TO: CHAIRMAN SMEDBERG AND THE VRE OPERATIONS BOARD
FROM: DOUG ALLEN
DATE: JANUARY 18, 2013
RE: OPPOSITION TO SB 1210 and HB 2152 IN THE VIRGINIA GENERAL ASSEMBLY

RESOLUTION
06–01–2013
OF THE
VIRGINIA RAILWAY EXPRESS OPERATIONS BOARD

WHEREAS, the Virginia Railway Express (VRE) commuter rail service was first established in 1989 under the VRE Master Agreement among the Northern Virginia Transportation Commission (NVTC) and the Potomac and Rappahannock Transportation Commission (PRTC), and the local member jurisdictions of NVTC and PRTC who agreed to pay a subsidy, subject to annual appropriations, to support VRE operations; and

WHEREAS, the VRE Master Agreement provides for a joint subcommittee of NVTC and PRTC called the VRE Operations Board comprised by the local jurisdictions that fund VRE operations and a representative of the Chairman of the Commonwealth Transportation Board; and

WHEREAS, each jurisdiction that funds VRE has a vote on the VRE Operations Board with a weight based on the number of VRE riders from the jurisdiction and the amount of annual subsidy paid by the jurisdiction; and

WHEREAS, NVTC and PRTC receive grant funding from the Commonwealth each year to support VRE operations, which funding varies from year to year and constitutes approximately 16% of the VRE budget each year; and

WHEREAS, SB 1210 and HB 2152 have been introduced in the 2013 Virginia General Assembly which bills provide the Chairman of the Commonwealth Transportation Board (CTB) with one vote on the VRE Operations Board with a weight equivalent to that of the VRE member jurisdiction paying the highest annual subsidy as determined under the VRE Master Agreement; and

WHEREAS, these bills are unnecessary given that the CTB Chairman or his designee already has a voting member on the VRE Operations Board, as well as on both NVTC and PRTC; and
WHEREAS, as proposed, the bills provide the CTB Chair with a vote on the VRE Operations Board equal to the jurisdiction paying the highest annual subsidy without any commitment by the Commonwealth that they themselves make an annual subsidy payment; and

WHEREAS, as proposed, the bills weaken the voice on the VRE Operations Board of the jurisdictions that pay the majority of the annual subsidy for VRE, and whose constituents rely upon the VRE every day to commute to work; and

WHEREAS, as proposed, the bills nullify the regional consensus among NVTC, PRTC, and the nine counties and cities who have signed the VRE Master Agreement, who currently are and other obligations as issued in reliance upon the VRE Master Agreement; and

WHEREAS, the VRE Operations Board has procedures for addressing requests for amendments to the governing documents which were not followed by the Commonwealth, and the VRE Operations Board welcomes the Commonwealth's initiation of requested changes to the Master Agreement and ByLaws.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby oppose SB 1210 and HB 2152; and

BE IT FURTHER RESOLVED THAT, the VRE Operations Board requests that SB 1210 and HB 2152 be tabled while the Commonwealth has discussions with the VRE Operations Board about potential changes to the VRE Master Agreement to address its concerns; and

BE IT FURTHER RESOLVED THAT, the VRE Operations Board is willing to consider potential changes including those that would make the Commonwealth a part of the annual VRE subsidy formula through its commitment, subject to appropriations, to fund a portion of the VRE annual budget, including debt service, and that would make corresponding changes to the subsidy formula and voting structure on the VRE Operations Board; and,

BE IT FURTHER RESOLVED THAT, in the event the bills are not tabled, the VRE Operations Board does hereby urge the General Assembly to defeat SB 1210 and HB 2152 in favor of retaining the organizational structure provided for in the VRE Master Agreement which has proven successful for over twenty years; and,

BE IT FURTHER RESOLVED THAT, the VRE Operations Board Chairman will transmit this resolution to the Governor and General Assembly, including the President of the Senate, Speaker of the House, and Chairman of the appropriate House and Senate Committees; and,
BE IT FURTHER RESOLVED THAT, the VRE Operations Board will forward this resolution to both NVTC and PRTC for consideration and action at their next scheduled meetings.

Approved this 18th day of January, 2013

Paul Smedberg
Chairman

John Cook
Secretary