1	* * * Naming of Transportation-Related Facilities * * *
2	Sec. 25. 10 V.S.A. § 152 is amended to read:
3	§ 152. AUTHORITY TO NAME ROADS AND GEOGRAPHIC LOCATIONS
4	The board of libraries Board of Libraries is hereby designated the state State agency to name
5	roads and geographic locations including but not limited to mountains, streams, lakes, and ponds
6	upon petition signed by not less than 25 interested persons or by petition of an administrative
7	department of the state State.
8	Sec. 26. 10 V.S.A. § 153 is amended to read:
9	§ 153. PROCEDURE
10	When the board Board receives a petition to act under section 152 of this title it shall give
11	reasonable notice to each administrative department of the state State having jurisdiction of the
12	road or location to be named, and to each town in which the road or location lies of the time and
13	place when it will hear all interested parties.
14	Sec. 27. 19 V.S.A. § 5 is amended to read:
15	§ 5. TRANSPORTATION BOARD; POWERS AND DUTIES
16	(a) The regulatory and quasi-judicial functions relating to transportation shall be vested in the
17	transportation board.
18	(b) Notwithstanding subsection (a) of this section Board, except that the duties and
19	responsibilities of the commissioner of motor vehicles Commissioner of Motor Vehicles in Titles
20	23 and 32, including all quasi-judicial powers, shall continue to be vested in that individual the
21	Commissioner.
22	(b)(1) Except as otherwise authorized by law, the Board is the sole authority responsible for
23	naming transportation facilities owned or maintained by the State, including highways and the

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1	bridges thereon, airports, rail facilities, rest areas, and welcome centers. The Board shall
2	exercise its naming authority only upon request from the legislative body of a municipality of the
3	State, the head of an Executive Branch agency or department of the State, or the Vermont Senate
4	or House of Representatives.
5	(2) The Board shall hold a public hearing for each facility requested to be named, and give
6	reasonable notice thereof to the requester and to the municipality in which the facility is located.
7	The Board shall adopt rules governing the conduct of hearings and the standards to be applied in
8	rendering decisions under this subsection, and on any other matter necessary for the just
9	disposition of naming requests. The Board shall issue a decision, which shall subject to review
10	on the record by a Superior Court pursuant to Rule 74 of the Vermont Rules of Civil Procedure.
11	The Board may delegate the responsibility to hold a hearing to a hearing officer or a single Board
12	member, subject to the procedure of subsection (c) of this section, but shall not be bound by 3
13	V.S.A. chapter 25 in carrying out its duties under this subsection.
14	(c) The board Board may delegate the responsibility to hear quasi-judicial matters, and other
15	matters as it may deem appropriate, to a hearing examiner or a single board Board member, to
16	hear a case and make findings in accordance with chapter 25 of Title 3, except that highway
17	condemnation proceedings shall be conducted pursuant to the provisions of chapter 5 of this title.
18	A hearing examiner or single board Board member so appointed shall report his or her findings
19	of fact in writing to the board Board. Any order resulting therefrom shall be rendered only by a
20	majority of the board Board. Final orders of the board Board may be reviewed on the record by
21	the superior court a Superior Court pursuant to Rule 74 of the Vermont Rules of Civil Procedure.
22	* * *
23	Sec. #. EFFECTIVE DATES

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1	This act shall take effect on July 1, 2015, except that:
2	(a) Sec. 21 (administration of certain Clean Water Fund monies through the Municipal
3	Mitigation Grant Program) shall take effect if and when the Clean Water Fund is established; and
4	(b) Secs. 25–27 (authority of Transportation Board to name State transportation facilities)
5	shall take effect January 1, 2016.
6	* * * Railroad Standards * * *
7	Sec. 17. 5 V.S.A. § 3670 is amended to read:
8	§ 3670. CLEARANCE STANDARDS; VARIANCE
9	(a) No Except as provided in this section, a person shall not construct, alter, or permit
10	construction or alteration of a railroad track, railroad bridge, or structure over or adjacent to any
11	railroad track unless the clearances provided equal or exceed the minimum standards set forth in
12	the American Railway Engineering and Maintenance-of-Way Association's Manual for Railway
13	Engineering, as in effect at the time work begins.
14	(b) Subject to the approval of the transportation board, a \underline{A} variance from the standards
15	established by this section may be established by written agreement of the agency of
16	transportation Agency of Transportation, all involved railroad companies, and any affected
17	municipality.
18	(c) If the parties are unable to agree on a variance request, the transportation board
19	Transportation Board, after notice and hearing, may grant a variance from the standards
20	established by this section if the board Board determines that:
21	(1) the agency of transportation Agency of Transportation, all involved railroad
22	companies, and any affected municipality have had an opportunity to review and comment on
23	the variance request;

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1	(2) granting the variance will not significantly impair the safe, efficient, continuous
2	movement of freight, passengers, and railroad equipment on the state's State's railroad system or
3	the safe, efficient performance of railroad maintenance operations; and
4	(3) the costs and impacts associated with meeting the clearance standards established by
5	this section would exceed any public benefits reasonably likely to flow from adhering to such
6	standards.
7	(d) Notwithstanding this section, tracks, bridges, and structures lawfully in existence (or
8	already under construction) on the effective date of this act on July 1, 1990, may continue to be
9	used and repaired, provided that clearances are not further reduced.

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