

AGENDA ITEM 8-C
ACTION ITEM

TO: CHAIRMAN KAUFFMAN AND THE VRE OPERATIONS BOARD

FROM: DALE ZEHNER

DATE: NOVEMBER 16, 2007

RE: AUTHORIZATION TO APPROVE THE 2007 LEGISLATIVE AGENDA

RECOMMENDATION:

The VRE Operations Board is being asked to recommend that the Commissions authorize the Chief Executive Officer to actively pursue elements of the VRE 2007 Legislative Agenda, in coordination with the local jurisdictional and Commission staffs.

BACKGROUND:

For almost a decade, VRE has sought discretionary funding for capital projects that address critical system needs. These funds supplement federal formula funding received from the Federal Transit Administration as well as state capital and operating funding. Based on a review of the prior federal and state legislative sessions, VRE staff is recommending the following projects and positions for the 2007 Legislative Agenda.

CAPITAL REQUESTS

Priority Project - Locomotives

Similar to last year, VRE's primary focus continues to be on fleet acquisition. This year, attention will remain on finding additional funding for locomotives. Requests

will be made at both the federal and state level for the following projects, listed in priority order, and included in the VRE Strategic Plan:

- Acquisition of 20 Tier-II Locomotives - \$65.8 million (\$85.8 million program less \$20 million earmark already received)
- Parking Expansion Projects (requests to be made with jurisdictions) - \$30 million
- Platform Extensions/Additions - \$20 million
- Mid-day Storage Facility - \$10 million

It should also be noted that while Senator Webb has included a \$5 million appropriation in the Senate Appropriations bill for surface transportation funds for VRE locomotive acquisition, this allocation is not final. In addition, if approved, HB3202 funding may also be allocated to the locomotive acquisition.

State Funding

- Insurance Trust Fund - due to rapidly increasing insurance costs, VRE has been unable to fully maintain the Insurance Trust Fund to the level desired by the Virginia Division of Risk Management. Due to rising insurance costs and decreasing reserves, annual payments have risen from \$1.5 million to just under \$5 million per year. VRE will pursue a one-time request for assistance from the General Assembly to replenish the Insurance Trust Fund.
- Gainesville-Haymarket Extension – VRE will continue to seek funding to support the expansion of commuter rail service in Western Prince William County. This project is a top transportation project for Prince William County. VRE will also support the efforts of the City of Manassas to obtain funding for grade-separation projects related to the Gainesville-Haymarket extension.
- Third Track – VRE will continue to seek funding to add additional capacity on the Fredericksburg line through the construction of a third main line.

VRE will also partner with local jurisdictional staff and the Virginia Transit Association to:

- Advocate the continued growth of state funding for transit, specifically the continued payment of rail access fees for VRE.
- Encourage the Commonwealth to meet the statutory goal of funding 95 percent of eligible transit capital and operating costs from the Mass Transit Fund.

POLICY ISSUES

Legislative Initiatives

State - VRE is proposing to introduce legislation to amend Title 46 to prohibit pedestrians from crossing public thoroughfares when trains are present. VRE has been working with CSX and NS to get legislation in the Code to match the nearly 20 other states who have similar laws. VRE will also continue to look for opportunities to amend Title 56, Virginia Code to cap liability for commuter rail operations since the existing cap enacted in a prior session excludes third party claims. VRE will also seek state exemption from terrorism insurance coverage, as currently required by CSX and NS.

Federal - On the federal level, VRE will continue to advocate for the amendment of Title 49, United States Code, to cap liability insurance for commuter rail operations. CSX and NS continue to request liability insurance of \$500 million per incident as an element of the new access agreement. VRE will promote adding a liability cap of \$200 million for commuter rail to the federal language.

Corridor Improvements

Last year, Congresswoman Davis helped facilitate a working group of the Federal Railroad Administration, CSX and Amtrak to adopt a comprehensive plan for systematic corridor improvements along the Fredericksburg line. Proposed projects were required to have an immediate benefit to Fredericksburg line on-time performance. The following projects, estimated to cost \$20.2 million, will be submitted for consideration in the Omnibus bill.

- Installation of approximately two miles of Automated Train Control from Arlington, VA to Washington, DC. This area is currently the only portion of the Washington to Richmond corridor without this technology.
- Construction of several 600 foot long passenger second platforms and canopies as well as associated pedestrian stairs, bridges, and elevators. Locations include Lorton, Rippon, Brooke and Leeland. These platforms would provide VRE additional flexibility and capacity by permitting passenger operations on both main lines.

FISCAL IMPACT:

There is no funding requirement necessary to implement the FY 2008 VRE Legislative Program. Based on the success of federal and/or state appropriations, some local match may be required.

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RESOLUTION
8C-11-2007
OF THE
VIRGINIA RAILWAY EXPRESS
OPERATIONS BOARD

WHEREAS, VRE is an essential part of traffic mitigation for the Northern Virginia and DC Metropolitan region; and,

WHEREAS, the VRE Strategic Plan has identified certain critical needs for VRE to meet projected ridership growth; and,

WHEREAS, the capital cost associated with these needs can best be met through obtaining additional discretionary federal and state capital funding; and,

WHEREAS, VRE has advocated positions with Congress and the Virginia General Assembly that are supportive of the transportation philosophy of the Northern Virginia region; and,

WHEREAS, VRE shall seek to promote its legislative positions during the upcoming calendar year on both the state and federal level to secure capital funding.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby recommend that the Commissions authorize the Chief Executive Officer to actively pursue elements of the VRE 2007 Legislative Agenda, in coordination with the local jurisdictional and Commission staffs.