - Intersection Improvement	Highway
11447	Louisa County	Route 208 & Route 250 - Intersection Improvement	Highway
11448	Louisa County	Route 15-22 Intersection Improvements	Highway
11455	Orange County	Route 20 / Route 611 Roundabout	Highway
11462	Warrenton Town	Business 17 (Lee Highway) Corridor Safety Improvement	Highway
11732	Warrenton Town	Lee Highway and Branch Avenue Intersection Improvement	Highway
11733	Warrenton Town	US Business 17 Corridor Improvement/Fletcher Intersection	Highway

Display ID	Organization	Application Name	Principal Improvement
11661	Caroline County	Turn Lanes at Lake Caroline	Highway
11662	Caroline County	Route 1 Ladysmith Road	Highway
11663	Caroline County	Paige and Marye Route 1 Intersection	Highway
11664	Caroline County	Rte 207 Sidewalk improvements at Rte 1 and Welcome Way	Bike/Pedestrian
11692	Essex County	Brays Fork Continuous Green-T	Highway
11693	Essex County	White Oak Dr. to Teakwood Dr. Sidewalk and Crosswalks	Bike/Pedestrian
11620	Fredericksburg Area MPO	Rt 208 Pipeline Study Corridor Improvements: Leavells Rd	Highway
11626	Fredericksburg Area MPO	Rte 208 Pipeline Study Corridor Improvements - Smith Station	Highway
11633	Fredericksburg Area MPO	Butler Rd Widening from Castle Rock Dr to Carter St	Highway
11634	Fredericksburg Area MPO	I-95 four-Lane Widening SB B/T Exit 130 and Exit 126	Highway
11711	Fredericksburg City	Route 3 Intersection Improvements and VCR Trail Bridge	Bike/Pedestrian
11730	Fredericksburg City	Lafayette Blvd Sidewalks	Bike/Pedestrian
11637	George Washington RC	Enon Road/Centreport Parkway Connector	Highway
11639	George Washington RC	I-95/ Exit 136 Interchange/Centreport Parkway to Rt 1	Highway
11640	George Washington RC	Rt 3 Pipeline Old Plank Road to Salem Church Rd	Highway
11641	George Washington RC	Warrenton Road Widening	Highway
11767	Gloucester County	Providence Rd-Rte 17 (Turn Lane) and Multimodal Improvements	Highway
11769	Gloucester County	Rte. 17 and Belroi Road Intersection	Highway
11780	Gloucester County	Rte 17 Widening - Tidemill to Guinea	Highway
11817	King William County	Venter Road-Rt. 30 Intersection	Highway
11821	King William County	Rt. 30 Bicycle/Pedestrian Improvements	Bike/Pedestrian
11820	Lancaster County	Rt 3 and Rt 794 Intersection Improvement	Highway
11806	Mathews County	Rte. 3 and Rte. 198 Intersection and Road Segment	Highway
11753	Middlesex County	Town Bridge Rd Roadway Improvements (RRR)	Highway
11756	Middlesex County	Rt 17-Rt 616 Town Bridge Road Int. and Segment Improvements	Highway
11623	Spotsylvania County	Harrison Road / Lafayette Blvd Intersection Improvements	Highway
11624	Spotsylvania County	US Rte.1 Southpoint Pkwy Intersection Improvements	Highway
11625	Spotsylvania County	Route 3 (Plank Road) Widening Improvements	Highway
11627	Spotsylvania County	Route 639 STARS Study Improvements	Highway
11552	Stafford County	Route 1 and Foreston Woods Dr / Coal Landing Rd	Highway
11553	Stafford County	Route 1 and Potomac Hills LTL and Route 1 Corridor Safety	Highway
11554	Stafford County	Route 1 and I-95 / Coachman Circle Safety Improvements	Highway
11556	Stafford County	Garrisonville Road Widening Phase 1	Highway
11804	Westmoreland County	Route 205 at Longfield Road Intersection – North	Highway

Display ID	Organization	Application Name	Principal Improvement
11686	Accomack County	Route 175 Improvements: 3-Lane Undivided Highway	Highway
11825	Accomack County	Onley to Parksley: Eastern Shore of Virginia Rail Trail	Bike/Pedestrian
11677	Chesapeake City	HR-07 Pipeline - George Washington and Military	Highway
11723	Chesapeake City	HR-08 Pipeline - Multimodal Safety and Access Improvements	Highway
11797	Hampton City	Chesapeake Ave Corridor Improvements	Bike/Pedestrian
11807	Isle of Wight County	US Rt 17 Widening Phase 1 Lane Extension @ State Rt 669	Highway
11808	Isle of Wight County	Route 17 and Sugar Hill Road Intersection Improvements	Highway
11811	Isle of Wight County	Rt 17 Widening Phase 2	Highway
11815	Isle of Wight County	Nike Park Trail Gap Connector (Rt 664)	Bike/Pedestrian
11537	James City County	Route 60 (Poc. Trail) Widening and Complete Street Seg. 2	Highway
11446	Newport News City	Pipeline HR03 Jefferson Ave Improvements	Highway
11559	Newport News City	Jefferson & J. Clyde Morris Blvd Intersection Improvements	Highway
11560	Newport News City	STARS - Jefferson Corridor Improvements	Highway
11561	Newport News City	Warwick Blvd & Colony Dr Intersection Improvements	Highway
11683	Norfolk City	Little Creek Road Bicycle Improvements	Bike/Pedestrian
11684	Norfolk City	Heutte Drive Sidewalk Improvements	Bike/Pedestrian
11743	Norfolk City	Project Pipeline HR-23-06: Monticello Ave Spot Improvements	Highway
11791	Norfolk City	Project Pipeline HR04 Military Highway	Bike/Pedestrian
11491	Northampton County	Cheriton RCUT	Highway
11812	Northampton County	Northampton Segment: Eastern Shore of Virginia Rail Trail	Bike/Pedestrian
11501	Suffolk City	Bridge Rd. (Rte 17) and College Dr. (Rte 135) Left Turn Lane	Highway
11568	Suffolk City	Route 460 Widening	Highway
11574	Virginia Beach City	First Colonial Road Widening	Highway
11669	Virginia Beach City	Laskin Road Phase II	Highway
11670	Virginia Beach City	Pacific Avenue Left-Turn Lanes	Highway
11671	Virginia Beach City	Virginia Beach Trail Phase IV	Bike/Pedestrian
11672	Virginia Beach City	Dam Neck Road & Drakesmile Road Intersection	Highway
11445	York County	Barlow Road Shoulder Improvements	Highway
11699	York County	Crosswalks on Merrimac Trail at 2nd St. and Penniman Rd.	Bike/Pedestrian
11765	York County	Project Pipeline HR23-10 Rte 17 at Victory Blvd Improvements	Highway
11787	York County	Project Pipeline HR-23-09 Route 17 Intersection Improvements	Highway

Display ID	Organization	Application Name	Principal Improvement
11492	Campbell County	Route 29 Safety Improvements - Southern Section	Highway
11493	Campbell County	Timberlake Road Improvements (Greenview Dr. to Laxton Rd.)	Highway
11494	Campbell County	Candlers Mountain Road - Other Turn Lanes	Highway
11495	Campbell County	Route 501 Passing Lanes	Highway
11649	Danville MPO	Berry Hill DDI	Highway
11518	Halifax County	Sinai Road Pedestrian Project	Bike/Pedestrian
11519	Halifax County	US 501/Greens Folly Rd Improvements	Highway
11520	Halifax County	US 58/Rt 751 Intersection Improvements	Highway
11534	Halifax County	US 501/Sunshine Dr Realignment	Highway
11616	Lynchburg City	Candlers Mntn Rd/460 & Liberty Mntn Dr Roundabout	Highway
11471	Nelson County	Route 151 at Tanbark Drive Roundabout	Highway
11691	Pittsylvania County	Orphanage Road and Franklin Turnpike Traffic Signal	Highway

Display ID	Organization	Application Name	Principal Improvement
11490	Alexandria City	King St -Bradlee Safety and Mobility Enhancements	Bike/Pedestrian
11496	Alexandria City	Duke St and Route 1 Intersection Improvements	Bike/Pedestrian
11729	Alexandria City	Eisenhower Avenue and Van Dorn Street Improvements	Highway
11577	Arlington County	US 50 at VA 27 Interchange Access Improvements	Highway
11581	Arlington County	Glebe Rd Safety Improvements (I-66 to Columbia Pike)	Highway
11527	Fairfax County	Town Center Parkway Underpass	Highway
11530	Fairfax County	Frontier Drive Extension	Highway
11709	Fairfax County	Braddock Road Phase II	Highway
11630	Leesburg Town	Town of Leesburg, Catoctin Circle turn lane and sidewalk	Bike/Pedestrian
11465	Loudoun County	Route 7 Improvements - Route 9 to Dulles Greenway	Highway
11466	Loudoun County	Route 15 at Braddock Road Roundabout	Highway
11468	Loudoun County	Cascades Pkwy Bike&Ped (Nokes Boulevard to Woodshire Drive)	Bike/Pedestrian
11469	Loudoun County	Cascades Pkwy Bike &Ped (Church Rd. to Victoria Station Dr)	Bike/Pedestrian
11484	Loudoun County	East Broad Way Sidewalk	Bike/Pedestrian
11485	Loudoun County	North Berlin Turnpike Shared Use Path	Bike/Pedestrian
11524	Loudoun County	Old Ox Road Widening - Shaw Road to Fairfax County Line	Highway
11557	Loudoun County	Route 7/Route 601 Intersection Improvements	Highway
11481	Northern Virginia TA	I395 Shirlington Rotary &S Glebe Rd Interchange Improvements	Highway
11453	Prince William County	Route 123 and Old Bridge Rd Intersection Improvements	Highway
11475	Prince William County	US 29 (Lee Highway) Corridor Improvements	Highway
11685	Prince William County	Van Buren Road Improvements: Route 234 to Cardinal Dr	Highway
11703	Prince William County	Route 294 (Prince William Parkway) Corridor Improvements	Highway
11793	Prince William County	Dale Boulevard/Rippon Boulevard Corridor Improvements	Bike/Pedestrian

Display ID	Organization	Application Name	Principal Improvement
11742	Ashland Town	Rt. 1 and Ashcake Intersection	Highway
11792	Ashland Town	I-95 and Route 54 Interchange	Highway
11515	Brunswick County	US 58 at Brooks Crossing/Old Stage Rd (RCUT)	Highway
11521	Brunswick County	US 58 at Freemans Cross Rd/Reedy Crk Rd (RCUT)	Highway
11621	Brunswick County	Tobacco Heritage Trail - Trailhead Ramp & Trail Extension	Bike/Pedestrian
11452	Chesterfield County	Courthouse Rd at Dakins Dr R-Cut and Bike/Ped Improvements	Highway
11476	Chesterfield County	Rivers Bend Boulevard/Kingston Avenue Roundabout	Highway
11500	Chesterfield County	Belmont Road/Cogbill Road - Roundabout	Highway
11522	Chesterfield County	#FLT Rt 1 (Walmsley Blvd-Falling Ck Ave) SW/Bike/Transit	Bike/Pedestrian
11541	Chesterfield County	Woodpecker Road/Bradley Bridge Road Roundabout	Highway
11542	Chesterfield County	Salem Church Road/Kingsland Road Roundabout	Highway
11543	Chesterfield County	River Road/Pickett Avenue Roundabout	Highway
11544	Chesterfield County	Chester Rd/Hamlin Creek Pkwy Roundabout & Old Ln Imprvts	Highway
11572	Chesterfield County	Rt 60 (Old Otterdale Rd-Woolridge Rd) Corridor Enhancements	Highway
11676	Chesterfield County	Courthouse Rd at Cherylann Rd R-Cut & Bike/Ped Improvements	Highway
11702	Dinwiddie County	Rt 1 and I-85 Exit 63B Widening	Highway
11595	Goochland County	Route 250 at Route 288 Interchange Improvements	Highway
11596	Goochland County	Rte 288 - New SB Auxiliary Lane South of U.S. 250	Highway
11597	Goochland County	Route 288 Southbound Hard Shoulder Running Lane	Highway
11598	Goochland County	Fairground Rd/Maidens Rd Roundabout	Highway
11439	Greater Richmond Transit Company (GRTC)	C Chamberlayne Avenue Transit Streetscape	Bus Transit
11687	Hanover County	Roundabout at Intersection of Atlee Road and Barnfield Lane	Highway
11688	Hanover County	Park and Ride on US 301 Corridor	TDM
11689	Hanover County	Operational and Bike/Ped Improvements on US Route Corridor	Highway
11503	Henrico County	E. Parham Road Improvements - I-95 to Cleveland St	Highway
11504	Henrico County	Glenside Drive and Horsepen Road Safety Improvements	Bike/Pedestrian
11505	Henrico County	Parham Road Ped Improvements - Holly Hill to Three Chopt	Bike/Pedestrian
11506	Henrico County	Williamsburg Rd Improvements - Randall Av to Charles City Rd	Bike/Pedestrian
11507	Henrico County	W Broad St and Parham Rd Intersection Improvements	Highway
11508	Henrico County	Mechanicsville Tpke (Rte 360) SUP - Laburnum Ave to City	Bike/Pedestrian
11545	Henrico County	Nine Mile Rd Improvements - Gordons Ln to Dabbs House Rd	Bike/Pedestrian
11652	Henrico County	Springfield Road Improvements	Highway
11653	Henrico County	Brook Road Improvements – Azalea Ave to Brook Run Shping Ctr	Bike/Pedestrian
11656	Henrico County	W Broad St & Glenside Dr Intersection Improvements	Highway

Display ID	Organization	Application Name	Principal Improvement
11464	Hopewell City	Courthouse Road Pedestrian Improvements Ph. 2	Bike/Pedestrian
11717	Hopewell City	E Randolph Rd. Safety Improvements	Bike/Pedestrian
11774	Hopewell City	VA-36 (Winston Churchhill Drive) Corridor - PH. 1	Bike/Pedestrian
11788	Hopewell City	VA-36 (Winston Churchhill Drive) Corridor - PH. 2	Bike/Pedestrian
11470	New Kent County	I64 Exit 211 Interchange Improvement Project	Highway
11740	Petersburg City	I-95@Rives Rd Exit Roundabouts	Highway
11779	Petersburg City	S Crater Rd at Crater Cir and Wagner Rd (WITH SIDEWALKS)	Highway
11783	Petersburg City	Wagner Road at Normandy Drive (US-301 Corridor)	Highway
11509	PlanRVA Richmond Regional PDC	Route 360/I-64 Interchange Improvements	Highway
11590	PlanRVA Richmond Regional PDC	Busy Street Extended	Highway
11673	PlanRVA Richmond Regional PDC	Rt 288 SB (Powhite Pkwy - Route 360) CD Road Extension	Highway
11761	Powhatan County	U.S. Route 60 at State Route 13/603 RCUT	Highway
11762	Powhatan County	U.S. Route 60 at Red Lane Road: Continuous Green-T	Highway
11764	Powhatan County	New Dorset Road & Route 60 RCUT	Highway
11741	Prince George County	Hines Road [Rte. 625]Realignment at County Drive [Rte. 460]	Highway
11427	Richmond City	A Commerce Road Phase II Fall Line Trail	Bike/Pedestrian
11428	Richmond City	B Port of Virginia Interchange / Commerce Road Streetscape	Highway
11429	Richmond City	C Forest Hill Avenue Phase II Improvements	Bike/Pedestrian
11432	Richmond City	E Norfolk Street Bridge Connection	Highway
11433	Richmond City	H Arthur Ashe / Hermitage / Westwood / Brookland Roundabout	Highway
11434	Richmond City	I Cowardin Avenue at Semmes Avenue Protected Intersection	Bike/Pedestrian
11435	Richmond City	J Hull Street / Clopton Street / Midlothian Roundabout	Highway
11498	Richmond City	G US Route 360 Mechanicsville Tpk Roundabouts & Streetscape	Highway
11440	Richmond Regional TPO	A Walmsley Boulevard Bridge and Extension	Highway
11441	Richmond Regional TPO	B Belt Boulevard (SR161) Transit Streetscape	Bus Transit
11456	Richmond Regional TPO	I-95/Route 10 Interchange Improvement, Phase II	Highway
11591	Richmond Regional TPO	Route 360 (Woodlake - Otterdale) Widening	Highway
11592	Richmond Regional TPO	Huguenot Rd (Robious - Cranbeck) Capacity & Safety Improvemt	Highway
11665	Richmond Regional TPO	Gaskins Road Interchange @ I-64 (North Quad & Aux Lanes)	Highway
11666	Richmond Regional TPO	Gaskins Road Interchange @ I-64 (Southern Quad)	Highway
11667	Richmond Regional TPO	Short Pump Area Improvements	Highway
11605	Tri-Cities Area MPO	I-85/95 Interchange Improvements	Highway
11607	Tri-Cities Area MPO	Washington/Wythe Conversion to 2-Way and SPUI @ I-95	Highway
11608	Tri-Cities Area MPO	Winston Churchill Drive Corridor Improvements	Highway

Display ID	Organization	Application Name	Principal Improvement
11489	Bedford County	Route 122 Corridor Improvements	Highway
11629	Bedford Town	Roundabout at Longwood Ave, Forest Rd, and Independence	Highway
11786	Blacksburg Town	Prices Fork and US Route 460 Bypass Pedestrian Improvements	Bike/Pedestrian
11593	Botetourt County	Route 220 Superstreet	Highway
11734	Botetourt County	US 220/Commons Parkway Thru-Cut and Pedestrian	Highway
11790	Botetourt County	US 220 Pedestrian Crossing and Sidewalks at Daleville	Bike/Pedestrian
11538	Carroll County	Carrollton Pike (Rt 58) at Coulson Church Rd (Rt 620) RCUT	Highway
11539	Carroll County	Intersection Improvements at Route 100 and Route 221	Highway
11482	Christiansburg Town	Peppers Ferry Road to Cambria Street Connector Route	Highway
11478	Franklin County	Intersection Improvements Brooks Mill & Scruggs Rtes 834/616	Highway
11631	Franklin County	Intersection Improvements Harmony School Rte 634 & Rte 122	Highway
11632	Franklin County	Intersection Improvements Rte 40 & Rte 640	Highway
11636	Franklin County	Route 220 NB at Henry Rd. (Rte. 605) Realignment Project	Highway
11510	Galax City	Galax E. Stuart Drive Sidewalk Phase III	Bike/Pedestrian
11726	Henry County	Signalized Continuous Green T at the Int. of Routes 220 & 87	Highway
11728	Henry County	Roundabout at Dillons Fork Rd (609) and The Great Rd (683)	Highway
11784	Henry County	Barrows Mill Road Improvement	Highway
11563	Montgomery County	Transit Center and Campus Mobility Improvements	Highway
11585	Montgomery County	Merrimac Rd (657) & Prices Fork Rd (685) Intersection	Highway
11602	Montgomery County	Peppers Ferry Road (Rt 114) Improvements	Highway
11647	New River Valley MPO	Roanoke Street (Route 11/460 Business) Improvements	Highway
11570	Pulaski County	Lee Highway (Route 11) Improvements at Hatcher Road	Highway
11750	Roanoke City	Peters Creek Rd at Valleypointe Pkwy Improvements	Highway
11511	Roanoke County	Starkey Road/Ogden Road Streetscape Improvements	Bike/Pedestrian
11514	Roanoke County	Carson Road Safety Improvements	Highway
11698	Roanoke County	Peters Creek Rd/Williamson Rd Multimodal Safety	Highway
11710	Roanoke County	Peters Creek Road Multimodal Safety Improvements	Highway
11449	Roanoke Valley TPO	Peters Creek Rd and Williamson Rd Corridor Improvements	Highway
11451	Roanoke Valley TPO	Route 11/460 at Dow Hollow Rd Intersection Improvements	Highway
11526	Rocky Mount Town	Route 40 - Tanyard Rd/Old Franklin Tpke Improvements	Bike/Pedestrian
11697	Rocky Mount Town	Rt 40 at Floyd Avenue Intersection Improvement	Highway
11579	Salem City	E. Main St. (Rt. 460) Multimodal Improvements - Phase II	Highway
11580	Salem City	Route 419 at Texas St and Lynchburg Trpk Int. Improvements	Highway
11497	Vinton Town	Washington Avenue and Bypass Road Roundabout	Highway

Display ID	Organization	Application Name	Principal Improvement
11566	Augusta County	Route 256/I-81 Interchange: Three Lane Bridge	Highway
11809	Frederick County	US 50 and Hayfield Road RCI	Highway
11813	Frederick County	US 50 and Back Mountain Road - RCI	Highway
11816	Frederick County	US 50 W - Stony Hill Rd area improvements	Highway
11819	Frederick County	Gateway Drive Ext. and Intersection with Valley Mill Road	Highway
11565	Front Royal Town	Happy Creek Road Phase II	Highway
11610	Harrisonburg City	Bluestone Trail Extension	Bike/Pedestrian
11611	Harrisonburg City	Reservoir Street Median	Highway
11736	Harrisonburg City	Mt. Clinton Pike Corridor Safety	Highway
11613	Harrisonburg-Rockingham MPO	South Main Street Phase 3	Highway
11614	Harrisonburg-Rockingham MPO	Port Republic Road at I-81 Exit 245	Highway
11705	Page County	US 340/Collins Avenue Left Turn Lane Improvement	Highway
11583	Rockbridge County	US 11 Pedestrian Improvements	Bike/Pedestrian
11643	Rockbridge County	Route 11 at Greenhouse Road Intersection Improvements	Highway
11533	Rockingham County	US 33 & Resort Drive Intersection	Highway
11584	Rockingham County	US 33 / Island Ford Road Partial R-CUT	Highway
11695	Staunton-Augusta-Waynesboro MPO	Woodrow Wilson Complex Long Term Access Improvements	Highway
11532	Warren County	Rte. 55 West & Rte. 678/610 Intersection Improvements	Highway
11770	Warren County	US340/US522,I-66,Exit6,Ramp Intersections & RCI	Highway
11776	Warren County	US340/US522 STARS - Country Club Roundabout	Highway
11546	Waynesboro City	Crozet Tunnel Trail	Bike/Pedestrian
11603	Waynesboro City	Lew Dewitt Pedestrian Project	Bike/Pedestrian
11604	Waynesboro City	Waynesboro Transit Access Project	Bus Transit
11718	Winchester City	Amherst Street Safety Improvements	Highway
11746	Win-Fred MPO	Route 50/17/522 Partial Median U-turn	Highway
11760	Win-Fred MPO	I-81, Exit 307 and Route 277 Improvements	Highway
11766	Win-Fred MPO	US 50 Diverging Diamond Interchange and Access Management	Highway

FY 2026 Full Application Screening Decisions

Display ID	Application Name	Decision	Issue	Organization	VDOT District	Principal Improvement
11473	Route 234 and Sudley Manor Dr Intersection Improvements	Withdrawn	Other Funding Identified	Prince William County	Northern Virginia	Highway
11755	HR-08 Pipeline - Park and Ride	Withdrawn	Not stated	Chesapeake City	Hampton Roads	TDM
11681	Rockfish School Lane & Route 151 Turn Lanes	Screened Out	VTrans Need Not Met	Nelson County	Lynchburg	Highway
11528	Route 7 Widening (I-495 to I-66)	Screened Out	Readiness - Application Development	Fairfax County	Northern Virginia	Highway


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SMART SCALE PROJECT CHANGE PROCESS

Kimberly Pryor, IID Director

October 22, 2024

Current SMART SCALE Project Change Process

- **In advance of Round 6, Districts are reviewing existing SMART SCALE projects at-risk for potential scope/budget issues**
- **SMART SCALE Policy requires Board action to approve**
  - Project cancellations
  - Significant scope changes
  - Budget increases greater than established thresholds:
    - Total Cost <$5 million: 20% increase in funding requested
    - Total Cost $5 million to $10 million: $1 million or greater increase in funding requested
    - Total Cost >$10 million: 10% increase in funding requested; $5 million maximum increase in funding requested

Current SMART SCALE Project Change Process

- **SMART SCALE Cost Overrun Policy requires certain information items to be provided to the CTB**
  - Revised score and rank
  - Available funding
  - Project expenditures
  - Reason(s) for increase
- **These approval requirements are satisfied in <u>two</u> ways**
  - Presentation of proposed change at a CTB workshop followed by action the next month
  - Approval of the Monthly Transfer Report action item
  - This duplicative action can add 3-4 months (or more) and exacerbate existing budget and/or schedule issues

SMART SCALE Project Change Process – Moving Forward

- **District Grant Program (DGP) budget increases greater than the threshold will be coordinated with District CTB member(s) and approved via the Monthly Transfer Report action item (no separate presentation or action)**
  - Information items will provided as an attachment to the Monthly Transfer Report and posted on-line
- **Significant scope changes and High Priority Projects Program (HPP) budget increases greater than the threshold will continue to be presented to the full CTB as a workshop and action item**

SMART SCALE Project Change Process – Moving Forward

Scope Change

- **No change**
- CTB action required if the revised score is below the lowest ranked project in the cohort

Budget Change Below Threshold

- **No change**
- Approved by IID Director
- Provided to CTB in Monthly Transfer Report

Budget Change Above Threshold HPP

- **No change**
- Project-specific presentation and action by CTB

Budget Change Above Threshold DGP

- District CTB member(s) provide concurrence
- Information items provided in CTB packet and posted online
- Approved via Monthly Transfer action item

Next Steps

- **Work with District contacts to identify at-risk SMART SCALE projects for potential cancellation/budget change/scope change in advance of Round 6**


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SMART SCALE PROPOSED PROJECT CANCELLATION

Emmet Street Multimodal Phase 2 (UPC 118867)

Culpeper District

Kimberly Pryor

October 22, 2024

SMART SCALE Policy - Project Cancellation

SMART SCALE Policy on Project Cancellation, December 2023

- A project that has been selected for funding through either the High Priority Projects Program or Construction District Grant Program may be cancelled only by action of the Board

Project Information

Emmet Street Multimodal Phase 2 (UPC 118867)

- Submitted by the City of Charlottesville in Round 4 of SMART SCALE
  - Total Original Project Cost: $20,465,490
  - Total SMART SCALE Request: $20,465,490
  - Request funded with DGP funds
- Original Scope Included:
  - Bicycle and pedestrian accommodations along Emmet Street between Arlington Boulevard and Barracks Road to include a shared use path on the east side of Emmet Street and on-road bicycle facilities along both sides of the road
- Benefits were primarily due to land use

Project Snapshot

	Original Application
Total $	$20.5M
SMART SCALE $	$20.5M (DGP)
Score	9.4
Funding Scenario	19/21
Current Expenditures	$0

Change Since Project Selection

- The City is currently working to deliver Phase 1, which started project development in 2016 and is scheduled to be advertised in 2026
- Phase 2 is scheduled to begin preliminary engineering in 2026
- The current estimate is severely underfunded due to inflation, unit costs, and higher than anticipated right of way costs
- The City of Charlottesville reassessed its commitments to transportation improvements and wants to deliver underway projects within their portfolio before undertaking new starts
- The City of Charlottesville requested cancellation of the project in October 2024

Recommendation for Action

- **Approve proposed project cancellation in December 2024**


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AIRPORT DRIVE CONSTRUCTION IMPROVEMENTS – UPC 126403

Authorization for the Commissioner of Highways to Enter into an Agreement between VDOT and the Capital Region Airport Commission (CRAC)

Dale Totten, PE
Richmond District Engineer

October 22, 2024

Airport Drive Construction Improvements - Project

- Provides curb, gutter, and drainage improvements to one of the bridges originally constructed with the Airport Drive widening project at the Richmond International Airport.
- Project to be administered by CRAC.
- PE expected to begin fall 2024.
- Estimate:
  - Preliminary Engineering - $201,367
  - Construction - $2,148,633
  - TOTAL - $2,350,000

Airport Drive Construction Improvements - Funding

- **Preliminary engineering (PE) to be funded with $201K remaining from a federal earmark for the-Construct South Airport Connector Road, Richmond International Airport Project (UPC 66786) completed in 2008.**
  - **CRAC has proposed this eligible project to utilize the funds.**
- **Agreement needed for CRAC to access the funds.**

Airport Drive Construction Improvements - Agreement

- **Pursuant to § 33.2-214 (C) of the *Code of Virginia,* the CTB has the power and duty to enter into agreements with local districts, commissions, agencies and other entities, such as CRAC, created for transportation purposes.**

- **The CTB has been provided with a draft agreement for the Commissioner's signature that addresses project funding and CRAC's obligations to administer the project in accordance with VDOT's guidelines and applicable federal, state and local laws.**

- **The agreement currently addresses the preliminary engineering phase of the project but will require amendment to address remaining phases as funding becomes available.**

Airport Drive Construction Improvements - CTB Action

- **VDOT requests that the CTB authorize the Commissioner to (i) sign the agreement with CRAC and enable CRAC to apply the federal earmark to the project's PE costs and (ii) make necessary changes and additions, including those to address remaining phases of the project.**


VDOT
Virginia Department of Transportation

VIRGINIA'S NATIONAL ELECTRIC VEHICLE INFRASTRUCTURE PROGRAM AWARDS

Commonwealth Transportation Board

Chris Berg, Director of the Office of Transportation Sustainability

October 22, 2024

National Electric Vehicle Infrastructure (NEVI) Review

Authorized under Infrastructure Investment and Jobs Act (IIJA)





Deploy fast electric vehicle (EV) charging stations

$106M allocated for Virginia over 5 years





Annual Deployment Plan required

NEVI Phase 1 Review

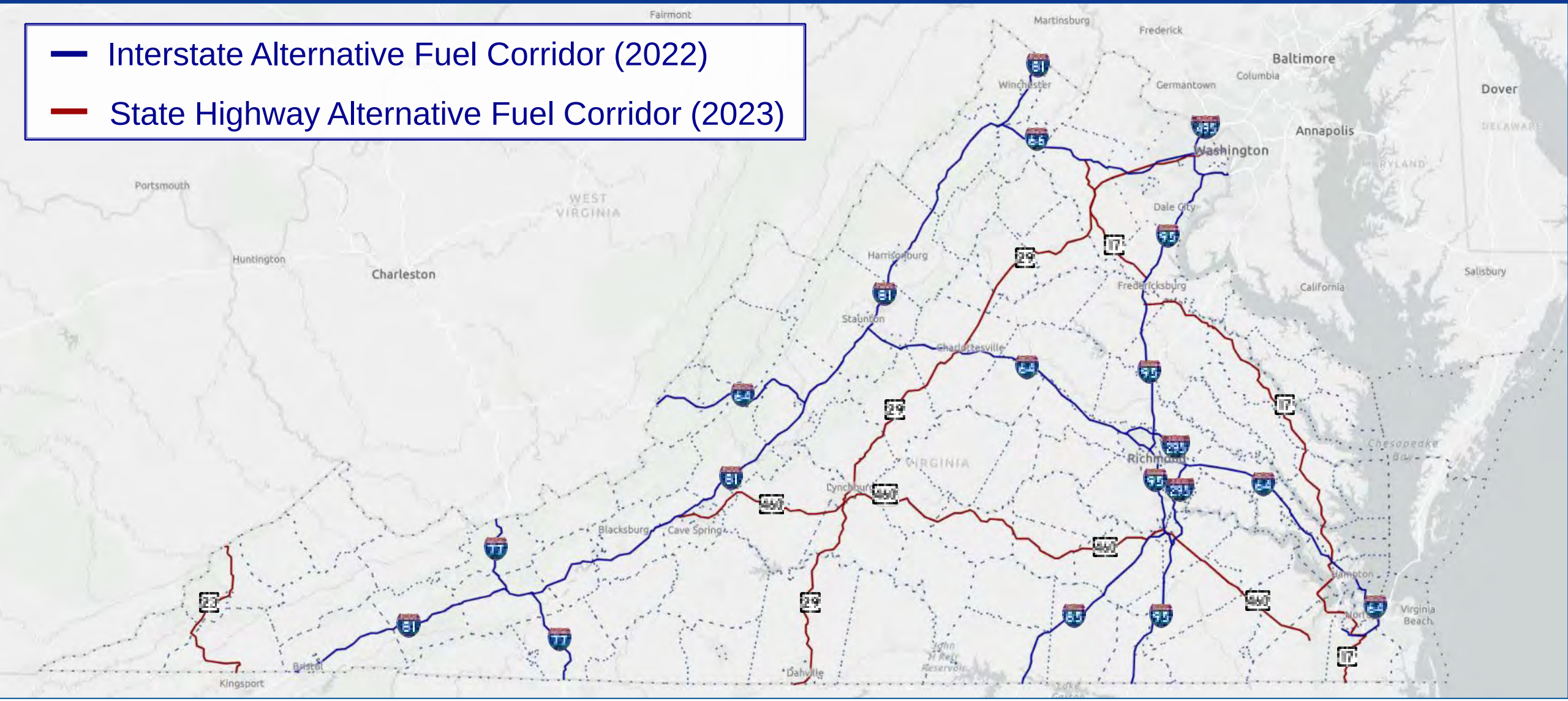
Federal NEVI EV charging station requirements:

- On Alternative Fuel Corridors (AFCs)
  - Prioritize interstate highways
- At least every 50 miles along AFCs
- No more than 1 mile from an AFC exit
- At least 150 kilowatts per port
- At least 4 charging ports
- At least 20% third party cost match

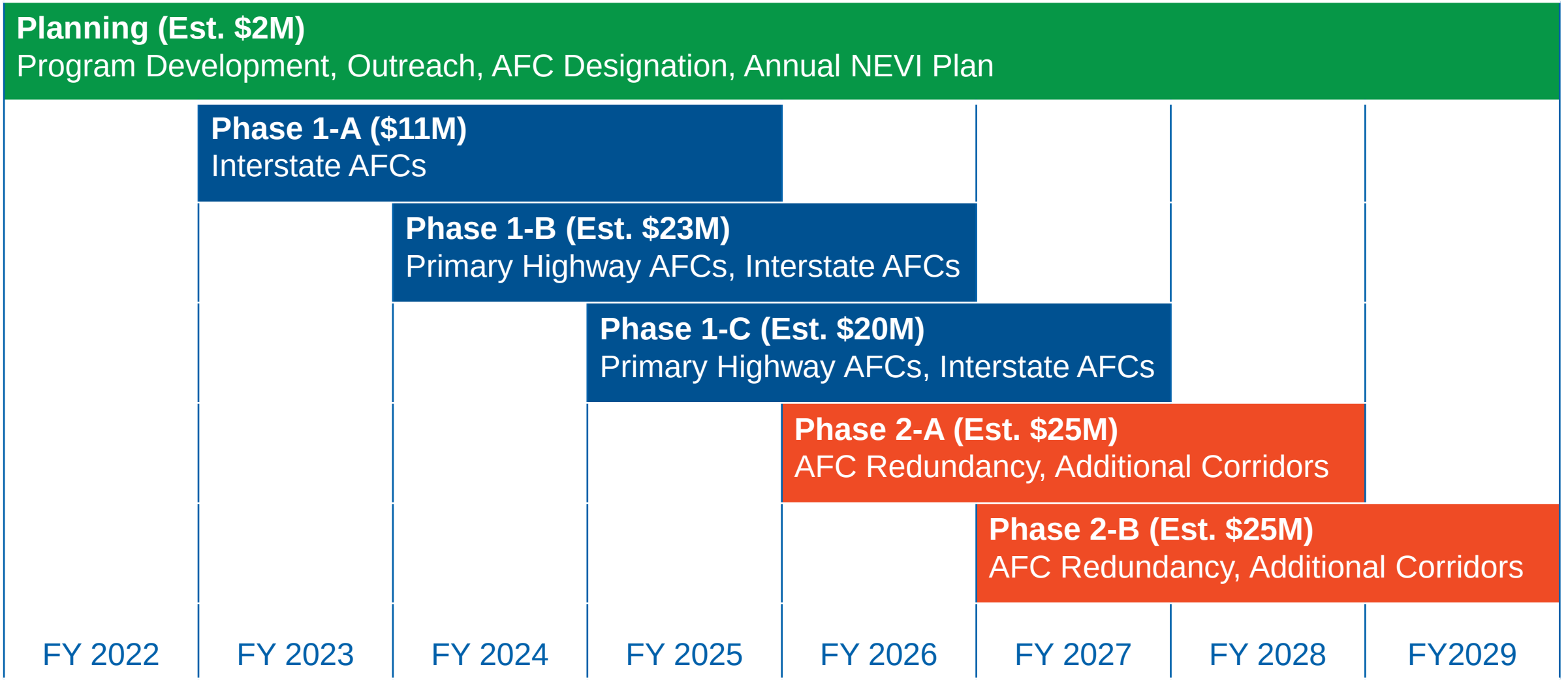
Alternative Fuel Corridors (AFCs)

- Support installation of alternative fueling infrastructure at strategic locations along major national highways
- Nominated annually by states, designated by FHWA
  - FHWA prioritizes nominations along interstate highways
  - Also allows nominations elsewhere along National Highway System
- IIJA directs the build out of EV charging stations along designated AFCs to serve as backbone for long distance travel
  - Phase 1 of NEVI stations **must** be located along AFCs until 'Fully Built Out' with stations at least every 50 miles
- AFCs in the Commonwealth:
  - As of 2022: I-64, I-66, I-77, I-81, I-85, I-95, I-295, I-495
  - Added in 2023: US-17, US-23, US-29, US-460

Alternative Fuel Corridors



NEVI Phases

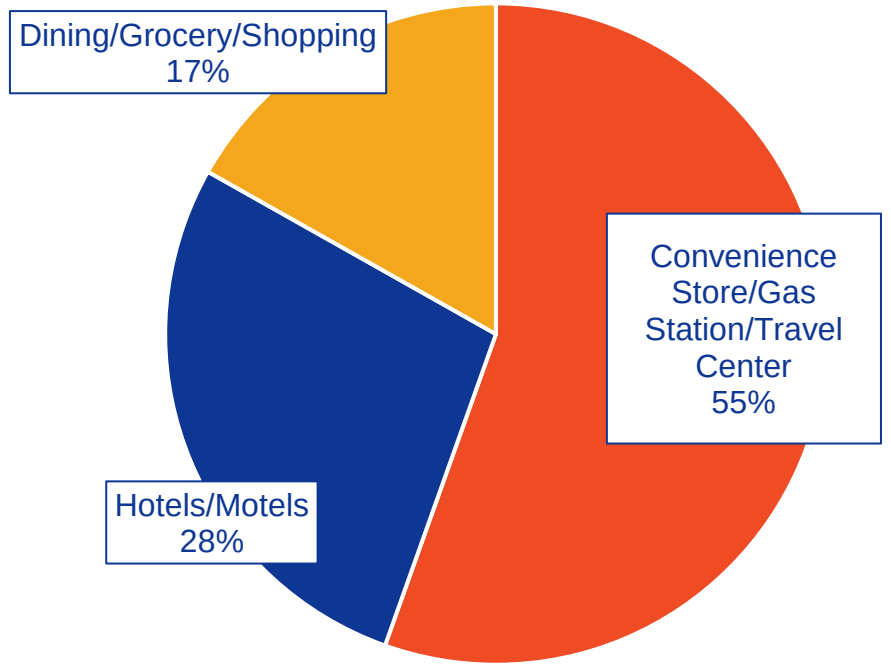

Planning (Est. $2M)
Program Development, Outreach, AFC Designation, Annual NEVI Plan
Phase 1-A ($11M)
Interstate AFCs
Phase 1-B (Est. $23M)
Primary Highway AFCs, Interstate AFCs
Phase 1-C (Est. $20M)
Primary Highway AFCs, Interstate AFCs
Phase 2-A (Est. $25M)
AFC Redundancy, Additional Corridors
Phase 2-B (Est. $25M)
AFC Redundancy, Additional Corridors
FY 2022
FY 2023
FY 2024
FY 2025
FY 2026
FY 2027
FY 2028
FY2029

NEVI Phase 1-A Request for Applications (RFA) Review

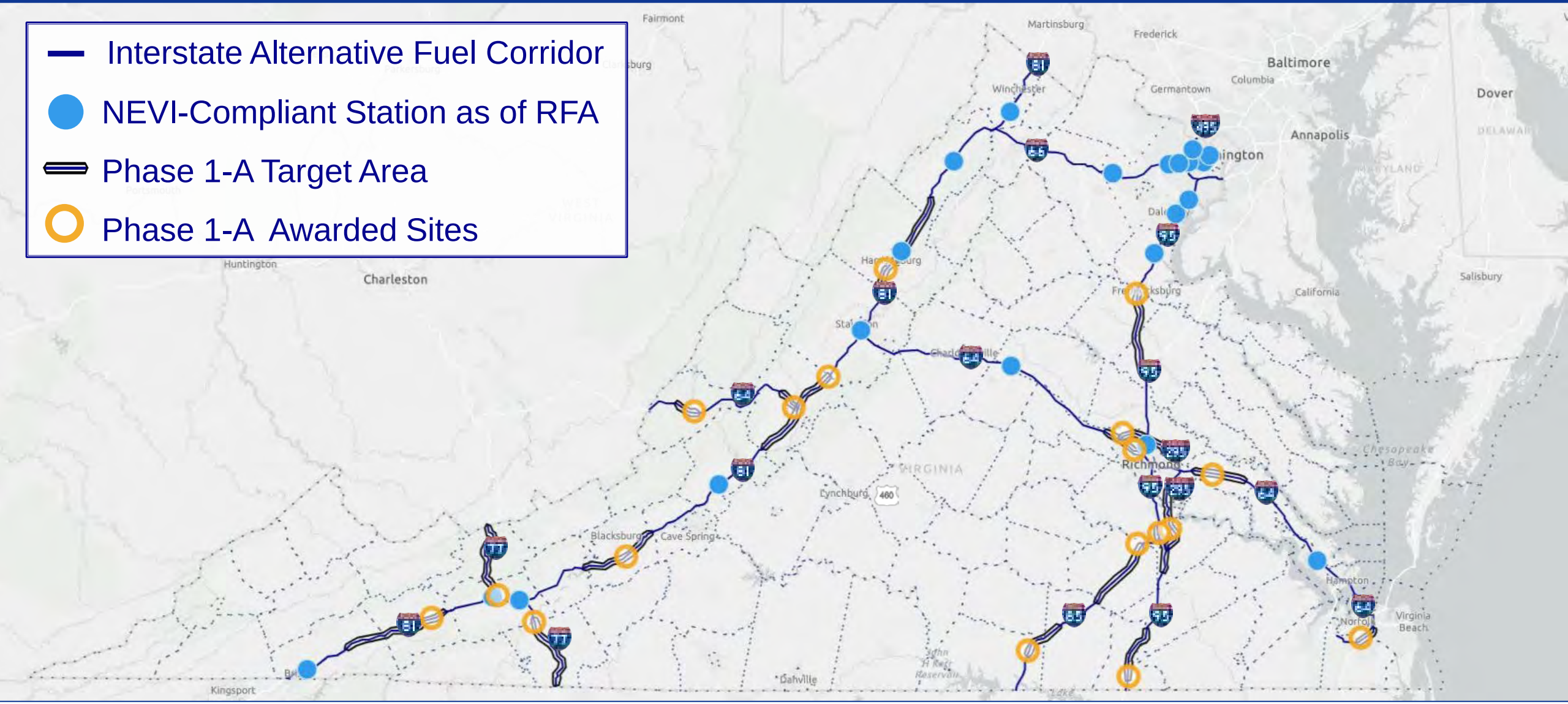
Top scoring application in each of the 18 target areas selected for award

- Total awarded sites: 18
- Total unique awardees: 9
- Total funding award: $11,295,499
  - Average award: $627,527
- Average applicant match: 37% of total project cost

Applicant Charging Station Site Types



NEVI Phase 1-A Review



NEVI Phase 1-B RFA Review

Release Date:

- May 2, 2024

Locations:

- 20 Target Areas along Interstate Highway AFCs
- 21 Target Areas along State Highway AFCs

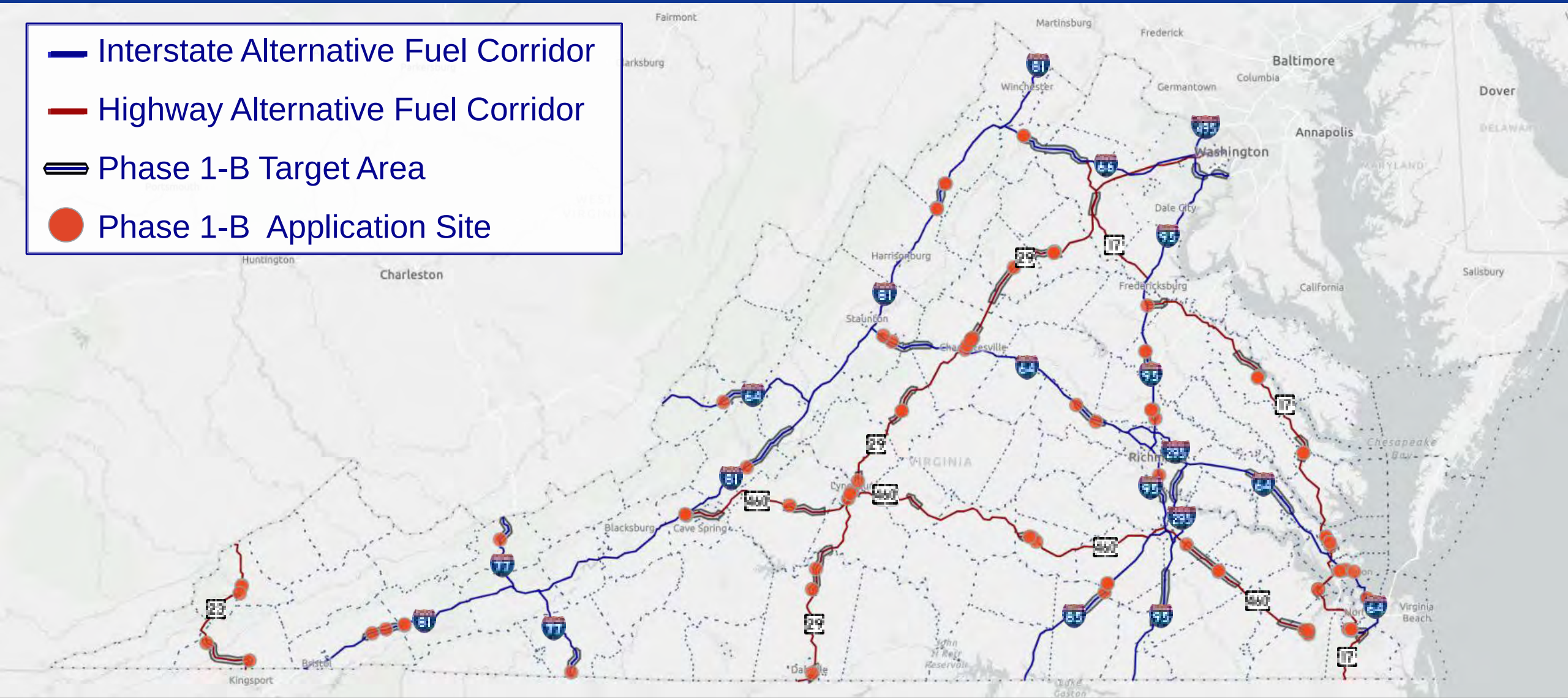
Request Close:

- July 10, 2024

Application Review:

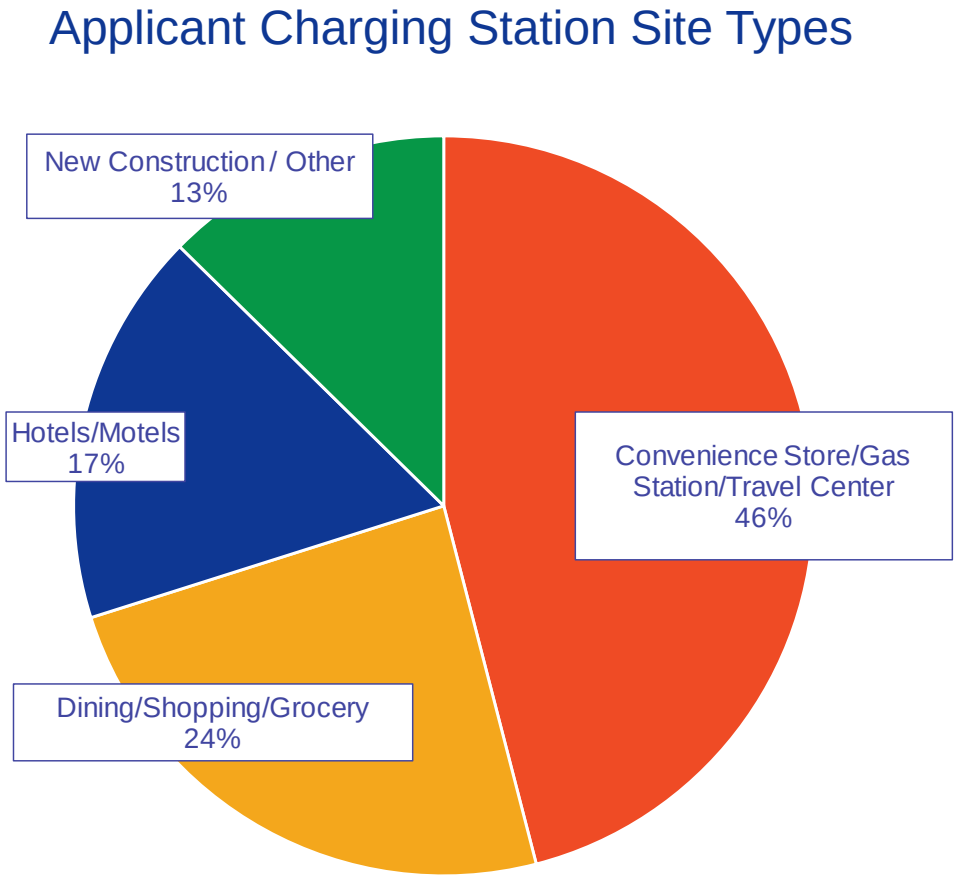
- Evaluation against federal requirements and program goals using refined criteria from Phase 1-A

NEVI Phase 1-B Applications



NEVI Phase 1-B Applications

- Total unique applicants: 19
- Total applicant sites: 95
- Average total project cost: $ 972,524
  - Minimum of 20% of total cost match required by applicant



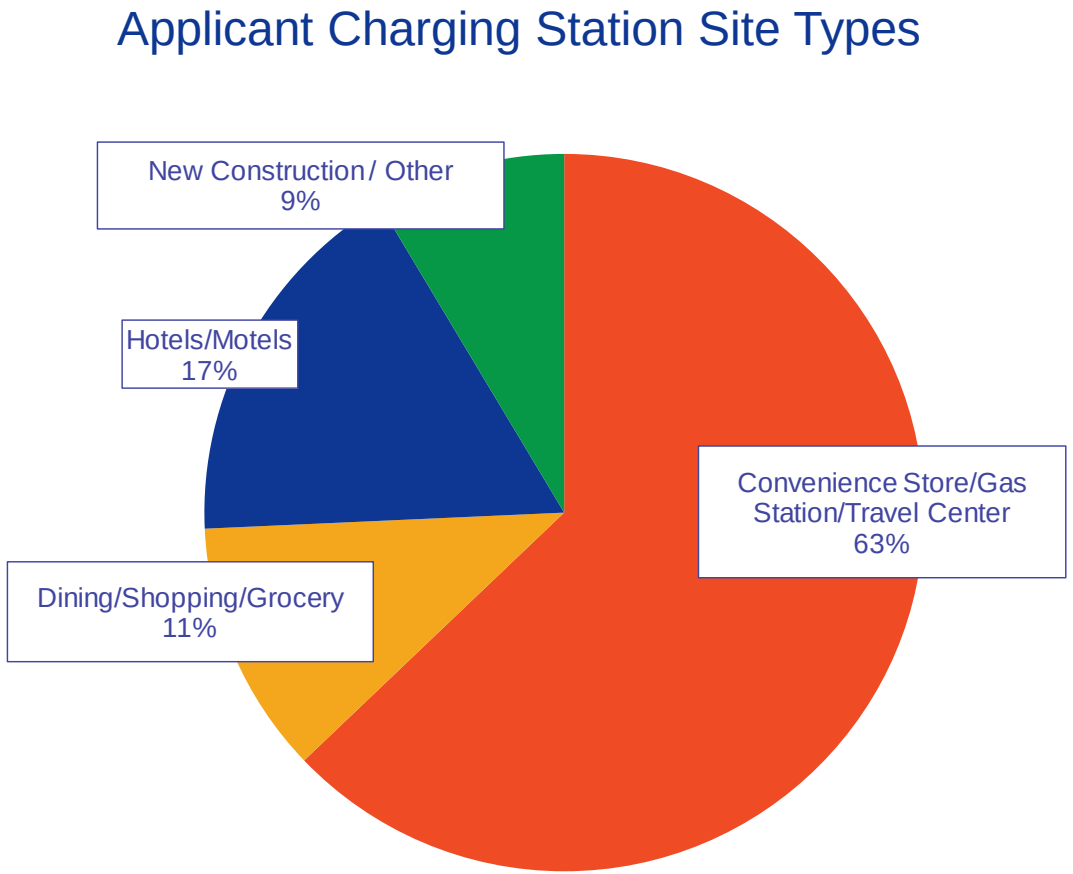
Application Evaluation

- Applications were evaluated based on criteria from federal guidance, program goals, and best practices, which include the following:
  - Pricing
  - Qualifications
  - Site amenities
  - Renewable energy
  - Future-proofing to support future upgrades and expansions
  - Federal Justice40 requirement to consider benefits to rural and disadvantaged communities

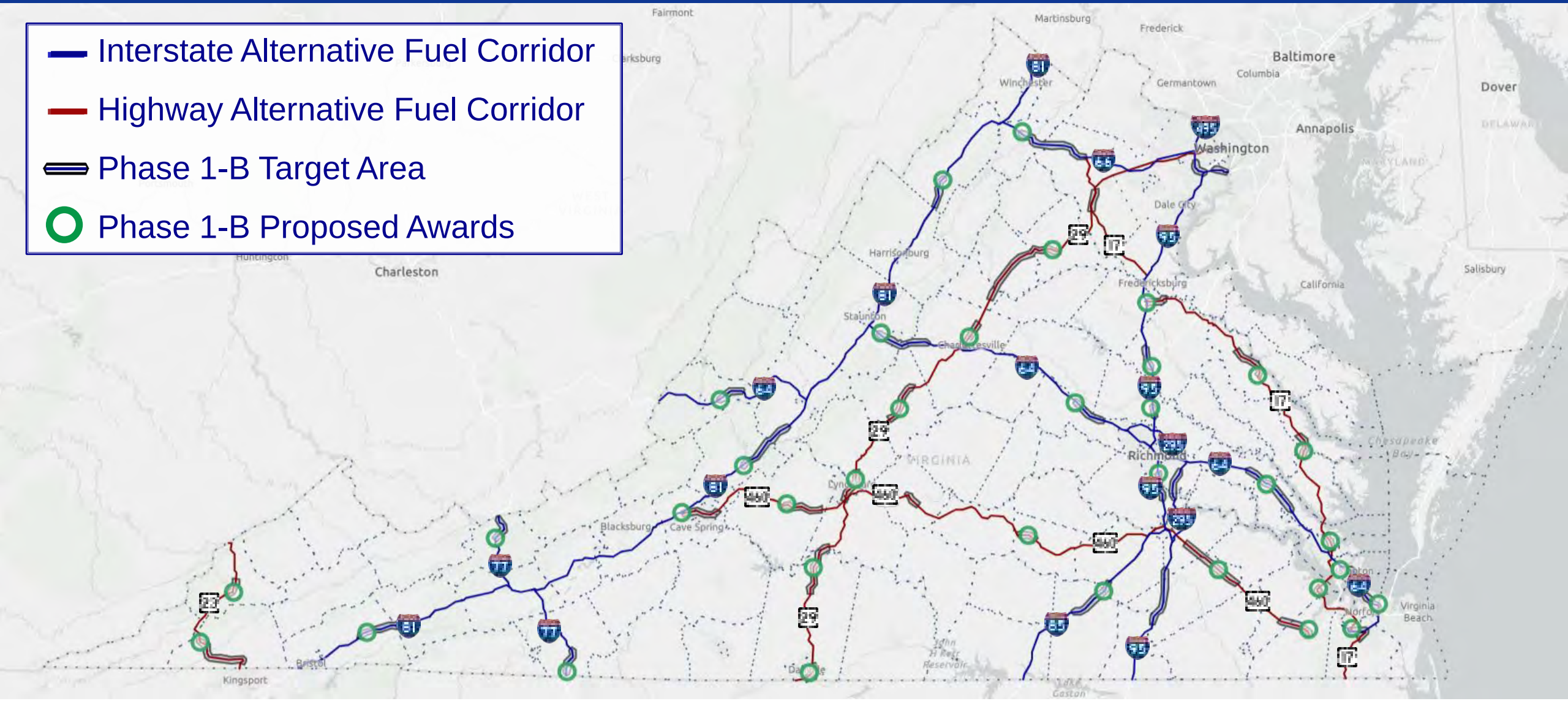
NEVI Phase 1-B Proposed Awards

Top scoring application in each Target Area selected for award

- Total awarded sites: 35
- Total unique awardees: 13
- Total funding award: $22,668,004
  - Average award: $647,657
- Average applicant match: 36% of total project cost



NEVI Phase 1-B Proposed Awards



NEVI Phase 1-B Proposed Awards*

Target Area	Applicant	Site Host	Location	District	Award	Applicant Match
64-F	Love's Travel Stops & Country Stores, Inc.	Love's	Covington	Staunton	$ 825,000	$ 476,869
64-G	Wawa,Inc.	Wawa Inc	Fishersville	Staunton	$ 596,434	$ 414,471
64-H	Universal EV LLC	BP	Mineral	Culpeper	$ 592,418	$ 411,681
64-I	PowerUp America LLC	PUA 8	Toano	Hampton Roads	$ 865,578	$ 230,090
64-J	Wawa,Inc.	Wawa Inc	Hampton	Hampton Roads	$ 591,165	$ 410,810
64-K	AssetCo HPC Leasing, LLC (DBA MN8 Energy)	Norfolk Premium Outlets	Norfolk	Hampton Roads	$ 750,000	$ 1,255,798
66-A	Tesla, Inc.	Royal Farms - Front Royal VA	Front Royal	Staunton	$ 449,209	$ 211,392
77-C	Love's Travel Stops & Country Stores, Inc.	Love's	Lambsburg	Salem	$ 700,000	$ 608,973
77-D	Love's Travel Stops & Country Stores, Inc.	Love's	Bastian	Bristol	$ 600,000	$ 518,665
81-E	Love's Travel Stops & Country Stores, Inc.	Love's	Meadowview	Bristol	$ 700,000	$ 608,973
81-F	PowerUp America LLC	PUA 6	Buchanan	Salem	$ 904,332	$ 240,392
81-G	Tesla, Inc.	Sheetz	Mount Jackson	Staunton	$ 439,009	$ 206,592
85-C	Tesla, Inc.	Davis Travel Center	Warfield	Richmond	$ 438,453	$ 206,331
95-E	Universal EV LLC	Hampton Inn Richmond	Richmond	Richmond	$ 590,970	$ 410,674
95-F	Koulomb LLC	Shoppes at 703	Ashland	Richmond	$ 245,000	$ 246,125
95-G	Love's Travel Stops & Country Stores, Inc.	Love's	Ruther Glen	Fredericksburg	$ 600,000	$ 708,973
					$ 9,887,568	**$ 7,166,809**

* Proposed awards subject to change pending environmental review, applicant willingness to proceed, site host negotiation, and other factors

NEVI Phase 1-B Proposed Awards*

Target Area	Applicant	Site Host	Location	District	Award	Applicant Match
17-A	Wawa,Inc.	Wawa Inc	Chesapeake	Hampton Roads	$ 592,131	$ 411,481
17-B	eCAMION USA, Inc. (DBA Jule)	Dunkin Donuts	Carrollton	Hampton Roads	$ 656,427	$ 174,493
17-C	Wawa,Inc.	Wawa Inc	Yorktown	Hampton Roads	$ 582,635	$ 409,966
17-D	eCAMION USA, Inc. (DBA Jule)	BP Gas Station	Saluda	Fredericksburg	$ 656,427	$ 174,493
17-E	Wawa,Inc.	Wawa Inc	Tappahannock	Fredericksburg	$ 590,305	$ 410,212
17-F	Francis Energy Charging, LLC	Sheetz	Fredericksburg	Fredericksburg	$ 866,697	$ 216,674
23-A	Francis Energy Charging, LLC	Black Diamond Markets	Duffield	Bristol	$ 1,089,968	$ 272,492
23-B	Universal EV LLC	Econo Lodge Inn & Suites	Norton	Bristol	$ 592,292	$ 411,592
29-A	GPM3, LLC	Fast Mart Store: 120	Danville	Lynchburg	$ 629,683	$ 157,420
29-B	GPM Apple, LLC	Apple Market: Store #507	Gretna	Lynchburg	$ 629,683	$ 157,420
29-C	Envirospark Energy Solutions, LLC	Waffle House	Madison Heights	Lynchburg	$ 690,443	$ 230,148
29-D	Red E Charge, LLC	Exxon Mobil Lovingston	Lovingston	Lynchburg	$ 629,683	$ 157,420
29-E	Wawa,Inc.	Wawa Inc	Charlottesville	Culpeper	$ 606,068	$ 421,166
29-F	eCAMION USA, Inc. (DBA Jule)	Days Inn by Wyndham	Culpeper	Culpeper	$ 656,427	$ 174,493
460-A	Universal EV LLC	Quality Inn	Salem	Salem	$ 592,124	$ 411,476
460-B	Francis Energy Charging, LLC	GoMart	Bedford	Salem	$ 940,648	$ 235,162
460-D	Universal EV LLC	Crewe Boutique Inn	Crewe	Richmond	$ 593,687	$ 412,562
460-E	Universal EV LLC	BP	Waverly	Hampton Roads	$ 592,153	$ 411,496
460-F	Universal EV LLC	Hampton Inn	Suffolk	Hampton Roads	$ 592,955	$ 412,053
					$ 12,780,436	**$ 5,662,219**

* Proposed awards subject to change pending environmental review, applicant willingness to proceed, site host negotiation, and other factors

What’s Next – NEVI Phase 1-B

Milestone	Date*
Issue Notices of Intent to Award	October 2024
Site Assessment & MPO Coordination	November 2024 – January 2025
Grant Agreement Executions	February – April 2025
Issue Notices to Proceed	March – May 2025

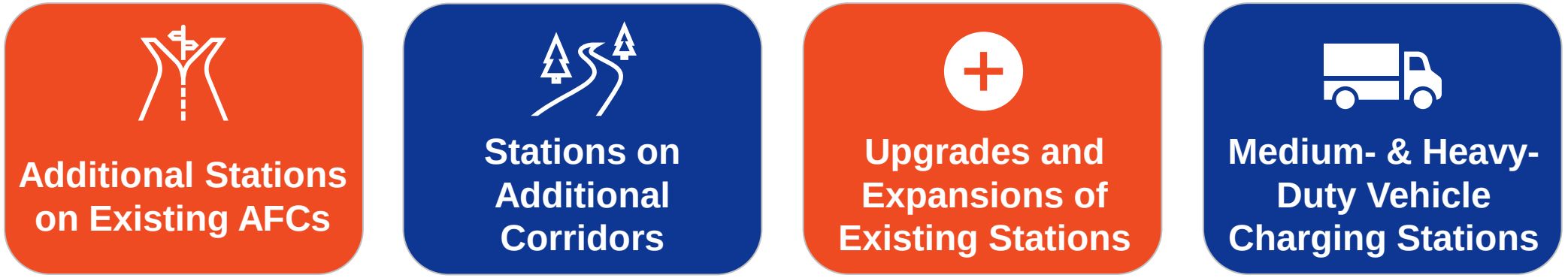
*Projected - Following Notice of Intent to Award each Award is executed individually

What's Next – NEVI Phase 1-C

- Release Phase 1-C RFA in Spring 2025
- Consider additional redundancy
- Evaluate Phase 1-B Target Areas without awards needed to meet every 50-mile requirement - 2 areas along State Highway AFCs identified:
  - US Route 17/29 (south of Warrenton)
  - US Route 460 (east of Appomattox)
- Expand/revise target areas based on recent awards

NEVI Phase 2

- Once all Virginia AFCs are certified Fully Built Out by FHWA with NEVI compliant stations at least every 50 miles, NEVI Formula funding may be used on any public road or in other publicly accessible locations
- VDOT aims to achieve Fully Built Out status with Phase 1
- VDOT plans to issue annual Phase 2 funding opportunities that may include:



- VDOT expects to refine Phase 2 based on future federal guidance and requirements


VDOT
Virginia Department of Transportation

POLICY INDEX REVIEW

Commonwealth Transportation Board

Jo Anne Maxwell

October 22, 2024

Background

- A Commonwealth Transportation Board (CTB) Policy Notebook was created in 2005 at the direction of then-Secretary of Transportation, Whittington Clement.
- Objective was to document in one location all CTB guidelines, policies, and regulations:
  - to assist the CTB in meeting its statutory obligation to make regulations and review and approve policies related to transportation in the Commonwealth;
  - to facilitate the examination of CTB actions for possible updating, rescission, or disposal; and
  - to provide a historical compilation of CTB actions since 1906, when the State Highway Commission – the CTB's predecessor – was created.
- In a resolution dated March 17, 2005, the CTB directed VDOT to:
  - maintain the Commonwealth Transportation Board Policy Notebook in either printed or electronic form; and
  - update the Commonwealth Transportation Board Policy Notebook as necessary to reflect statutory, regulatory, and Board policy changes.

Background

- **Due to increasing content over time resulting from regular updates, the Policy Notebook has been:**
  - **made available electronically on the CTB website;**
  - **divided into a Policy Index and a CTB Orientation Guide;**
  - **rearranged so that policies are categorized by hyperlinked subject rather than chronologically; and**
  - **expanded to include a chapter on delegations from the CTB.**
- **From 2017-2022, the Policy Index was reevaluated to identify obsolete or redundant policies and actions to be repealed.**
  - **Policies/actions were identified as obsolete due to passage of time, statutory transfer of responsibilities or explicit CTB repeal/rescission and were removed from the Policy Index and archived.**
  - **Other policies/actions identified as still relevant and valid were retained/affirmed.**

2024 Review

The initial Policy Index review is complete--policies are being reviewed on an ongoing basis to identify those that are outdated or obsolete.

Proposed Action:

- **Repeal/archive 6 policies**

VDOT Policies Proposed for Repeal

Resolution	Passage Date	Why Repeal?
Rules and Regulations for the Administration of Parking Lots and Environs	July 18, 1974	Subsequent amendments are reflected in a more recent/retained policy dated 6/20/2018.
Waysides and Rest Areas	July 18, 1974	Subsequent amendments are reflected in a more recent/retained policy dated 2/19/1987.
Adoption of Rules and Regulations Governing the Prequalification of Prospective Bidders, January 1, 1983 Edition	March 17, 1983	Rules and Regulations were repealed in 2021 at the direction of the Board. Applicable Code section provides independent authority for VDOT to serve as the responsible entity for establishing the prequalification process. Procedures documenting the process do not rise to the level of warranting a CTB policy.
Policy on Placing Utility Facilities Underground	May 9, 1996	The statutory authority and corresponding regulation were repealed.

VDOT Policies Proposed for Repeal

Resolution	Passage Date	Why Repeal?
Repeal of Existing *State Noise Abatement Policy* (24VAC 30-80) and Approval of Updated *State Noise Abatement Policy*	June 15, 2011	VDOT will continue to follow the Highway Traffic Noise Guidance Manual as approved by FHWA and which is consistent with federal law. Substantive provisions of the Policy are redundant with the Code of Virginia. The related procedures/process set out in the Manual do not rise to the level of warranting a CTB policy.
High Volume Unpaved Road Program Policy Modification	March 21, 2018	The Program no longer exists as the applicable Code section was amended to remove the relevant/authorizing provisions.

Delegations Proposed for Removal and Archiving

- The Delegations Chapter of the Policy Index contains delegations of authority and authorizations from the CTB to individual CTB members or VDOT or DRPT staff.
- Occasionally, the CTB will delegate authority to the Commissioner of Highways, Director of DRPT, or a member of their respective staff to implement a resolution or execute contracts on the CTB's behalf.
- The Delegations Chapter of the Policy Index has never undergone a formal review.
- In an initial review, VDOT staff have identified many delegations which represent authorizations or actions which are fully completed or are obsolete.

Delegations Proposed for Removal and Archiving

Example:

- **VDOT has identified 53 delegations related to *outdated versions* of the Six-Year Improvement Program (SYIP) that are currently contained in the Delegations Chapter**
  - **These generally represent one-time monthly transfers or the addition of projects to the SYIP.**

Delegations Proposed for Removal and Archiving

- **Delegations of authority are Board actions—thus, the Board will be requested to authorize VDOT and DRPT staff, on an ongoing basis, to remove and archive delegations in the Policy Index that have been determined to be fully satisfied.**
- **These delegations will remain accessible on the public-facing CTB website and will be added to GALA's internal digital archive.**
- **Staff will exercise due care in documenting the reason for removing and archiving the delegation.**

Next Steps

- In the coming months, the CTB will be requested to:
  - formally approve, by resolution, recommendations to repeal those policies reflected herein that are obsolete or unnecessary
  - authorize VDOT and DRPT to, on an ongoing basis, remove delegations from the Policy Index that have been fully satisfied or are obsolete and maintain an archive of those delegations
- The Policy Index will continue to be systematically reviewed and CTB action will be sought to ensure the Index contains only those policies that are current or relevant.

Attachment A

Policies to be Rescinded

Rules and Regulations for the Administration of Parking Lots and Environs
Approved: 7/18/1974

WHEREAS, pursuant to § 9-6.1 et seq. of the Code of Virginia (1950), as amended, a public hearing was conducted July 8, 1974 at 3:30 p.m. in the Highway and Transportation Department auditorium, Richmond, Virginia, to present to revisions to the Rules and Regulations of the Commission for the Administration of Parking Lots and Environs; and

WHEREAS, no interested citizen other than representatives of the Department appeared to offer oral statements, objections or amendments; and

WHEREAS, no written statements, objections or amendments were received by the Department within 5 days as set out in the public notice.

NOW, THEREFORE, BE IT RESOLVED, that the Rules and Regulations of the Commission for the Administration of Parking Lots and Environs as published and as presented at the public hearing are hereby adopted to be effective November 1, 1974.

Commented [GALA1]: OLU/Maintenance/TMPD: Subsequent amendments are reflected in more recent/retained CTB policy dated 6/20/2018.

Waysides and Rest Areas
Approved: 7/18/1974

WHEREAS, pursuant to Section 9-6.1 et seq of the Code of Virginia (1950) as amended, a public hearing was conducted July 8, 1974 at 2:00 p.m. in the Highway and Transportation Department auditorium, Richmond, Virginia, to present the revisions to the Rules and Regulations of the Commission for the Administration of Waysides and Rest Areas; and

WHEREAS, no interested citizen other than representatives of the Department appeared to offer oral statements, objections or amendments; and

WHEREAS, no written statements, objections or amendments were received by the Department within 5 days as set out in the public notice.

NOW THEREFORE, BE IT RESOLVED, that the Rules and Regulations of the Commission for the Administration of Waysides and Rest Areas as published and as presented at the public hearing are hereby adopted to be effective November 1, 1974.

Commented [GALA2]: OLU/Maintenance/TMPD: Subsequent amendments are reflected in more recent/retained CTB policy dated 2/19/1987.

Adoption of Rules and Regulations Governing the Prequalification of Prospective Bidders, January 1, 1983 Edition
Approved: 3/17/1983

Motion was made by Mr. Vaughan, seconded by Mr. Brydges, that the Commission adopt the Rules and Regulations Governing the Prequalification of Prospective Bidders as revised in the January 1 ,1983, edition, governing prequalification of bidders after January 1, 1983.

Commented [GALA3]: Construction Division: Rules and Regulations were repealed at the direction of the Board in 2021 which had the effect of overriding this 1983 action. Further, section 2.2-4317 of the Code of Virginia requires that "Any prequalification of prospective contractors for construction by a public body shall be pursuant to a prequalification process for construction projects adopted by the public body." This provides independent authority for VDOT to serve as the responsible entity for establishing the prequalification process, and the VDOT procedures developed to document the process do not rise to the level of warranting a CTB policy on the matter.

Attachment A

Policy on Placing Utility Facilities Underground
Approved: 5/9/1996

WHEREAS, the Commonwealth Transportation Board at its April 15, 1993 meeting adopted a Policy on Placing Utility Facilities Underground in connection with projects constructed in accordance with Section 33.1-44 of the Code of Virginia, which primarily consists of the urban system of highways; and

WHEREAS, the Policy authorizes the Department to reimburse utility companies fifty (50) percent of the additional cost to place the utility facilities underground, from any locality's urban allocation, where the locality elects to have utility facilities placed underground and provided certain other criteria are met; and

WHEREAS, the Board determined that it was in the public's interest, in many urban areas, to place utility facilities underground in connection with transportation improvement projects in order to enhance the safety, economic and environmental impact of the project on the community; and

WHEREAS, the Commonwealth Transportation Board, in adopting a Policy on the urban system, determined that since the urban system funds were allocated to the individual localities, rather than on a statewide basis, the localities should be allowed the option of electing to place utility facilities underground in connection with transportation projects; and

WHEREAS, the Board, on September 16, 1993, modified the Policy to include the urban county of Arlington County; and

WHEREAS, the current Policy provides a cap on the maximum reimbursement by the Department at $3,000,000 for any single project and, in certain localities, this cap has made it financially impractical for the localities to carry out a plan for undergrounding utility facilities.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby modifies Section 7.00 of the Policy on Placing Utility Facilities Underground, adopted on April 15, 1993, by raising the maximum reimbursement to utility companies from project funds for any Part B cost to $5,000,000 on any projects.

Repeal of Existing *State Noise Abatement Policy* (24VAC 30-80) and Approval of Updated *State Noise Abatement Policy*
Approved: 6/15/2011

WHEREAS, in response to a perceived need for a single policy covering noise abatement, VDOT developed such a policy for consideration by the Commonwealth Transportation Board in 1988; and

WHEREAS, the Board approved the existing *State Noise Abatement Policy* (24VAC30- 80) at its August 8, 1988, meeting, to become effective January 4, 1989; and

WHEREAS, the Board approved revisions to the policy based on experience gained from application of the policy over many years, plus input from citizens and elected officials, at its November 21, 1996, meeting, to become effective January 1, 1997; and

WHEREAS, the Federal Highway Administration (FHWA) published a proposal in the Federal Register on September 17, 2009, to make revisions to its *Procedures for Abatement of Highway Traffic Noise and Construction Noise*, and solicited input from state DOTs in further development of a final rule, which was published in the *Federal Register* on July 13, 2010; and

Commented [GALA4]: ROW: This policy was adopted based on authority in Section 33.1-44 (recodified as § 33.2-348) of the Code of Virginia, which related to the CTB's authority to fund construction and improvement projects for the urban system of state highways and specifically provided limited funding for four localities relating to undergrounding utilities. Section 33.2-348 was repealed, effective July 1, 2016. The policy had been filed as an APA-exempt regulation, based upon the statute, and while the regulation was repealed, effective October 14, 2021 in conjunction with the repeal of § 33.2-348, the corresponding CTB policy was never formally rescinded.

Commented [GALA5]: Environmental: The current noise abatement program is based on federal requirements and to the extent there are changes or modifications to the program, they are designed to facilitate administration of the Noise Abatement Program and not change substantive requirements. Repeal of this Policy would be without substantive effect on the program as there is virtually no provision in this 2011 action that rises to the level of a policy. The substantive provisions of the Policy re quiet pavement and vegetative visual screening are redundant with Va. Code §33.2-276. The Policy was repealed as a regulation in 2011 and thus repeal of the 2011 action/Policy would also remove obsolete language relating to the Policy's status as a regulation. Finally, the *Highway Traffic Noise Impact Analysis Guidance Manual* has been further evaluated and determined to not meet the definition of a guidance document and repeal of this Policy action would ratify that determination. VDOT will continue to follow the Highway Traffic Noise Guidance Manual as approved by FHWA in accord with federal requirements. Per the Manual: "Highway traffic noise impact analysis, abatement procedures, criteria, coordination requirements, and reporting guidance contained herein are based on Title 23 of the Code of Federal Regulations, Part 772, the Federal Highway Administration's (FHWA) Procedures for Abatement of Highway Traffic Noise and Construction Noise, (23 CFR 772), which is included as Appendix C of this document. All transportation improvement projects developed in accordance with the Virginia Department of Transportation's (VDOT) guidelines shall conform to the mandates and guidance of FHWA"

Attachment A

WHEREAS, VDOT determined that the existing policy was obsolete due to the new rule, as well as changed business conditions since the policy was last amended; and

WHEREAS, an updated policy with detailed implementation procedures prepared in a separate guidance manual (the *Highway Traffic Noise Impact Analysis Guidance Manual*) was developed; and

WHEREAS, the FHWA gave formal approval to VDOT's updated *State Noise Abatement Policy* and *Highway Traffic Noise Impact Analysis Guidance Manual* by correspondence dated March 15, 2011.

NOW THEREFORE BE IT RESOLVED, that the Commonwealth Transportation Board hereby repeals the existing *State Noise Abatement Policy* (24VAC 30-80), and approves the following VDOT policy to govern the analysis of highway traffic noise:

STATE NOISE ABATEMENT POLICY

I. Policy.

The Federal Highway Administration (FHWA) regulates highway traffic noise impact analysis, abatement procedures, criteria, coordination requirements, and reporting guidance in Title 23 Code of Federal Regulations, Part 772 (23 CFR 772) and published guidance. All transportation improvement projects developed in conformance with the Virginia Department of Transportation's guidelines shall be in conformance with those federal highway traffic noise impact analysis and abatement procedures and guidance mandated by FHWA.

Whenever the Commonwealth Transportation Board or the Department plan for or undertake any highway construction or improvement project and such project includes or may include the requirement for the mitigation of traffic noise impacts, first consideration should be given to the use of noise reducing design and low noise pavement materials and techniques in lieu of construction of noise walls or sound barriers. Vegetative screening, such as the planting of appropriate conifers, in such a design would be utilized to act as a visual screen if visual screening is required.

II. Administration of State Noise Abatement Policy.

The Commonwealth Transportation Commissioner or his designee, on behalf of the Commonwealth Transportation Board, is authorized to issue administrative procedures and additional guidance as may be necessary to implement this policy.

The Chief Engineer, on behalf of the Commonwealth Transportation Board, is authorized to make the final determination on all noise abatement related issues and will consult with the FHWA when those determinations involve federal regulation, policy and guidance.

The Chief Engineer will brief the Commonwealth Transportation Board members on all proposed changes to the Highway Traffic Noise Impact Analysis Guidance Manual.

BE IT FURTHER RESOLVED, under authority granted by § 33.1-12 (7) of the Code of Virginia, that the Commonwealth Transportation Board also hereby approves the *Highway Traffic Noise Impact Analysis Guidance Manual*, which the Office of the Attorney General has determined meets the criteria to be classified as a "Guidance Document" under § 2.2-4001 of the Administrative Process Act.

BE IT FURTHER RESOLVED, that the Commonwealth Transportation Board hereby directs VDOT to submit the regulatory action to comply with the regulatory and Guidance Document submission

requirements established by the *Code of Virginia*, Executive Order No. 14 (2010), and the State Registrar of Regulations, as appropriate, so that the action shall become effective on July 13, 2011.

High Volume Unpaved Road Program Policy Modification
Approved: 3/21/2018

Commented [GALA6]: IID: The High Volume Unpaved Road Program no longer exists. The previous requirements from § 33.2-358(C) as outlined in the resolution sunsetted in 2020 and in accordance with the changes to the Code of Virginia, the program expired after the 2020 allocations.

WHEREAS, on June 18, 2014, the Commonwealth Transportation Board (the Board) established a policy and selection criteria for providing supplemental funding for High Volume Unpaved Roads, defined as unpaved roads carrying more than 500 vehicles per day; and

WHEREAS, it is recognized that there is a reduced number of high volume unpaved roads and the demand for the program has diminished since the program's inception; and

WHEREAS, the existing policy does not allow for flexibility to modify the annual allocations to the program; and

WHEREAS, the Board recognizes the need to adjust the existing policy so that annual allocations to the program may be adjusted commensurate to program needs;

NOW, THEREFORE BE IT RESOLVED, the Board adopts the following modified policy and criteria governing the selection of high volume (more than 500 vehicles per day) unpaved road projects for funding pursuant to §33.2-358(C):

1. The Board will set aside up to 10% of the CTB formula set-aside for paving unpaved roads carrying more than 50 vehicles per day [which equates to 0.5% of the total CTB formula set-aside pursuant to §33.2-358(C)] to fund projects on unpaved roads that carry more than 500 vehicles per day.
2. VDOT will solicit applications from counties on an annual basis to provide supplemental funding for providing a hard-surface on such unpaved roads.
3. The maximum request permitted under the program will be $500,000 per locality, per fiscal year.
4. 4. Projects will be prioritized for funding based on a technical score that considers traffic volume, project readiness, local funding, safety, and access to community facilities.
5. Once projects have been identified and prioritized in accordance with the foregoing process, the project list will be presented to the full Board for its consideration and approval.
6. The Commissioner of Highways is directed to establish administrative procedures to ensure adherence to and compliance with the provisions of this policy and legislative directive.

NOW, THEREFORE BE IT ALSO RESOLVED, any excess balance in the High Volume Unpaved Roads Program may be released so that the allocations may be redistributed to Counties with unpaved roads carrying more than 50 vehicles per day, in accordance with §33.2-358 and that the maximum request permitted under the program be increased to $500,000 per locality, per year.

Director's Report

October 2024



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DRPT Next Stop 2030

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Next Stop: 2030
DRPT's Strategic Plan

- **Create a positive impact on the Commonwealth:** Provide support and solutions to positively impact the lives of Virginians, the economy, and the environment
- **Foster innovative practical solutions:** Challenge the status quo, creating solutions while sharing new ideas and innovative practices that contribute to better transportation outcomes
- **Convene with partners and stakeholders:** Bring together the right people at the right time to leverage resources, address important transportation issues, and create the best solutions collaboratively
- **Cultivate a sustainable well-managed organization:** Deliver exceptional service with an engaged workforce that effectively manages public assets and promotes transparency

Create a positive impact on the Commonwealth

- **Improve access to reliable transportation.**
  - DRPT attended the ribbon-cutting for the Central Shenandoah Planning District Commission's (CSPDC) Lewis Street Transit Hub in Staunton on August 29.
  - The Virginia Breeze stop in Staunton relocated to the Staunton Crossing VDOT Park and Ride, effective September 3. The project includes shelters and amenities to be shared with the Afton Express service with plans to integrate with BRITE Transit.
  - The Arlington County Board of Supervisors approved the appropriation of ~$20 million in federal and state funds to construct the new Crystal City Metro Station East Entrance. 80% of the $20 million in appropriated funds comes from the Federal Transit Administration.
- **Increase throughput of people and goods.**
  - Total statewide public transit ridership in July 2024 was 11.7 million, compared to 9.4 million in July 2023.
    - WMATA Virginia (trips beginning or ending in Virginia) ridership in July 2024 was just under 7.1 million, compared to under 5.5 million in July 2023.
    - VRE ridership in July 2024 was 134,000, up from 118,000 in July 2023.
    - All other non-WMATA or VRE transit provided 4.5 million trips in July 2024, compared to 3.8 million in July 2023.

Foster innovative practical solutions

- **Be the ‘go-to’ organization for best practices, technical assistance, and implementation of innovative transportation solutions.**
  - In early August, Virginia Economic Development Partnership (VEDP) announced an award of $126 million through the Virginia Business Ready Sites Program for development grants for 23 sites across the Commonwealth, eight of which are identified as rail-served sites. DRPT assisted with the selection effort by participating in VEDP’s Site Development Task Force.
  - DRPT Rail Planning Team kicked off the Corridor Identification and Development (CID) Step 1 activities for the Commonwealth Corridor (Hampton Roads to New River Valley) and the DC to Bristol Corridor on September 17. Step 1 of CID will develop a scope, schedule, and budget for the Service Development Plan (SDP) that will be completed during Step 2. Completion of Step 1 for the two corridors is targeted for early 2026.
- **Foster a culture of innovation.**
  - Hampton Roads Transit re-launched its public on-demand rideshare service on October 14. This service provides microtransit options in the cities of Virginia Beach and Newport News. This service returned following a successful pilot program in 2022-2023. It is partially funded by an FY 2024 TRIP Regional Connectivity grant.

Convene with partners and stakeholders

- **Collaborate proactively with partners and stakeholders.**
  - DRPT staff participated in the GRTC (Richmond) North-South Bus Rapid Transit Technical Advisory Committee Workshop on August 14 to develop a preliminary conceptual design for the route with various stakeholders within the Richmond region.
  - DRPT attended the 30 year anniversary of Virginians for High-Speed Rail on September 13. DRPT, VRE, and Amtrak staff were in attendance, as was Senator Mark Warner.
- **Engage with partners and stakeholders at the right time to maximize DRPT's influence.**
  - DRPT met with transit agency staff and Virginia Transit Association leadership to discuss the development of a transit scholarship program for those in the industry who are seeking additional degrees. The program will be privately funded through donations and is tentatively scheduled to be announced in the Spring of 2025.

Cultivate a sustainable well-managed organization

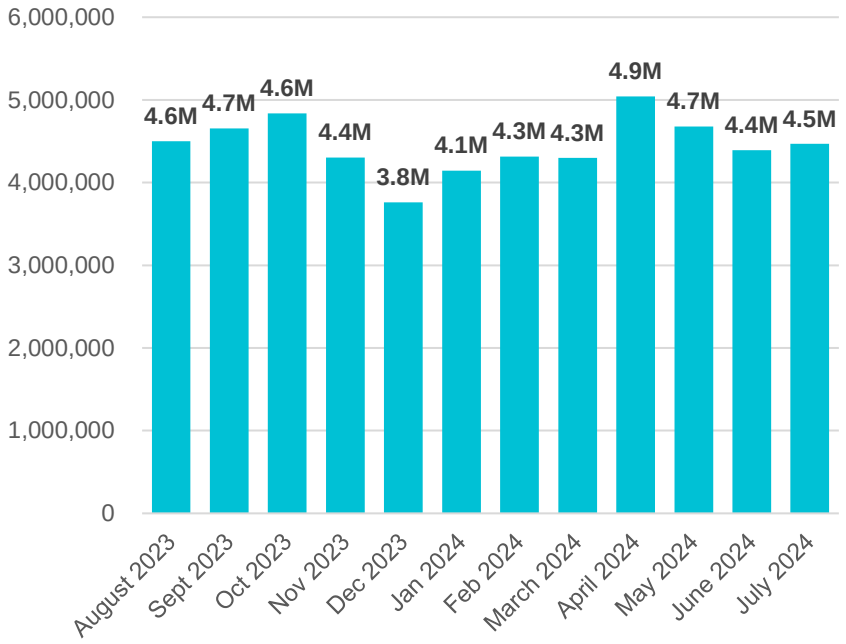
- **Attract, develop, and retain a diverse and engaged workforce focused on customer service.**
  - DRPT has hired Evan Tuten as a Statewide Transit Planner.
- **Promote DRPT's compelling story and valuable contribution with internal and external stakeholders.**
  - On September 6, DRPT launched the "Connects Communities" marketing campaign to promote public transit across Virginia.
- **Be good stewards of public resources.**
  - The FTA triennial State Management Review process has concluded. Feedback from the FTA was overwhelmingly positive. DRPT will work with FTA on minor findings.
  - DRPT and VPRA are developing agreements to allow VPRA to utilize the remaining $5M funding in DRPT's DC2RVA grant with FRA.

Performance Measures

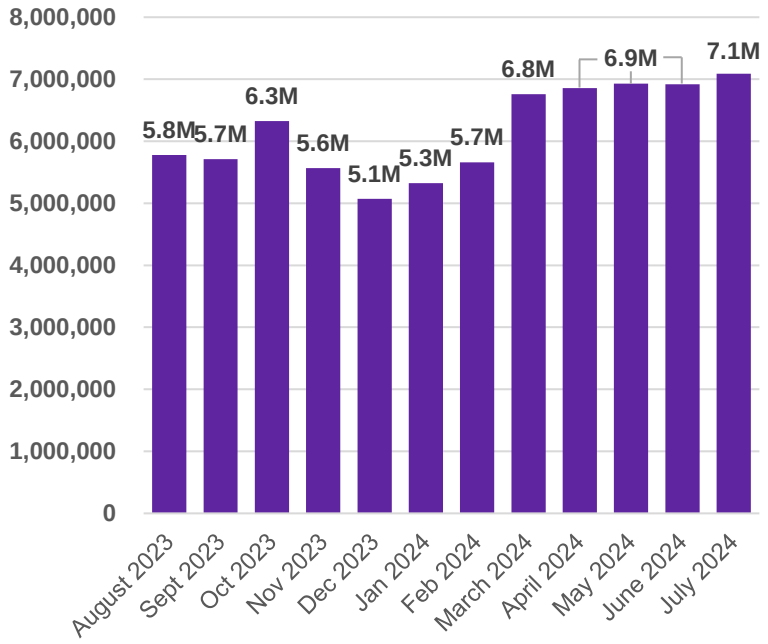
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Statewide Transit Ridership

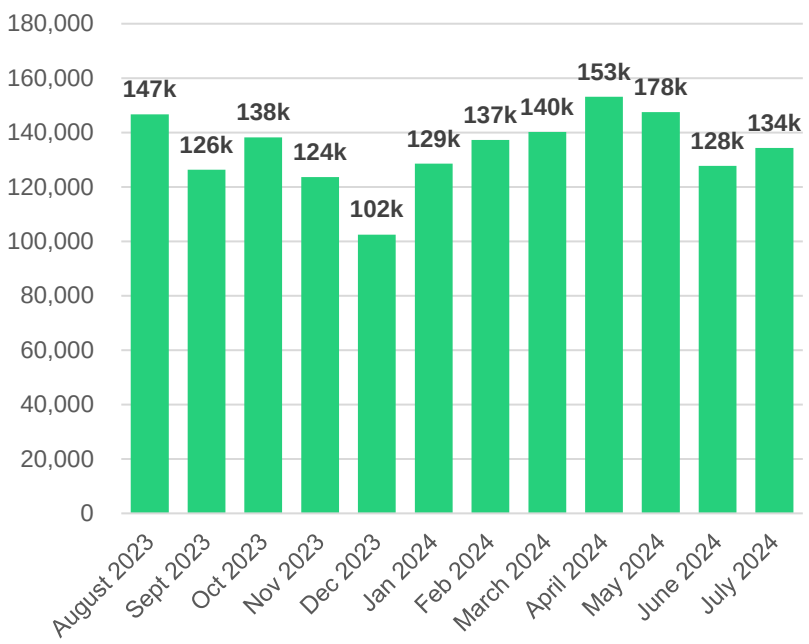
Statewide Transit Ridership – August 2023 to July 2024



Virginia Agencies



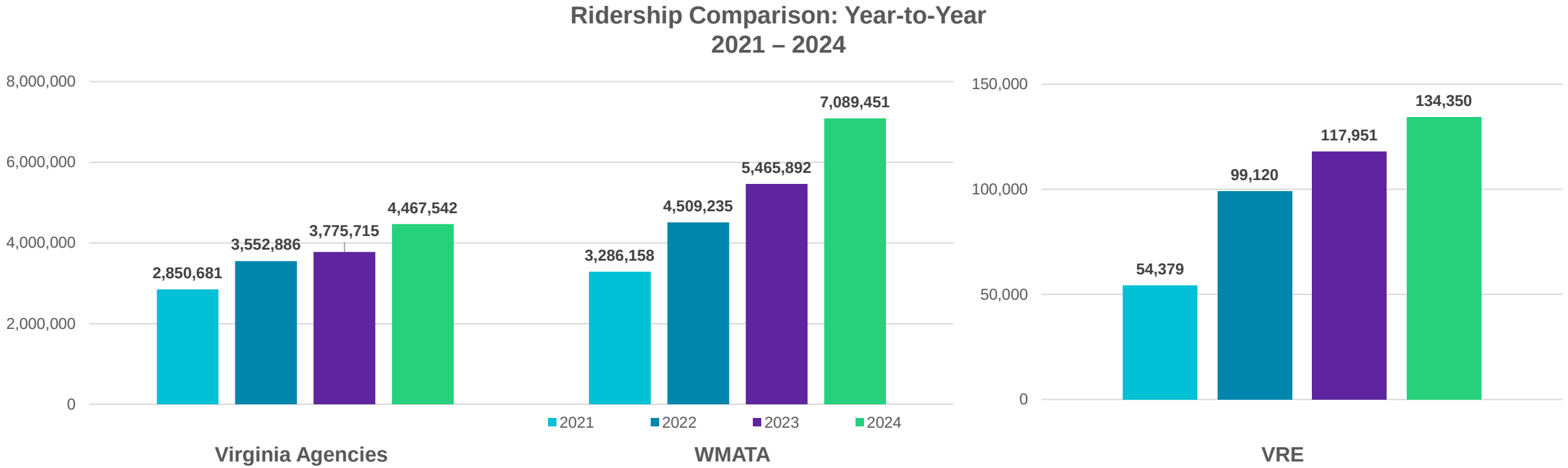
WMATA Virginia



VRE

Agencies	August 2023	Sept 2023	Oct 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024	March 2024	April 2024	May 2024	June 2024	July 2024	Total
Virginia Agencies	4,500,540	4,653,990	4,835,647	4,304,012	3,760,804	4,145,959	4,315,366	4,297,568	5,042,731	4,676,698	4,390,153	4,467,542	53,391,010
VRE	146,686	126,328	138,189	123,610	102,453	128,540	137,284	140,182	153,139	147,561	127,770	134,350	1,606,092
WMATA Virginia	5,777,047	5,712,322	6,323,067	5,566,283	5,072,553	5,324,597	5,660,243	6,759,533	6,856,539	6,930,758	6,916,793	7,089,451	73,989,186
All Agencies + VRE + WMATA	**10,424,273**	**10,492,640**	**11,296,903**	**9,993,905**	**8,935,810**	**9,599,096**	**10,112,893**	**11,197,283**	**12,052,409**	**11,755,017**	**11,434,716**	**11,691,343**	**128,986,288**

Statewide Ridership Comparison: July Year-to-Year



July 2019 (pre-pandemic): Ridership for all Virginia Agencies + VRE + WMATA was 14,475,014

Mode	2021	2022	2023	2024	2024 vs 2021	2024 vs 2022	2024 vs 2023
Virginia Agencies	2,850,681	3,552,886	3,775,715	4,467,542	57%	26%	18%
VRE	54,379	99,120	117,951	134,350	147%	36%	14%
WMATA	3,286,158	4,509,235	5,465,892	7,089,451	116%	57%	30%
All Agencies + VRE + WMATA	**6,191,218**	**8,161,241**	**9,359,558**	**11,691,343**	**89%**	**43%**	**25%**

Virginia Breeze Ridership - July

In July 2024, ridership on VA Breeze routes totaled 3,696 which was:

- 129% higher than original estimates, and
- 10% higher than July 2023

For the month of July 2024, the VA Breeze contributed to a reduction of 299 metric tons of CO_2 equivalent emissions.

Valley Flyer:

- Ridership 6% higher than July 2023
- Farebox Rev. – 2% higher than July 2023

Piedmont Express:

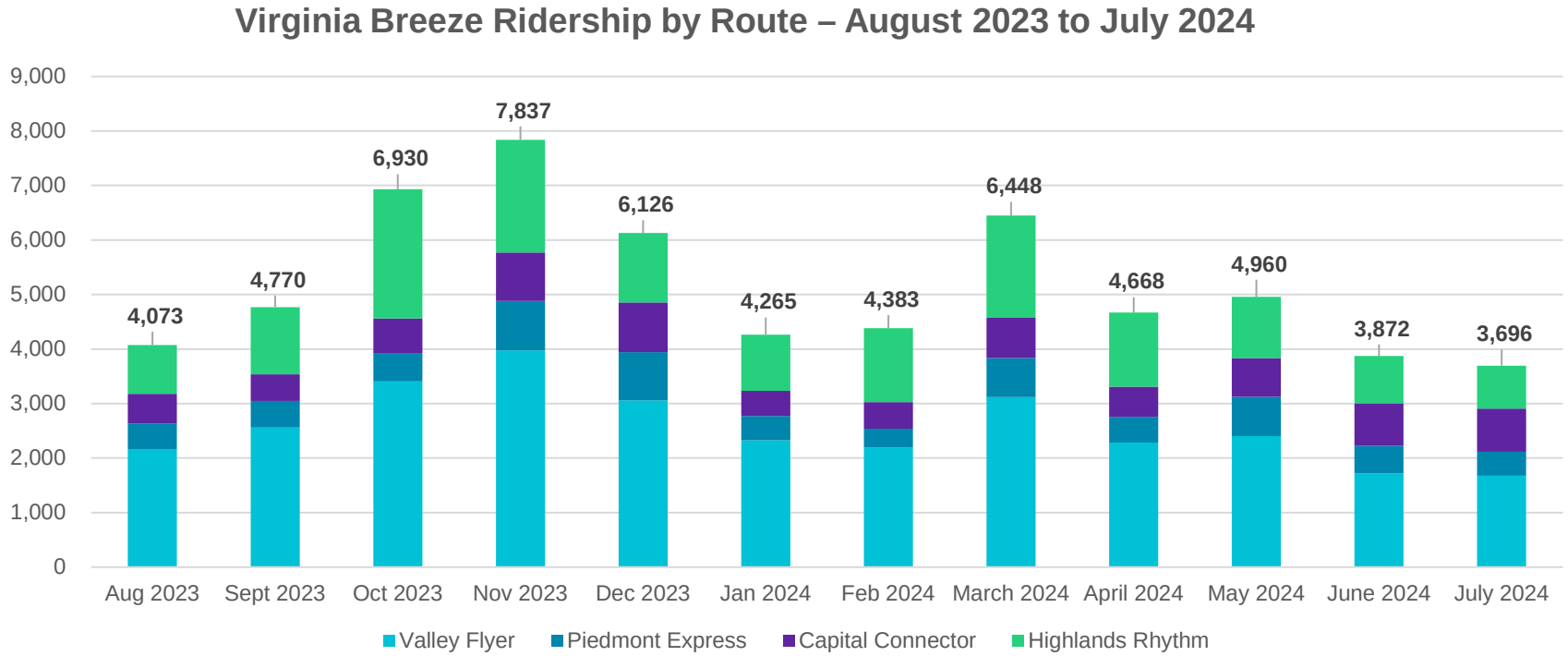
- Ridership – 1% lower than July 2023
- Farebox Rev. – 7% higher than July 2023

Capital Connector:

- Ridership – 26% higher than July 2023
- Farebox Rev. – 27% higher than July 2023

Highlands Rhythm:

- Ridership – 13% higher than July 2023
- Farebox Rev – 14% higher than July 2023



Route	Aug 2023	Sept 2023	Oct 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024	March 2024	April 2024	May 2024	June 2024	July 2024	Total
Valley Flyer	2,166	2,562	3,407	3,975	3,058	2,326	2,196	3,117	2,281	2,404	1,722	1,676	30,890
Piedmont Express	469	486	521	907	887	447	343	719	476	719	500	440	6,914
Capital Connector	545	488	634	891	908	462	488	736	551	714	781	789	7,987
Highlands Rhythm	893	1,234	2,368	2,064	1,273	1,030	1,356	1,876	1,360	1,123	869	791	16,237
All Routes	**4,073**	**4,770**	**6,930**	**7,837**	**6,126**	**4,265**	**4,383**	**6,448**	**4,668**	**4,960**	**3,872**	**3,696**	**62,028**

Amtrak Virginia Ridership (Virginia Passenger Rail Authority)

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Virginia-Supported Monthly Ridership by Route SFY ‘25 vs. SFY ‘24

Weekends remain most popular ridership days

July 2023: 43,633 riders over **5 weekends**

July 2024: 32,820 riders over **4 weekends**

New State Fiscal Year (SFY) Record Ridership*
2024: 1,384,665

*Previous record SFY23: 1,256,123

