

## **Act No. 167 (H.872). Transportation; municipal government**

### **An act relating to the State's Transportation Program and miscellaneous changes to the State's transportation laws**

This act adopts the Governor's proposed fiscal year 2015 Transportation Program, with amendments to swap out authorized spending sources, to increase authorized spending authority in the Paving Program, to provide flexibility to transfer appropriations across programs to address 2013–2014 winter-related paving needs and to address rail bridges with insufficient load ratings, to amend a project description, and to add specific projects or activities to the Transportation Buildings, Safety and Traffic Operations, and Rail Programs. This act also amends the 2014 Budget Adjustment Act to allow spending of additional paving appropriations on Class 1 town highways and the fiscal year 2014 Transportation Program to authorize the transfer of appropriations to address 2013–2014 winter-related maintenance needs.

This act also:

#### Positions

- Provides for the conversion of 16 limited service positions to be permanent positions on July 1, 2015.
- Authorizes the Agency of Transportation (Agency) to establish three new positions to carry out the Local Technical Assistance Program.

#### Vermont Local Roads/ Local Technical Assistance Program

- Directs the Agency to transition the Vermont Local Roads Program from Saint Michael's College to the Agency's Transportation Training Center, where it will be known as the Local Technical Assistance Program (LTAP).
- Requires the Agency annually to solicit input from all Vermont municipalities on whether it is effectively carrying out the LTAP and on how to strengthen it.

#### Transfer to Central Garage

- Transfers \$1.12 million from the Transportation Fund to the Central Garage Fund.

#### Cancellation of Projects

- Cancels four State highway bridge projects, six town highway bridge projects, and the Rutland railyard relocation project.

#### Discretionary Federal Grants/Acceptance of Grants

- Requires the Agency to notify the House and Senate Committees on Transportation and the Joint Fiscal Office (JFO) of an award of a federal discretionary grant and authorizes the acceptance of such grants by the Joint Transportation Oversight Committee if the General Assembly is not in session.
- Amends the general law governing acceptance of an original grant or other thing of value in order to address the specific situation of an original federal transportation earmark or grant.

### State Highway Detours

- Amends existing law requiring the Agency to maintain detours when it closes State highways for construction or maintenance purposes to require instead the Agency to maintain detours when a planned closure of a State highway exceeds 72 hours.
- Amends existing law requiring the Agency to maintain detours under any circumstance when the Traffic Committee closes State highways to protect public health, safety, or welfare, to authorize instead the Agency to maintain such detours.
- Clarifies that the Agency may maintain a detour over State or town highways, or both, and provides that if the Agency maintains a detour over a town highway, it is responsible for repairing any damage to the town highway caused by the detoured traffic.

### Proceeds from Sale of Surplus Property

- Eliminates a provision which requires that proceeds of sales of surplus transportation property be specifically credited to the Transportation Buildings Program.

### Consolidated Transportation Report

- Requires the Agency to submit a consolidated transportation system and activities report annually and eliminates several separate transportation reports no longer needed as a result of the consolidated report.

### Vermont Design Standards

- Requires the Agency, prior to updating the Vermont State Standards for the design of transportation facilities, to establish a multidisciplinary Stakeholders Group to provide input in revising the Standards, and to report the Stakeholders Group findings and recommendations to the House and Senate Committees on Transportation on or before March 15, 2015.

### Railroad Scrap

- Adds a definition of “railroad scrap” to the chapter of law that deals with scrap metal processors, and adds “railroad scrap” to the list of metals for which scrap metal processors must follow certain procedures.

### Site Plan Review

- Specifies that when a proposed site plan that requires approval by a municipal panel involves access to a State highway, the site plan approval application must include a letter of intent from the Agency confirming that it has reviewed the site plan and is prepared to issue an access permit, and setting out any access permit conditions.

### Survey Plats

- Fixes an incorrect cross-reference in the law governing survey plats prepared by municipal and State government agencies.

### Notification to Secretary of Proposed Telecommunications Facilities

- Adds the Secretary of Transportation to the list of persons entitled to notice that the Public Service Board has received an application for a certificate of public good for the construction or installation of telecommunications facilities.

This act incorporates by reference the Governor's proposed budget with various amendments, and does not itself include a summary of spending by program. Below is a table summarizing the fiscal year 2015 budget as enacted.

<b>FY15 Transportation Program</b>	
<b>Administration-finance-planning</b>	
Central Admin & Finance	12,593,164
Policy & Planning	11,098,564
Transportation Board	216,900
Department of Motor Vehicles	25,421,075
Sub-total	49,329,703
<b>Facilities</b>	
Rest Areas	850,000
AOT Buildings	2,760,000
Subtotal	3,610,000
<b>Alternate modes</b>	
Public Transit	29,846,921
Aviation	19,948,519
Pedestrian & Bike Facilities	7,914,400
Park & Ride	2,657,035
Multi-Modal Facilities	2,499,519
Rail infrastructure	29,487,271
Amtrak	7,850,000
Subtotal	100,203,665
<b>State Highway Infrastructure</b>	
Maintenance	80,194,917
Paving	115,830,703
Roadway	50,036,081
State bridges	71,810,914
Interstate bridges	51,967,015
Traffic Operations	13,305,213
PD Admin & Tech Services	16,450,593
Subtotal	399,595,436
<b>Town programs</b>	
TH Aid	25,982,744
Town Bridges	16,482,361
TH Class 2	7,248,750
TH Structures	6,333,500

TH Class 1 supplemental grants	128,750
Enhancements	4,156,891
TH State aid nonfederal disasters	1,150,000
TH State aid federal disasters	1,440,000
FEMA grant program	48,630,222
TH VT Local Roads	400,000
Municipal mitigation grants	871,500
Subtotal	112,824,718
<b>Total All Programs</b>	<b>665,563,522</b>
Central Garage internal service funds	20,200,226
<b>Total including internal service funds</b>	<b>685,763,748</b>

Multiple effective dates, beginning on June 2, 2014