



External Legislative Advisory Committee Minutes
Wednesday October 16th, 2024
Norfolk, VA
1:30 PM

Commissioners in Attendance:

August Bullock, Chair, ELAC
Commissioner Roland White, Hampton

Attendees:

Janice Taylor, League of Women Voters
Sherri Neil, City of Portsmouth
Philip Bianchi, Squire Patton Boggs
Gretchen Heal, Hampton Roads Chamber
Jessica Dennis, City of Norfolk
Brent McKenzie, City of Virginia Beach
Jeri Wilson, City of Newport News

HRT Staff:

Noelle Pinkard, Organizational Advancement Officer
Amy Jordan, Director of Business Development
Thomas Becher, Marketing Communications Manager
John Powell, Telecommunications Specialist
Tiffany McClain, TRAFFIX Program Manager
Monique Lynch, TRAFFIX TDM Program Specialist

The meeting began at 1:30 pm with Commissioner August Bullock, Chair, calling the meeting to order. Chairman Bullock asked to come back to the motion to approve the minutes from the September 18, 2024, External and Legislative Advisory Committee (ELAC) meeting. Lacking a quorum, the vote was postponed to the November ELAC.

Federal Legislative Update:

Phil Bianchi, Squire Patton Boggs, provided a 2024 Elections Overview.

- The White House - With less than one month to Election Day, the race for the White House is a toss-up. Recent national polls show Vice President Harris with a lead over former President Trump, while Vice President Harris and former President Trump each lead in several key swing states.



- House of Representatives - Control of the House is a toss-up. Democrats must flip 5 seats for majority control, with more than 25 predicted toss-up seats in total. Key races are taking place in California, New Jersey, New York, and Pennsylvania.
- Senate - Thirty-four seats are up in the Senate in 2024. Republicans must gain two seats to secure a majority; they are near certain to flip West Virginia. Democrats are defending 23 seats, to Republican's 11 seats. Control of the Senate will depend on key races in Arizona, Michigan, Montana, Nevada, Ohio, Pennsylvania, and Wisconsin.

State Legislative Update:

Noelle Pinkard provided a state legislative update reporting that the Transit Service Delivery Advisory Committee met on October 8th to discuss state operating cuts based on MERIT performance metrics.

Pinkard continued that the Virginia Transit Association (VTA) legislative committee is scheduled to meet on October 17th. Also meeting that day is the [Northern Virginia Growing Needs of Public Transit Joint Subcommittee](#). Information on that subcommittee may be found at <https://studies.viriniageneralassembly.gov/studies/721>. A report on both meetings will be provided to the ELAC committee in November.

HRT 2025 Legislative Agenda:

Pinkard reminded the ELAC committee that Dr. Brian Smith had provided a full report to ELAC on HRT's 2025 legislative agenda at the September meeting. No edits have been made since the addition of language concerning connections with the military as proposed by Commissioner Goodwin. She further explained that ELAC is tasked with recommending to the full Commission that they endorse the plan but does not take an independent vote.

Marketing & Strategic Communications Department update

Amy Jordan gave the Marketing & Communications update.

Hampton Roads Transit is celebrating its 25th anniversary this year. The celebrations began last month at the Hampton location during the Commission meeting, where employees with 25 years of service were recognized. A similar recognition event is planned for this month in Norfolk. In addition to these events, lanyards have been distributed to patrons, and bus ticket giveaways have taken place. The organization will continue the celebration throughout the year, with anniversary logos now displayed on buses to honor the merger of Pentran and TRT, marking the progress made over the last 25 years.

This week also saw the relaunch of the OnDemand Microtransit service. After a brief 6-month pilot over a year ago, the service has been relaunched to run for a full year to collect more comprehensive data. It



operates in two zones: Newport News and Virginia Beach. Information is available on the website, with links to download the app. The service works similarly to Uber but as a rideshare, aiming to get riders within 0.2 miles of their destination. Rides are priced at \$2, but Paratransit users and Student Freedom Pass holders can ride for free. Children can also ride free with a paying adult.

Free Rides on Election Day:

Hampton Roads Transit will offer free rides on November 5th, Election Day. These free rides are available to everyone, with the hope that they will help people access the polls. The team is encouraging the spread of this information to ensure maximum participation.

Student Freedom Pass Update:

Additionally, there has been notable progress with the Student Freedom Pass program. Over 500 student passes have been issued this fiscal year by the outreach team, not including those distributed at transit stations. Prior to this recent effort, 433 passes had been issued, and further distributions have been made at various events. The outreach team is visiting at least one school per week through the end of the semester and will continue their efforts into the next semester. The program has seen significant growth and success this year.

Local Advocacy City Council Presentations:

The discussion of Local Advocacy to HRT's member City Councils began late last summer. These presentations are a local-level initiative, complementing the legislative advocacy efforts at the congressional and state levels. The focus is on engaging with each member city to share tailored information and survey results specific to each jurisdiction.

The purpose of these presentations is to increase local government awareness, as HRT receives funding from federal, state, and local levels. So far, the initiative has been successful, with HRT staff attending work sessions where council members can ask questions in an interactive format. This format allows for more in-depth discussions than traditional council meetings. The final meeting is being scheduled in Hampton, and the initiative has already resulted in increased awareness and support.

Looking ahead, HRT will soon be presenting information regarding the State Advocacy Session in January, once legislative priorities are approved. This will outline the next steps for HRT's advocacy efforts at the state level.

New and Old Business:

A concern was raised by community members in light of a recent early morning shooting that took place in Newport News, near a bus stop at around 6:30 AM. Although the incident did not occur on school grounds, it happened as students were arriving at the bus stop. The event sparked a discussion about the possibility of installing security cameras at selected bus shelters. The suggestion, which came from multiple community members, involves strategically placing cameras at locations more prone to



incidents, with coordination between local police departments and city councils. This would enhance safety for both students and regular passengers, as well as staff. The proposal is being explored for potential presentation to the commission at a future meeting.

Additionally, the timeline for adopting the legislative agenda was addressed. The ELAC will make a recommendation to the full commission to adopt the legislative agenda at the next Commission meeting. This meeting is scheduled for Thursday, the 24th, in Norfolk, where the commission will review and approve the agenda.

The meeting adjourned at 2:30pm.

The next ELAC meeting is scheduled for November 6th, 2024, in the Hampton Boardroom.



HAMPTON ROADS TRANSIT

October 1, 2024

The Honorable John J. McGlennon
Chairman
Transit Service Delivery Advisory Committee
P. O. Box 8784
Williamsburg, VA 23187

Mr. Zach Trogdon
Acting Director, Virginia Department of Rail
and Public Transportation
500 E. Main Street
Richmond, VA 23219

RE: Request for DRPT and TSDAC to address Light Rail and MERIT Program concerns

Dear Acting Director Trogdon and Chairman McGlennon:

Thank you for the devoted work of the Department of Rail and Public Transportation (DRPT) and the Transit Service Delivery Advisory Committee (TSDAC) as you monitor outcomes and determine recommendations for the Commonwealth Transportation Board (CTB) with respect to statewide transit programs, policies and funding. We realize how important this work is and thank you and all stakeholders involved in ongoing efforts.

Hampton Roads Transit (HRT) respectfully requests that specific attention be given to two matters of concern in your upcoming meetings. The first deals with light rail within the statewide MERIT program. Rail modes and bus modes are not comparable. They should not be treated the same, with no consideration to unique characteristics. A determination should be made for light rail to not be lumped in with "rubber wheel" modes going forward. A new approach for light rail should be defined, similar to how DRPT and TSDAC since 2018 have led efforts to intentionally address the unique cost structure and needs of other rail modes in Virginia.

Second, HRT shares concern with many others for having sufficient levels of funding available for MERIT Operating Assistance in FY26 and beyond. Stable and equitable outcomes in funding distribution among agencies throughout the Commonwealth can only occur with sufficient overall funding levels. We urge TSDAC and DPRT to pursue options to enhance year-to-year stability in funding outlays as they are spread across all recipients. Measures should be taken to enhance and promote fiscal stability and predictability to truly help rather than undermine ongoing progress and improvement of transit services everywhere. One option that deserves consideration is seeking authorization in the 2025 General Assembly Session to use some amount of currently unallocated TRIP funding to support statewide operating needs.

We look forward to discussing these matters in more detail. Thank you, again, for your ongoing service and favorable consideration.

Sincerely,



William E. Harrell
President and CEO



Commonwealth Mass Transit Fund
(CMTF) support for Rail Operations
and Capital Purposes

**2025 General Assembly
Pre-Session Review**

Background

- There are 3 public transit Rail operators in Virginia: WMATA Rail, Virginia Railway Express (VRE), and Hampton Roads Transit (HRT) Light Rail.
- The Commonwealth Mass Transit Fund (CMTF) is a primary funding source.
- All Rail modes have unique cost structure, operating characteristics, and capital needs very different from bus transit, including federally-mandated safety requirements.
- Virginia Lawmakers have consistently recognized the unique needs of Rail modes by approving designated allocations from the CMTF in addition to other funding (in particular for WMATA and VRE).
- A DRPT study mandated by the General Assembly in run up to “performance based” funding concluded that needs of WMATA Rail, VRE, and HRT Light Rail should be met separately from “rubber wheel” modes.

CMTF* for WMATA and VRE



- 53.5% CMTF for WMATA (Bus and Rail) took effect FY2019 (later altered to current **46.5%**). With this designated percentage, WMATA no longer participates in the main statewide transit operating and capital program (“MERIT”).

WMATA “off the top” FY25 = \$220,003,329

- Special funding for VRE also began in FY2019. A separate funding pool within DRPT’s MERIT program was set aside for VRE Operating support. DRPT justified this due to unique Rail characteristics. However, this approach (which kept VRE in MERIT) was only in effect through FY2024.
- Sponsored by the Youngkin Administration, HB1496 and SB1079 unanimously passed both the House and Senate in 2023. Starting in FY2025, VRE’s MERIT participation ended and was replaced with **up to 3.5%** CMTF for operating and capital needs:

VRE “off the top” FY25 = \$16,264,178

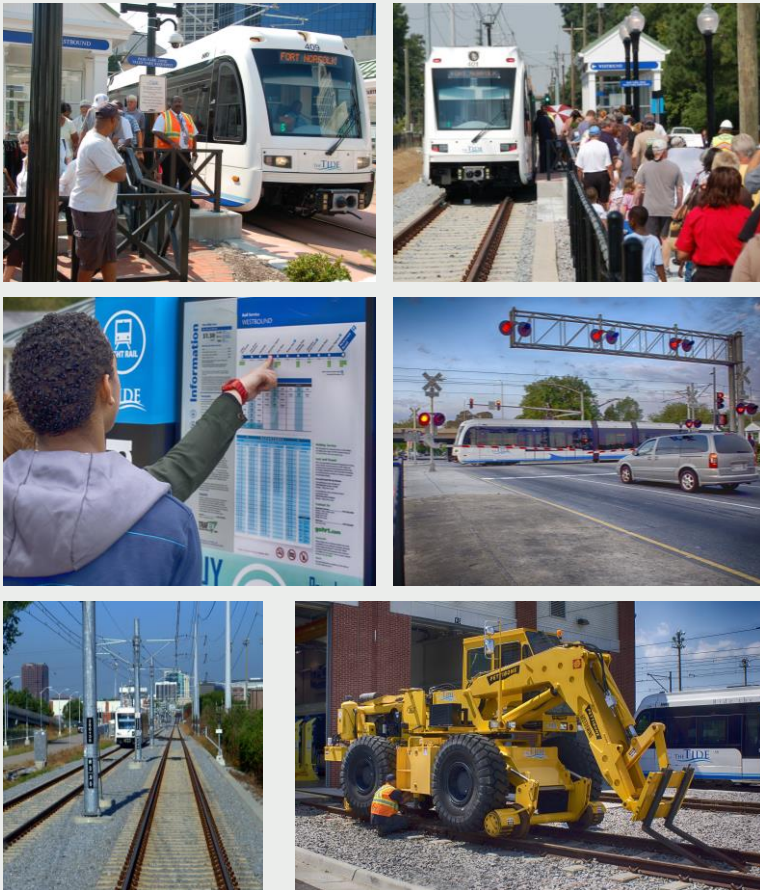
*CMTF references only. Does not include other funding sources supporting Metro/VRE.

CMTF for Light Rail



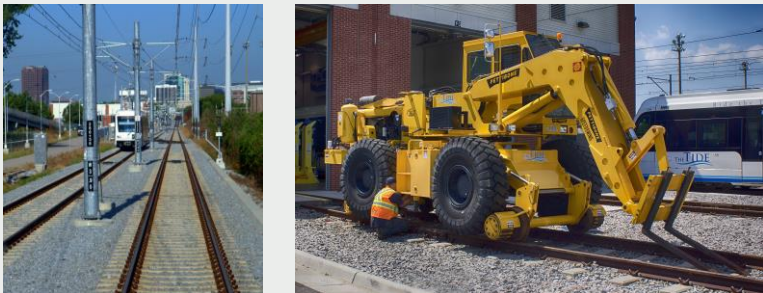
- Light Rail does not currently receive a CMTF percentage allocation.
- Light Rail is lumped in with all bus modes across Virginia in DRPT's MERIT program, unlike how other Rail needs are being addressed.
- HRT Light Rail is Virginia's only such system.
- The Commonwealth was a significant partner in constructing Light Rail.
- As long as Light Rail remains in MERIT, it will continue to be compared against bus systems that share no likeness in operating characteristics, cost structure, and capital needs with no assurance that needs can be adequately planned for and addressed.
- From the main statewide capital program, LRT State of Good Repair (SGR) projects have included \$20.7M funding FY15-25. As the system ages, more projects and increased costs are known.

Light Rail



- Light Rail needs are met with a combination of passenger fares and local, state, and federal funds.
- O&M costs are for routine operations. FY2025 Budget = \$11,855,688 (\$2.2M by temporary federal aid).
- Capital costs cover various components including:
 - Overhead Catenary (Power) Systems
 - Track and Ballast
 - Aerial Structures
 - CBD Traffic Systems
 - Supervisory Control and Data Acquisition (SCADA) / Communications
 - Light Rail Vehicle (LRV) Maintenance
 - LRV Replacement
 - Maintenance Facility Shop Equipment
 - Support Vehicles
 - Systemwide Security and Safety Equipment
 - Right-of-Way and Passenger Stations
 - Ticket Vending Machines
 - Light Rail Support Technology

Light Rail



- Light Rail has been operating since 2011. Ongoing capital investment is required to maintain the system in a safe SGR.
- The cyclical nature of major capital rehabilitation expenses results in capital needs that are more significant as the system fleet approaches mid-life overhaul and end-of-life replacement:

Average Annual Capital Expense by Time Period:

FY2024 – FY2031 (vehicle mid-life overhaul)	\$9,436,962
FY2032 – FY2039	\$6,980,690
FY2040 – FY2048 (vehicle replacement)	\$23,027,730
FY2049 – FY2053	\$10,470,534

- Capital costs FY2024-FY2053, after applying federal 5337 SGR funds and minimum 4% Local (“ACC”) Match:

Net Total Estimated Capital Costs FY24-53 (YOE Dollars):

Total Estimated Capital Costs	\$390,943,461
MINUS: Estimated ACC Contribution	\$15,637,738
MINUS: Section 5337 SGR Program Funds Attributed to LRT Capital	\$53,920,343
Net Total Estimated Capital Costs	\$321,385,379

Light Rail

- Proactively addressing Light Rail with designated CMTF funding (as is the case with VRE and WMATA) will help ensure ongoing SGR and safe operations.
- Unfunded or delayed maintenance results in more costly future projects and undermines system safety and reliability.

Case Study: Light Rail Vehicle mid-life overhaul

- Fleet: Nine (9) Siemens S70 train cars
- Overhaul period began FY23 and continues through FY31
- Two failed procurement attempts without assurance of funding to achieve steady state of work; 10-12% increased costs per vehicle.

