

Overview of WMATA-Related Provisions of HB1539/SB856

Programmatic Restructuring for WMATA; funding conditions

1. Restructures the state transit funding to set WMATA funding as separate allocation, annually set at 53.5 percent of available State transit capital and operating funds. The 2020 Transportation omnibus bill (HB1414) lowers this to 46.6% in FY 2024 but is projected to result in an increase in this funding due to additional overall revenues in the 2020 bill.*
2. Funds to be allocated to NVTC on behalf of NVTC WMATA jurisdictions and credited to each jurisdiction in accordance with the subsidy allocation model.
3. NVTC has flexibility to use these state funds for WMATA operating and/or capital costs as it deems appropriate.
4. These funds may be withheld based upon certain conditions:
 - **20 percent of these funds would be withheld** if an alternate member participates or take action at an official WMATA Board or committee meeting when both principle members are present OR WMATA Board does not adopt bylaws that would prohibit the limited participation of alternate members.
 - **20 percent of these funds would be withheld** if WMATA does not adopt a detailed capital improvement program covering the current fiscal year, and at a minimum, the next five fiscal years, and hold at least one public hearing in the NVTC district.
 - **20 percent of these funds would be withheld** if WMATA does not adopt or update a strategic plan within the preceding 36 months, and hold at least one public hearing in the NVTC district. The first strategic plan of this requirement (due by July 1, 2019) must include a plan to align services with demand and to satisfy other requirements included in the LaHood study.
 - **35 percent of these funds would be withheld** if the total Virginia portion of annual operating assistance increases in the WMATA Budget by more than 3 percent over the previous year, with certain conditions
 - **All of these funds would be withheld** without annual certification from NVTC to the Comptroller of the receipt of certain WMATA documents (see reporting requirements below).

NVTC WMATA Reporting Requirements

§33.2-3402 - In any year that funds are deposited into the Washington Metropolitan Area Transit Authority Capital Fund (§33.2-3401), the NVTC shall request certain documents and reports from WMATA to confirm the benefits of the WMATA system to persons living, traveling, commuting, and working in the localities that the NVTC comprises. Table 1 summarizes documents and reports to be included in the submission.

Table 1. NVTC Oversight Requirements of WMATA (§33.2-3402)

Report	Source	Release
Annual Budget	WMATA	Annually
Annual Independent Financial Audit	WMATA	Annually, October
National Transit Database (NTD) Annual Profile	FTA	Annually, October
Audit Report in Accordance with the <i>Uniform Administrative Requirements, Cost Principals, and Audit Requirements for Federal Awards</i>	WMATA	Annually, October

§33.2-3403 - By November 1 of each year that funds are deposited into the Washington Metropolitan Area Transit Authority Capital Fund (§33.2-3401), NVTC shall report to the Governor and the General Assembly on the performance and condition of WMATA, at a minimum, containing documentation of Table 2.

Table 2. NVTC Reporting Requirement of WMATA (§33.2-3403)

Report	Source	Availability
Safety and reliability of Metrorail and Metrobus	Metro Performance Report	Quarterly, 2-month lag (Year to Date)
Financial performance re. Metrorail operation: Farebox recovery Service per rider Cost per service hour	NTD	Annually, October
Financial performance re. Metrobus operation: Farebox recovery Service per rider Cost per service hour	NTD	Annually, October
Potential strategies to reduce the growth in such costs and to improve the efficiency of WMATA operations	WMATA Annual Budget (?)	Annually, Spring
Use of the funds from the Fund to improve the safety and condition of Metrorail	WMATA	NEW
Metrorail and Metrobus ridership	WMATA	Monthly, prior to JCC