

1 S.229

2 Introduced by Senators Harrison, Bray, Chittenden, Clarkson, Hashim and  
3 White

4 Referred to Committee on

5 Date:

6 Subject: Public transit; nonprofit public transit systems; governing bodies;  
7 municipalities

8 Statement of purpose of bill as introduced: This bill proposes to require,  
9 consistent with statute, that a majority of members of nonprofit public transit  
10 systems be appointed by the legislative bodies of the municipalities served by  
11 the nonprofit public transit system.

12 An act relating to nonprofit public transit systems

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 24 V.S.A. § 5088(3) is amended to read:

15 (3) “Nonprofit public transit system” means a domestic corporation  
16 organized in accordance with Title 11B having:

17 (A) the majority of its governing board appointed by the legislative  
18 body of the municipality or municipalities served;

19 (B) governing board membership be proportional to the population of  
20 the municipalities served if more than one municipality is served;

1           (C) the Secretary of Transportation or designee as an ex officio  
2           nonvoting member; and

3           (D) a function of providing a public transit service or a foreign  
4           nonprofit corporation located in a state ~~which~~ that borders Vermont and  
5           provides public transit services in both Vermont and the bordering state.

6           Sec. 2. NONPROFIT PUBLIC TRANSIT SYSTEMS; GOVERNING  
7           BOARD; AGENCY OF TRANSPORTATION OVERSIGHT

8           (a) Legislative intent. It is the intent of the General Assembly that:

9           (1) all nonprofit public transit systems in Vermont fully comply with  
10          24 V.S.A. chapter 126; and

11          (2) 24 V.S.A. § 5088(3), as amended by Sec. 1 of this act, requires that a  
12          majority of the governing board of each nonprofit public transit system in  
13          Vermont be appointed by the legislative body of the municipality or  
14          municipalities served by the nonprofit public transit system.

15          (b) Bylaws.

16          (1) Any governing boards for a nonprofit public transit system in  
17          Vermont where a majority of the governing board is not appointed by the  
18          legislative body of the municipality or municipalities served by the nonprofit  
19          public transit system shall:

1           (A) adopt amendments to the governing board’s bylaws to fully  
2           comply with 24 V.S.A. chapter 126 and subsection (a) of this section not later  
3           than July 31, 2024; and

4           (B) file a copy of the amended bylaws with the House and Senate  
5           Committees on Transportation not later than November 15, 2024.

6           (2) The present members of the governing board of a nonprofit public  
7           transit system that amends its bylaws as required under subdivision (1) of this  
8           subsection shall remain on the governing board of the nonprofit public transit  
9           system through their present terms and the legislative body of the municipality  
10           or municipalities served by the nonprofit public transit system shall follow the  
11           process dictated by the bylaws of the nonprofit public transit system in effect at  
12           the time a term of office expires.

13           (c) Agency of Transportation oversight. The Agency of Transportation  
14           shall ensure that all nonprofit public transit systems in Vermont are aware of  
15           all applicable State and federal laws, including 24 V.S.A. chapter 126, and  
16           shall, as part of the annual meetings required pursuant to 24 V.S.A. § 5091(a),  
17           provide the oversight necessary to ensure compliance with applicable State and  
18           federal laws.

19           Sec. 3. EFFECTIVE DATES

20           (a) This section and Sec. 2 (governing board compliance) shall take effect  
21           on passage.

- 1           (b) Sec. 1 (24 V.S.A. § 5088(3); definition of nonprofit public transit  
2           system) shall take effect on July 1, 2024.