

1 *Requested by Sen. Bray*

2 TO THE HONORABLE SENATE:

3 The Committee on Natural Resources and Energy to which was referred
4 House Bill No. 410 entitled “An act relating to adding products to Vermont’s
5 energy efficiency standards for appliances and equipment” respectfully reports
6 that it has considered the same and recommends that the Senate propose to the
7 House that the bill be amended by striking out all after the enacting clause and
8 inserting in lieu thereof the following:

9 * * * Appliance Efficiency * * *

10 Sec. 1. PURPOSE

11 (a) In 9 V.S.A. § 2792, the General Assembly found that efficiency
12 standards for products sold or installed in the State provide benefits to
13 consumers and businesses, including saving money on utility bills, saving
14 energy and thereby reducing the environmental impacts of energy
15 consumption, reducing or delaying the need for new power plants and
16 upgrades to the electric transmission and distribution system, and allowing the
17 energy cost savings to be spent on other goods and services within the State’s
18 economy.

19 (b) The purpose of this act is to obtain the benefits found in 9 V.S.A.
20 § 2792 for the following products to which the State’s efficiency standards
21 under 9 V.S.A. chapter 74 do not currently apply: air compressors,

1 commercial dishwashers, commercial fryers, commercial hot-food holding
2 cabinets, commercial steam cookers, computers and computer monitors,
3 faucets, high color rendering index fluorescent lamps, portable air
4 conditioners, portable electric spas, residential ventilating fans, showerheads,
5 spray sprinkler bodies, ~~telephones~~, uninterruptible power supplies, urinals,
6 ~~water closets~~, and water coolers.

7 Sec. 2. 9 V.S.A. § 2793 is amended to read:

8 § 2793. DEFINITIONS

9 As used in this chapter:

10 * * *

11 (16) With respect to air compressors, the following definitions apply:

12 (A) “Air compressor” means a compressor that is designed to
13 compress air that has an inlet open to the atmosphere or other source of air and
14 that consists of the bare compressor, also known as the compression element;
15 one or more drivers; mechanical equipment to drive the compression element;
16 and any ancillary equipment.

17 (B) “Compressor” means a machine or apparatus that converts
18 different types of energy into the potential energy of gas pressure for
19 displacement and compression of gaseous media to any higher-pressure values
20 above atmospheric pressure and has a pressure ratio at full-load operating
21 pressure greater than 1.3.

1 (17) “Commercial dishwasher” means a machine designed to clean and
2 sanitize plates, pots, pans, glasses, cups, bowls, utensils, and trays by applying
3 sprays of detergent solution, with or without blasting media granules, and a
4 sanitizing rinse. The phrase “commercial dishwasher” does not include
5 dishwashers intended for consumer use as defined in 10 C.F.R. § 430.2.

6 (18) “Commercial fryer” means an appliance, including a cooking
7 vessel, in which oil is placed to such a depth that the cooking food is supported
8 by displacement of the cooking fluid rather than by the bottom of the vessel.
9 Heat is delivered to the cooking fluid by means of an immersed electric
10 element of band-wrapped vessel or by heat transfer from gas burners either
11 through the walls of the fryer or through tubes passing through the cooking
12 fluid.

13 (19) “Commercial hot-food holding cabinet” means a heated, fully
14 enclosed compartment with one or more solid or transparent doors designed to
15 maintain the temperature of hot food that has been cooked using a separate
16 appliance. The phrase “commercial hot-food holding cabinet” does not include
17 heated glass merchandizing cabinets, drawer warmers, or cook-and-hold
18 appliances.

19 (20) “Commercial steam cooker” means a device with one or more
20 food-steaming compartments in which the energy in the steam is transferred to

1 the food by direct contact. A commercial steam cooker may also be known as
2 a compartment steamer.

3 (21) “Computer” means a device that performs logical operations and
4 processes data, whether or not input devices or displays are included when the
5 device is shipped.

6 (A) At a minimum, a computer includes:

7 (i) a central processing unit (CPU) to perform operations or, if no
8 CPU is present, then the device functions as a client gateway to a server, and
9 the server acts as a computational CPU;

10 (ii) the ability to support user input devices such as a keyboard,
11 mouse, or touch pad; and

12 (iii) an integrated display screen or the ability to support an
13 external display screen to output information.

14 (B) The term “computer” includes both stationary and portable units
15 and includes a desktop computer, a portable all-in-one, a notebook computer, a
16 mobile gaming system, a high-expandability computer, a small-scale server, a
17 thin client, and a workstation.

18 (C) The term “computer” does not include a tablet, a game console, a
19 television, a device with an integrated and primary display that has a screen
20 size of 20 square inches or less, a server other than a small-scale server, or an
21 industrial computer.

1 (22) “Computer monitor” means an analog or digital device composed
2 of a display screen and associated electronics that has a diagonal screen size
3 greater than or equal to 17 inches and less than or equal to 61 inches, that has a
4 pixel density of greater than 5,000 pixels per square inch (psi), and that is
5 designed primarily for the display of computer-generated signals for viewing
6 by one person in a desk-based environment. The term “computer monitor”
7 does not include:

8 (A) displays with integrated or replaceable batteries designed to
9 support primary operation without AC mains or external DC power, such as
10 electronic readers, mobile phones, tablets, battery-powered digital picture
11 frames; or

12 (B) a television or signage display.

13 (23) “ENERGY STAR Program” means the federal program initiated by
14 the U.S. Environmental Protection Agency pursuant to 42 U.S.C. § 7403(g)
15 that includes certification of energy-saving products, buildings, and tools, and
16 includes other resources for saving energy.

17 (24) With respect to faucets and showerheads, the following definitions
18 apply:

19 (A) “Faucet” means a lavatory faucet, kitchen faucet, metering
20 faucet, public lavatory faucet, or replacement aerator for a lavatory, public
21 lavatory, or kitchen faucet. As used in this subdivision (24)(A):

1 (i) “Metering faucet” means a fitting that, when turned on, will
2 gradually shut itself off over a period of several seconds.

3 (ii) “Public lavatory faucet” means a fitting intended to be
4 installed in nonresidential bathrooms that are exposed to walk-in traffic.

5 (iii) “Replacement aerator” means an aerator sold as a
6 replacement, separate from the faucet to which it is intended to be attached.

7 (B) “Showerhead” means an accessory to a supply fitting for
8 spraying water onto a bather, typically from an overhead position. The term
9 includes a body spray and handheld shower. As used in this subdivision
10 (24)(B):

11 (i) “Body spray” means a shower device for spraying water onto a
12 bather other than from the overhead position.

13 (ii) “Handheld shower” means a showerhead that can be held or
14 fixed in place for the purpose of spraying water onto a bather and that is
15 connected to a flexible hose.

16 (25) “High color rendering index (CRI) fluorescent lamp” means a
17 fluorescent lamp with a color rendering index of 87 or greater that is not a
18 compact fluorescent lamp.

19 (26) “Portable electric spa” means a factory-built electric spa or hot tub,
20 which may or may not include any combination of integral controls, water
21 heating, or water circulating equipment.

1 (27) With respect to portable air conditioners, the following definitions
2 apply:

3 (A) “Portable air conditioner” means a portable encased assembly,
4 other than a packaged terminal air conditioner, room air conditioner, or
5 dehumidifier, that includes a source of refrigeration; delivers cooled,
6 conditioned air to an enclosed space; and is powered by single-phase electric
7 current. The assembly may include additional means for air circulation and
8 heating and may be a single-duct or a dual-duct portable air conditioner.

9 (B) “Single-duct portable air conditioner” means a portable air
10 conditioner that draws all of the condenser inlet air from the conditioned space
11 without the means of a duct and discharges the condenser outlet air outside the
12 conditioned space through a single duct attached to an adjustable window
13 bracket.

14 (C) “Dual-duct portable air conditioner” means a portable air
15 conditioner that draws some or all of the condenser inlet air from outside the
16 conditioned space through a duct attached to an adjustable window bracket,
17 may draw additional condenser inlet air from the conditioned space, and
18 discharges the condenser outlet air outside the conditioned space by means of a
19 separate duct attached to an adjustable window bracket.

20 (28) “Residential ventilating fan” means a ceiling, wall-mounted, or
21 remotely mounted in-line fan designed to be used in a bathroom or utility

1 room, or a kitchen range hood, whose purpose is to move air from inside the
2 building to the outdoors.

3 (29) With respect to spray sprinkler bodies, the following definitions
4 apply:

5 (A) “Pressure regulator” means a device that maintains constant
6 operating pressure immediately downstream from the device, given higher
7 pressure upstream.

8 (B) “Spray sprinkler body” means the exterior case or shell of a
9 sprinkler incorporating a means of connection to the piping system designed to
10 convey water to a nozzle or orifice.

11 (30) “Telephone” means an electronic product whose primary
12 purpose is to transmit and receive sound over a distance using a voice or
13 data network. The term does not include a cellular telephone as defined in
14 the “ENERGY STAR Program Product Specification for Telephony,”
15 Version 3.0.

16 (31) “Uninterruptible power supply” means a battery charger consisting
17 of a combination of convertors, switches, and energy storage devices, such as
18 batteries, constituting a power system that maintains continuity of load power
19 in case of input power failure.

20 (31) With respect to urinals and water closets, the following definitions
21 apply:

1 ~~(A) “Dual-flush effective flush volume” means the average flush~~
2 ~~volume of two reduced flushes and one full flush.~~

3 ~~(B) “Dual-flush water closet” means a water closet incorporating~~
4 ~~a feature that allows the user to flush the water closet with either a~~
5 ~~reduced or a full volume of water.~~

6 ~~(C) “Plumbing fixture” means an exchangeable device that connects~~
7 ~~to a plumbing system to deliver and drain away water and waste.~~

8 ~~(B) “Urinal” means a plumbing fixture that receives only liquid body~~
9 ~~waste and conveys the waste through a trap into a drainage system.~~

10 ~~(E) “Water closet” means a plumbing fixture having a water-~~
11 ~~containing receptor that receives liquid and solid body waste through an~~
12 ~~exposed, integral trap into a drainage system.~~

13 ~~(C) “Trough-type urinal” means a urinal designed for simultaneous~~
14 ~~use by two or more persons.~~

15 ~~(32) With respect to water coolers, the following definitions apply:~~

16 ~~(A) “Cold-only unit” means a water cooler that dispenses cold~~
17 ~~water only.~~

18 ~~(B) “Cook and cold unit” means a water cooler that dispenses both~~
19 ~~cold and room-temperature water.~~

1 (C) “Hot and cold unit” means a water cooler that dispenses both hot
2 and cold water. A hot and cold unit also may dispense room-temperature
3 water.

4 (D) “On demand” means that a water cooler heats water as it is
5 requested, which typically takes a few minutes to deliver.

6 (E) “Storage-type” means that a water cooler stores thermally
7 conditioned water in a tank and the conditioned water is available
8 instantaneously. Storage-type water coolers include point-of-use, dry storage
9 compartment, and bottled water coolers.

10 (F) “Water cooler” means a freestanding device that consumes
11 energy to cool or heat potable water, or both.

12 Sec. 3. 9 V.S.A. § 2794 is amended to read:

13 § 2794. SCOPE

14 (a) The provisions of this chapter apply to the following types of new
15 products sold, offered for sale, or installed in the State:

- 16 (1) Medium voltage dry-type distribution transformers.
- 17 (2) Metal halide lamp fixtures.
- 18 (3) Residential furnaces and residential boilers.
- 19 (4) Single-voltage external AC to DC power supplies.
- 20 (5) State-regulated incandescent reflector lamps.
- 21 (6) General service lamps.

- 1 (7) Air compressors.
- 2 (8) Commercial dishwashers.
- 3 (9) Commercial fryers.
- 4 (10) Commercial hot-food holding cabinets.
- 5 (11) Commercial steam cookers.
- 6 (12) Computers and computer monitors.
- 7 (13) Faucets.
- 8 (14) High CRI fluorescent lamps.
- 9 (15) Portable air conditioners.
- 10 (16) Portable electric spas.
- 11 (17) Residential ventilating fans.
- 12 (18) Showerheads.
- 13 (19) Spray sprinkler bodies.
- 14 (20) **Telephones.**
- 15 ~~(21)~~ Uninterruptible power supplies.
- 16 (21) Urinals.
- 17 ~~(23)~~ **Water closets.**
- 18 (22) Water coolers.
- 19 (23) Each other product for which the Commissioner is required to
- 20 adopt an efficiency or water conservation standard by rule pursuant to
- 21 section 2795 of this title.

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(C) For purposes of this subdivision (4), the efficiency of single-voltage external AC to DC power supplies shall be measured in accordance with the test methodology specified by the ~~U.S. Environmental Protection Agency's Energy Star~~ ENERGY STAR Program, "Test Method for Calculating the Energy Efficiency of Single-Voltage External AC-DC and AC-AC Power Supplies (August 11, 2004)."

* * *

(6) In the rules, the Commissioner shall adopt minimum efficiency and water conservation standards for each product that is subject to a standard under 10 C.F.R. §§ 430 and 431 as those provisions existed on January 19, 2017. The minimum standard and the testing protocol for each product shall be the same as adopted in those sections of the Code of Federal Regulations, except that for faucets, showerheads, and urinals, and water closets, the minimum standard and testing protocol shall be as otherwise set forth in this section.

(7) In the rules, the Commissioner shall adopt a minimum efficacy standard for general service lamps of 45 lumens per watt, when tested in accordance with 10 C.F.R. § 430.23(gg) as that provision existed on January 19, 2017.

1 (8) In this subdivision (8), “final rule” means the document setting forth
2 a final action by the U.S. Department of Energy (DOE) with respect to a final
3 rule for “Energy Conservation Standards for Air Compressors,” docket no.
4 EERE-2013-BT-STD-0040, approved by DOE on December 5, 2016. Air
5 compressors that meet the 12 criteria to be codified under 10 C.F.R.
6 § 431.345(a) and set forth on pages 350 to 351 of the final rule shall meet the
7 requirements contained in Table 1 on page 352 of the final rule using the
8 instructions to be codified under 10 C.F.R. § 431.345(b) and set forth on page
9 353 of the final rule. Compliance with these requirements shall be measured in
10 accordance with 10 C.F.R. Part 431, Subpart T, Appendix A, entitled “Uniform
11 Test Method for Certain Air Compressors,” as in effect on July 3, 2017.

12 (9) Commercial dishwashers included in the scope of the “ENERGY
13 STAR Program Requirements Product Specification for Commercial
14 Dishwashers,” Version 2.0, shall meet the qualification criteria of that
15 specification.

16 (10) Commercial fryers included in the scope of the “ENERGY STAR
17 Program Requirements Product Specification for Commercial Fryers,” Version
18 2.0, shall meet the qualification criteria of that specification.

19 (11) Commercial hot-food holding cabinets shall have a maximum idle
20 energy rate of 40 watts per cubic foot of interior volume, as determined by the
21 “idle energy rate-dry test” in ASTM F2140-11, “Standard Test Method for

1 Performance of Hot-Food Holding Cabinets,” ASTM International (2011).
2 Interior volume shall be measured as prescribed in the “ENERGY STAR
3 Program Requirements Product Specification for Commercial Hot-Food
4 Holding Cabinets,” Version 2.0.

5 (12) Commercial steam cookers shall meet the requirements of the
6 “ENERGY STAR Program Requirements Product Specification for
7 Commercial Steam Cookers,” Version 1.2.

8 (13) Computers and computer monitors shall meet the requirements of
9 20 California Code of Regulations (C.C.R.) § 1605.3(v) and compliance with
10 these requirements shall be measured in accordance with test methods
11 prescribed in 20 C.C.R. § 1604(v). **For the purposes of this subdivision (13),**
12 **terms used in those portions of the C.C.R. shall be as defined in 20 C.C.R.**
13 **§ 1602.** The referenced portions of the C.C.R. shall be those adopted on or
14 before the effective date of this section. **However, the Commissioner shall**
15 **have authority to amend the rules so that the minimum efficiency**
16 **standards for computers and computer monitors conform to subsequently**
17 **adopted modifications to the referenced sections of the C.C.R.**

18 (14) Faucets, except for metering faucets, and showerheads shall meet
19 the standards set forth in this subdivision (14) when tested in accordance with
20 10 C.F.R. Part 430, Subpart B, Appendix S, entitled “Uniform Test Method for

1 Measuring the Water Consumption of Faucets and Showerheads,” as in effect
2 on January 3, 2017.

3 (A) Lavatory faucets and replacement aerators shall not exceed a
4 maximum flow rate of 1.5 gallons per minute (gpm) at 60 pounds per square
5 inch (psi).

6 (B) Residential kitchen faucets and replacement aerators shall not
7 exceed a maximum flow rate of 1.8 gpm at 60 psi, with optional temporary
8 flow of 2.2 gpm, provided they default to a maximum flow rate of 1.8 gpm at
9 60 psi after each use.

10 (C) Public lavatory faucets and replacement aerators shall not exceed
11 a maximum flow rate of 0.5 gpm at 60 psi.

12 (D) Showerheads shall not exceed a maximum flow rate of 2.0 gpm
13 at 80 psi.

14 (15) High CRI fluorescent lamps shall meet the minimum efficacy
15 requirements contained in 10 C.F.R. § 430.32(n)(4) as that subdivision existed
16 on January 3, 2017. Compliance with requirements shall be measured in
17 accordance with 10 C.F.R. Part 430, Subpart B, Appendix R, entitled
18 “Uniform Test Method for Measuring Average Lamp Efficacy (LE), Color
19 Rendering Index (CRI), and Correlated Color Temperature (CCT) of Electric
20 Lamps,” as that appendix existed on January 3, 2017.

1 (16) Urinals ~~and water closets~~, other than those ~~trough-type urinals~~
2 ~~and urinals~~ designed and marketed exclusively for use at prisons or mental
3 health facilities, shall ~~meet the standards set forth in this subdivision (16)~~ have
4 ~~a maximum flush volume of 0.5 gallons per flush~~ when tested in accordance
5 with 10 C.F.R. Part 430, Subpart B, Appendix T, entitled “Uniform Test
6 Method for Measuring the Water Consumption of Water Closets and Urinals,”
7 as in effect on January 3, 2017 and shall pass the waste extraction test for
8 water closets set forth in Sec. 7.10 of the American Society of Mechanical
9 Engineers (ASME) standard A112.19.2-2013/CSA B.45.1, as that standard
10 exists on the effective date of this section.

11 ~~(A) Urinals, except for trough-type urinals, shall have a~~
12 ~~maximum flush volume of 0.5 gallons per flush.~~

13 ~~(B) Water closets, except for dual-flush tank-type water closets,~~
14 ~~shall have a maximum flush volume of 1.28 gallons per flush.~~

15 ~~(C) Dual-flush tank-type water closets shall have a maximum~~
16 ~~dual-flush effective flush volume of 1.28 gallons per flush.~~

17 (17) Portable air conditioners shall have a Combined Energy Efficiency
18 Ratio (CEER), that is greater than or equal to: $1.04 \times [\text{SACC}/(3.7177 \times$
19 $\text{SACC}^{0.6384})]$.

20 (A) In this subdivision (17), “SACC” means seasonally adjusted
21 cooling capacity expressed in British thermal units per hour.

1 (B) The CEER shall be measured in accordance with 10 C.F.R. Part
2 430, Subpart B, Appendix CC, entitled “Uniform Test Method for Measuring
3 the Energy Consumption of Portable Air Conditioners,” as in effect on
4 January 3, 2017.

5 (18) Portable electric spas shall meet the requirements of the American
6 National Standard for Portable Electric Spa Energy Efficiency,
7 ANSI/APSP/ICC-14 2014, as that standard exists on the effective date of this
8 section.

9 (19) Residential ventilating fans shall meet the qualification criteria of
10 the “ENERGY STAR Program Requirements Product Specification for
11 Residential Ventilating Fans,” Version 3.2.

12 (20) Spray sprinkler bodies shall include an integral pressure regulator
13 and shall meet the water efficiency and performance criteria and other
14 requirements of the Environmental Protection Agency’s “WaterSense
15 Specification for Spray Sprinkler Bodies,” Version 1.0. However, this
16 subdivision (20) shall not apply to spray sprinkler bodies that are specifically
17 excluded from the scope of that specification.

18 (21) **Telephones included in the scope of the “ENERGY STAR**
19 **Program Product Specification for Telephony,” Version 3.0, shall meet the**
20 **certification criteria of that specification, except that the performance**

1 requirements for external power supplies in section 3.2.2 of the
2 specification shall not apply.

3 (22) In this subdivision (21), “final rule” means the document setting
4 forth a final action by DOE with respect to a final rule for “Energy
5 Conservation Standards for Uninterruptible Power Supplies,” docket no.
6 EERE-2016-BT-STD-0022, approved by DOE on December 28, 2016.
7 Uninterruptible power supplies that use a National Electrical Manufacturer
8 Association (NEMA) 1-15P or 5-15P input plug and have an alternating
9 current (AC) output shall have an average load-adjusted efficiency that meets
10 or exceed the values shown to be codified under 10 C.F.R. § 430.32(z)(3) and
11 set forth on pages 193–194 of the final rule. Compliance with these
12 requirements shall be measured in accordance with 10 C.F.R. Part 430,
13 Subpart B, Appendix Y, entitled “Uniform Test Method for Measuring the
14 Energy Consumption of Battery Chargers,” as in effect on January 11, 2017.

15 (22) Water coolers included in the scope of the “ENERGY STAR
16 Program Requirements Product Specification for Water Coolers,” Version 2.0,
17 shall have “on mode with no water draw” energy consumption less than or
18 equal to the following values, measured in accordance with the test
19 requirements of that specification:

20 (A) 0.16 kilowatt-hours (kWh) per day for cold-only units and cook
21 and cold units;

1 (1) On or after July 1, 2020, no new air compressor, commercial
2 dishwasher, commercial fryer, commercial hot-food holding cabinet,
3 commercial steam cooker, computer or computer monitor, faucet, high CRI
4 fluorescent lamp, ~~portable air conditioner~~, portable electric spa, residential
5 ventilating fan, showerhead, spray sprinkler body, ~~telephone~~, uninterruptible
6 power supply, urinal, ~~water closet~~, or water cooler may be sold or offered for
7 sale, lease, or rent in the State unless the efficiency of the new product meets
8 or exceeds the efficiency standards set forth in the rules adopted pursuant to
9 section 2795 of this title.

10 (2) No new portable air conditioner may be sold or offered for sale,
11 lease, or rent in the State unless the efficiency of the new product meets or
12 exceeds the efficiency standards set forth in the rules adopted pursuant to
13 section 2795 of this title:

14 (A) on or after February 1, 2022, if prior to January 1, 2019 the
15 U.S. Department of Energy (USDOE) has not published a final rule in the
16 Federal Register establishing efficiency standards for portable air
17 conditioners or USDOE has published such a rule and the rule has been
18 repealed, voided, or retracted; or

19 (B) on or after the date as of which portable air conditioners are
20 required to comply with USDOE rules establishing efficiency standards
21 for those air conditioners, if prior to January 1, 2019, USDOE has

1 **published a final rule establishing such standards in the Federal Register**
2 **and the rule has not been repealed, voided, or retracted.**

3 (3) The prohibitions set forth in subdivisions (1) and (2) of this
4 subsection shall not apply to a product that the seller or lessor purchased on or
5 before June 30, 2020 or, in the case of portable air conditioners, before the
6 **first date on which compliance is required under subdivision (2).**

7 * * *

8 (f)(1) When federal preemption under 42 U.S.C. § 6297 applies to a
9 standard adopted pursuant to this chapter for a product, the standard shall
10 become enforceable on the occurrence of the earliest of the following:

11 (A) The federal energy or water conservation standard for the product
12 under 42 U.S.C. chapter 77 is withdrawn, repealed, or otherwise voided.

13 However, this subdivision (A) shall not apply to any federal energy or water
14 conservation standard set aside by a court of competent jurisdiction upon the
15 petition of a person who will be adversely affected, as provided in 42 U.S.C.

16 § 6306(b).

17 (B) A waiver of federal preemption is issued pursuant to 42 U.S.C.
18 § 6297.

19 (2) The federal standard for general service lamps shall be considered to
20 be withdrawn, repealed, or otherwise voided within the meaning of this

1 subsection if it does not come into effect on January 20, 2020 pursuant to the
2 actions published at 82 Fed. Reg. 7276 and 7333 (January 19, 2017).

3 (3) When a standard adopted pursuant to this chapter becomes
4 enforceable under this subsection, a person shall not sell or offer for sale in the
5 State a new product subject to the standard unless the efficiency or water
6 conservation of the new product meets or exceeds the requirements set forth in
7 the standard.

8 Sec. 6. RULEMAKING

9 On or before May 1, 2019, the Commissioner of Public Service shall file
10 with the Secretary of State proposed rules to implement Secs. 2 through 4 of
11 this act.

12 * * * Energy Planning * * *

13 Sec. 7. 30 V.S.A. § 202b is amended to read:

14 § 202b. STATE COMPREHENSIVE ENERGY PLAN

15 (a) The Department of Public Service, in conjunction with other State
16 agencies designated by the Governor, shall prepare a State Comprehensive
17 Energy Plan covering at least a 20-year period. The Plan shall seek to
18 implement the State energy policy set forth in section 202a of this title and
19 shall be consistent with the relevant goals of 24 V.S.A. § 4302. The Plan shall
20 include:

1 (1) a comprehensive analysis and projections regarding the use, cost,
2 supply, and environmental effects of all forms of energy resources used within
3 Vermont;

4 (2) recommendations for State implementation actions, regulation,
5 legislation, and other public and private action to carry out the Comprehensive
6 Energy Plan, including recommendations for State agency energy plans under
7 3 V.S.A. § 2291 and transportation planning under Title 19; and

8 (3) recommendations for regional and municipal energy planning and
9 standards for issuing a determination of energy compliance pursuant to
10 24 V.S.A. § 4352.

11 * * *

12 (e) The Commissioner of Public Service (Commissioner) shall file an
13 annual report on progress in meeting the goals of the Plan. The report shall
14 address each of the following sectors of energy consumption in the State:
15 electricity, nonelectric fuels for thermal purposes, and transportation. In
16 preparing the report, the Commissioner shall consult with the Secretaries of
17 Administration, of Agriculture, Food and Markets, of Natural Resources, and
18 of Transportation and the Commissioner of Buildings and General Services.

19 (1) The Commissioner shall file the report on or before January 15 of
20 each year, commencing in 2019. The provisions of 2 V.S.A. § 20(d) shall not
21 apply to this report.

1 (2) The Commissioner shall file the report with the House Committees
2 on Energy and Technology and on Natural Resources, Fish, and Wildlife and
3 with the Senate Committees on Finance and on Natural Resources and Energy.

4 (3) For each sector, the report shall provide:

5 (A) In millions of British thermal units (MMBTUs) for the most
6 recent calendar year for which data are available, the total amount of energy
7 consumed, the amount of renewable energy consumed, and the percentage of
8 renewable energy consumed. For the electricity sector, the report shall also
9 state the amounts in megawatt hours (MWH) and the Vermont and New
10 England summer and winter peak electric demand, including the hour and day
11 of peak demand.

12 (B) Projections of the energy reductions and shift to renewable
13 energy expected to occur under existing policies, technologies, and markets.
14 The most recent available data shall be used to inform these projections and
15 shall be provided as a supplement to the data described in subdivision (A) of
16 this subdivision (3).

17 (C) Recommendations of policies to further the renewable energy
18 goals set forth in statute and the Plan, along with an evaluation of the relative
19 cost-effectiveness of different policy approaches.

20 (4) The report shall include a supplemental analysis setting forth how
21 progress toward the goals of the Plan is supported by complementary work in

1 avoiding or reducing energy consumption through efficiency and demand
2 reduction. In this subdivision (4), “demand reduction” includes dispatchable
3 measures, such as controlling appliances that consume energy, and
4 nondispatchable measures, such as weatherization.

5 (5) The report shall include recommendations on methods to enhance
6 the process for planning, tracking, and reporting progress toward meeting
7 statutory energy goals and the goals of the Plan. Such recommendations may
8 include the consolidation of one or more periodic reports filed by the
9 Department or other State agencies relating to renewable energy, with
10 proposals for amending the statutes relevant to those reports.

11 (6) The report shall include a summary of the following information for
12 each sector:

13 (A) major changes in relevant markets, technologies, and costs;

14 (B) average Vermont prices compared to the other New England
15 states, based on the most recent available data; and

16 (C) significant Vermont and federal incentive programs that are
17 relevant to one or more of the sectors.

1 Sec. 8. 30 V.S.A. § 218c is amended to read:

2 § 218c. LEAST-COST INTEGRATED PLANNING

3 * * *

4 (b) Each regulated electric or gas company shall prepare and implement a
5 least-cost integrated plan for the provision of energy services to its Vermont
6 customers. At least every third year on a schedule directed by the Public
7 Utility Commission, each such company shall submit a proposed plan to the
8 Department of Public Service and the Public Utility Commission. The
9 Commission, after notice and opportunity for hearing, may approve a
10 company's least-cost integrated plan if it determines that the company's plan
11 complies with the requirements of subdivision (a)(1) of this section and of
12 sections 8004 and 8005 of this title and the recommendations of the
13 Comprehensive Energy Plan issued under section 202b of this title.

14 * * *

15 Sec. 9. 19 V.S.A. § 10b is amended to read:

16 § 10b. STATEMENT OF POLICY; GENERAL

17 (a) The Agency shall be the responsible agency of the State for the
18 development of transportation policy. It shall develop a mission statement to
19 reflect:

20 (1) that State transportation policy shall be to encompass, coordinate,
21 and integrate all modes of transportation and to consider “complete streets”

1 principles, which are principles of safety and accommodation of all
2 transportation system users, regardless of age, ability, or modal preference; and

3 (2) the need for transportation projects that will improve the State’s
4 economic infrastructure, as well as the use of resources in efficient,
5 coordinated, integrated, cost-effective, and environmentally sound ways, and
6 that will be consistent with the recommendations of the Comprehensive
7 Energy Plan (CEP) issued under 30 V.S.A. § 202b.

8 (b) The Agency shall coordinate planning and education efforts with those
9 of the Vermont Climate Change Oversight Committee and those of local and
10 regional planning entities:

11 (1) to ~~assure~~ ensure that the transportation system as a whole is
12 integrated, that access to the transportation system as a whole is integrated, and
13 that statewide, local, and regional conservation and efficiency opportunities
14 and practices are integrated; and

15 (2) to support ~~employer~~ employer-led or local or regional government-
16 led conservation, efficiency, rideshare, and bicycle programs and other
17 innovative transportation advances, especially employer-based incentives.

18 (c) In developing the State’s annual Transportation Program, the Agency
19 shall, consistent with the planning goals listed in 24 V.S.A. § 4302 as amended
20 by 1988 Acts and Resolves No. 200 and with appropriate consideration to
21 local, regional, and State agency plans:

1 (c) Transportation ~~program~~ Program. The ~~transportation program~~
2 Transportation Program shall be developed in a fiscally responsible manner to
3 accomplish the following objectives:

4 (1) ~~Managing~~ managing, maintaining, and improving the ~~state's~~ State's
5 existing transportation infrastructure to provide capacity, safety, and flexibility
6 in the most cost-effective and efficient manner;

7 (2) ~~Developing~~ developing an integrated transportation system that
8 provides Vermonters with transportation choices;

9 (3) ~~Strengthening~~ strengthening the economy, protecting the quality of
10 the natural environment, and improving Vermonters' quality of life; and

11 (4) achieving the recommendations of the CEP.

12 * * *

13 Sec. 11. 3 V.S.A. § 2291 is amended to read:

14 § 2291. STATE AGENCY ENERGY PLAN

15 * * *

16 (c) The Secretary of Administration with the cooperation of the
17 Commissioners of Public Service and of Buildings and General Services shall
18 develop and oversee the implementation of a State Agency Energy Plan for
19 State government. The Plan shall be adopted by June 30, 2005, modified as
20 necessary, and readopted by the Secretary on or before January 15, 2010 and
21 each sixth year subsequent to 2010. The Plan shall be consistent with the

1 Comprehensive Energy Plan (CEP) issued under 30 V.S.A. § 202b. The Plan
2 shall accomplish the following objectives and requirements:

3 * * *

4 **Sec. 11a. REPORT; ELECTRIC GENERATION CONSTRAINTS**

5 **(a) On or before December 15, 2018, the Public Utility Commission**
6 **(PUC) shall submit a report that analyzes areas of the State in which**
7 **generation that is interconnected to the electric transmission and**
8 **distribution system faces constraints resulting from an excess in the**
9 **amount of generation in relation to load and recommends policies to**
10 **address those areas. This analysis shall include the area of the Sheffield-**
11 **Highgate Export Interface (SHEI).**

12 **(b) Prior to submitting this report, the PUC shall provide an**
13 **opportunity for written submission of relevant comments and information**
14 **by the public and shall conduct one or more workshops at which the**
15 **public may provide comments and information. The PUC shall provide**
16 **prior notice of the opportunity to submit comments and information and**
17 **of each workshop to the Department of Public Service, each Vermont**
18 **electric transmission and distribution utility, Renewable Energy Vermont,**
19 **each holder of a certificate of public good for an electric generation**
20 **facility within the SHEI area with a capacity greater than 500 kilowatts,**

1 **and any other person who requests such notice or whom the PUC may**
2 **determine to notify.**

3 **(c) With respect to the recommendations in the report, the PUC shall**
4 **identify those recommendations that require passage of enabling**
5 **legislation and those recommendations that may be carried out under**
6 **existing law. The report shall include a timetable for implementation of**
7 **the recommendations that may be carried out under existing law.**

8 **(d) The PUC shall submit the report to the House Committee on**
9 **Energy and Technology and the Senate Committees on Finance and on**
10 **Natural Resources and Energy.**

11 **Sec. 11b. RENEWABLE ENERGY STANDARD (RES) RULEMAKING**

12 **2015 Acts and Resolves No. 56, Sec. 8(d) is amended to read:**

13 (d) On or before July 1, ~~2018~~ **2019**, the ~~Board~~ **Public Utility Commission**
14 shall commence rulemaking to implement Secs. 2, 3, and 7 of this act. The
15 ~~Board~~ **Commission** shall finally adopt these rules within eight months of
16 commencing rulemaking, unless this period is extended by the Legislative
17 Committee on Administrative Rules under 3 V.S.A. § 843.

18 * * * Motor Vehicle Purchase and Use Tax * * *

19 Sec. 12. 32 V.S.A. § 8903 is amended to read:

20 § 8903. TAX IMPOSED

1 (a)(1) There is hereby imposed upon the purchase in Vermont of a motor
2 vehicle by a resident a tax at the time of such purchase, payable as hereinafter
3 provided. ~~The~~ Except as otherwise provided in subdivision (3) of this
4 subsection, the amount of the tax shall be six percent of the taxable cost of a:

5 (A) pleasure car as defined in 23 V.S.A. § 4;

6 (B) motorcycle as defined in 23 V.S.A. § 4;

7 (C) motor home as defined in subdivision 8902(11) of this title; or

8 (D) vehicle weighing up to 10,099 pounds, registered pursuant to
9 23 V.S.A. § 367, other than a farm truck.

10 (2) For any other motor vehicle, it shall be six percent of the taxable cost
11 of the motor vehicle or \$2,075.00 for each motor vehicle, whichever is smaller,
12 except that pleasure cars that are purchased, leased, or otherwise acquired for
13 use in short-term rentals shall be subject to taxation under subsection (d) of this
14 section.

15 (3)(A) For an all-electric vehicle, the tax shall be six percent of the
16 amount that the taxable cost exceeds \$30,000.00.

17 (B) For a plug-in hybrid electric vehicle, the tax shall be six percent
18 of the amount that the taxable cost exceeds \$15,000.00.

19 (b)(1) ~~There~~ Except as otherwise provided in subdivision (3) of this
20 subsection, there is hereby imposed upon the use within this State a tax of six
21 percent of the taxable cost of a:

- 1 (A) pleasure car as defined in 23 V.S.A. § 4;
2 (B) motorcycle as defined in 23 V.S.A. § 4;
3 (C) motor home as defined in subdivision 8902(11) of this title; or
4 (D) vehicle weighing up to 10,099 pounds, registered pursuant to
5 23 V.S.A. § 367, other than a farm truck.

6 (2) For any other motor vehicle, it shall be six percent of the taxable cost
7 of the motor vehicle or \$2,075.00 for each motor vehicle, whichever is smaller,
8 by a person at the time of first registering or transferring a registration to such
9 motor vehicle payable as hereinafter provided, except no use tax shall be
10 payable hereunder if the tax imposed by subsection (a) of this section has been
11 paid, or the vehicle is a pleasure car that was purchased, leased, or otherwise
12 acquired for use in short-term rentals, in which case the vehicle shall be subject
13 to taxation under subsection (d) of this section.

14 (3)(A) For an all-electric vehicle, the tax shall be six percent of the
15 amount that the taxable cost exceeds \$30,000.00.

16 (B) For a plug-in hybrid electric vehicle, the tax shall be six percent
17 of the amount that the taxable cost exceeds \$15,000.00.

18 * * *

19 * * * Supplemental Registration Fees for Plug-in Electric Vehicles * * *

20 Sec. 13. 23 V.S.A. § 361 is amended to read:

21 § 361. PLEASURE CARS; ELECTRIC VEHICLES

1 (a) The annual fee for registration of any motor vehicle of the pleasure car
2 type, and all vehicles powered by electricity, shall be \$74.00, and the biennial
3 fee shall be \$136.00.

4 (b) In addition to the fees prescribed in subsection (a) of this section, plug-
5 in electric vehicles shall be subject to the following supplemental fees:

6 (1) hybrid plug-in: \$50.00 for an annual registration and \$100.00 for a
7 biennial registration.

8 (2) all-electric: \$100.00 for an annual registration and \$200.00 for a
9 biennial registration.

10 (c) Monies collected pursuant to subsection (b) of this section shall be
11 allocated as follows, with monies allocated to the Clean Energy Development
12 Fund (CEDF) established in 30 V.S.A. § 8015 to be reserved to support
13 electric vehicles and associated charging stations as directed in 30 V.S.A.
14 § 8015(c):

15 (1) for monies collected in fiscal year 2019, 80 percent to the CEDF and
16 20 percent to the Transportation Fund;

17 (2) for monies collected in fiscal year 2020, 70 percent to the CEDF and
18 30 percent to the Transportation Fund; and

19 (3) for monies collected in fiscal year 2021, 60 percent to the CEDF and
20 40 percent to the Transportation Fund.

21 Sec. 14. REPEAL

1 23 V.S.A. § 361(b) and (c) (supplemental registration fee for plug-in
2 electric vehicles; allocation) are repealed.

3 Sec. 15. 30 V.S.A. § 8015 is amended to read:

4 § 8015. VERMONT CLEAN ENERGY DEVELOPMENT FUND

5 (a) Creation of Fund.

6 (1) There is established the Vermont Clean Energy Development Fund
7 to consist of each of the following:

8 (A) ~~The~~ the proceeds due the State under the terms of the
9 memorandum of understanding between the Department of Public Service and
10 Entergy Nuclear VY and Entergy Nuclear Operations, Inc. that was entered
11 under Public Service Board docket 6812; together with the proceeds due the
12 State under the terms of any subsequent memoranda of understanding entered
13 before July 1, 2005 between the Department of Public Service and Entergy
14 Nuclear VY and Entergy Nuclear Operations, Inc.;

15 (B) supplemental electric vehicle registration fees as specified in
16 23 V.S.A. § 361(c); and

17 (C) ~~Any~~ any other monies that may be appropriated to or deposited
18 into the Fund.

19 (2) Balances in the Fund shall be expended solely for the purposes set
20 forth in this subchapter and shall not be used for the general obligations of
21 government. All balances in the Fund at the end of any fiscal year shall be

1 carried forward and remain part of the Fund. Interest earned by the Fund shall
2 be deposited in the Fund. This Fund is established in the State Treasury
3 pursuant to 32 V.S.A. chapter 7, subchapter 5.

4 * * *

5 (c) Purposes of Fund. The purposes of the Fund shall be to promote the
6 development and deployment of cost-effective and environmentally sustainable
7 electric power and thermal energy or geothermal resources for the long-term
8 benefit of Vermont consumers, primarily with respect to renewable energy
9 resources, and the use of combined heat and power technologies. The Fund
10 also may be used to support natural gas and electric vehicles in accordance
11 with subdivisions (d)(1)(K) and (L) of this section, respectively and, in the
12 case of funds from supplemental electric vehicle registration fees described in
13 subdivision (a)(1)(B) of this section, these funds shall be used exclusively to
14 support electric vehicles and associated charging stations in accordance with
15 subdivision (d)(1)(L). The General Assembly expects and intends that the
16 Public Utility Commission, the Department of Public Service, and the State's
17 power and efficiency utilities will actively implement the authority granted in
18 this title to acquire all reasonably available cost-effective energy efficiency
19 resources for the benefit of Vermont ratepayers and the power system.

20 * * *

21 Sec. 16. 30 V.S.A. § 8015 is amended to read:

1 § 8015. VERMONT CLEAN ENERGY DEVELOPMENT FUND

2 (a) Creation of Fund.

3 (1) There is established the Vermont Clean Energy Development Fund
4 to consist of each of the following:

5 (A) the proceeds due the State under the terms of the memorandum
6 of understanding between the Department of Public Service and Entergy
7 Nuclear VY and Entergy Nuclear Operations, Inc. that was entered under
8 Public Service Board docket 6812; together with the proceeds due the State
9 under the terms of any subsequent memoranda of understanding entered before
10 July 1, 2005 between the Department of Public Service and Entergy Nuclear
11 VY and Entergy Nuclear Operations, Inc.;

12 (B) ~~supplemental electric vehicle registration fees as specified in~~
13 ~~23 V.S.A. § 361(e); and [Repealed.]~~

14 (C) any other monies that may be appropriated to or deposited into
15 the Fund.

16 (2) Balances in the Fund shall be expended solely for the purposes set
17 forth in this subchapter and shall not be used for the general obligations of
18 government. All balances in the Fund at the end of any fiscal year shall be
19 carried forward and remain part of the Fund. Interest earned by the Fund shall
20 be deposited in the Fund. This Fund is established in the State Treasury
21 pursuant to 32 V.S.A. chapter 7, subchapter 5.

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* * *

(c) Purposes of Fund. The purposes of the Fund shall be to promote the development and deployment of cost-effective and environmentally sustainable electric power and thermal energy or geothermal resources for the long-term benefit of Vermont consumers, primarily with respect to renewable energy resources, and the use of combined heat and power technologies. The Fund also may be used to support natural gas and electric vehicles in accordance with subdivisions (d)(1)(K) and (L) of this section, respectively ~~and, in the case of funds from supplemental electric vehicle registration fees described in subdivision (a)(1)(B) of this section, these funds shall be used exclusively to support electric vehicles and associated charging stations in accordance with subdivision (d)(1)(L).~~ The General Assembly expects and intends that the Public Utility Commission, the Department of Public Service, and the State’s power and efficiency utilities will actively implement the authority granted in this title to acquire all reasonably available cost-effective energy efficiency resources for the benefit of Vermont ratepayers and the power system.

* * *

Sec. 17. 19 V.S.A. § 11 is amended to read:

§ 11. TRANSPORTATION FUND

~~The~~ Except as otherwise specifically provided by law, the Transportation Fund shall comprise the following:

1 kilowatt hour delivered to an EV in Vermont, and other methods that the
2 Secretary and the PUC consider to merit exploration.

3 (d) In the report, the Secretary and the PUC shall consider whether the
4 revenues generated from EVs should be allocated between the Transportation
5 Fund and the Clean Energy Development Fund and, if so, shall provide a
6 recommended allocation.

7 (e) The Secretary and PUC shall submit the report to the House
8 Committees on Energy and Technology and on Transportation and to the
9 Senate Committees on Finance, on Natural Resources and Energy, and on
10 Transportation.

11 * * * Authority to Reserve Parking Spaces for Plug-in

12 Electric Vehicles * * *

13 Sec. 19. 23 V.S.A. § 1104 is amended to read:

14 § 1104. STOPPING PROHIBITED

15 (a) Except when necessary to avoid conflict with other traffic, or in
16 compliance with law or the directions of an enforcement officer or official
17 traffic-control device, no person may:

18 * * *

19 (3) Park a vehicle, whether occupied or not, except temporarily for the
20 purpose of and while actually engaged in loading or unloading merchandise or
21 a passenger:

- 1 (A) within 50 feet of the nearest rail of a railroad crossing;
- 2 (B) at any place where official signs prohibit parking;
- 3 (C) at any place where official signs restrict parking to specific sizes
- 4 or types of vehicles and the vehicle violates the restrictions.

5 * * *

6 Sec. 20. 23 V.S.A. § 1106 is amended to read:

7 § 1106. LIMITATIONS ON USE OF STATE HIGHWAY FACILITIES

8 (a) As used in this section, “State highway facility” means a State highway

9 rest area, picnic ground, parking area, or park-and-ride facility.

10 (b) No person shall enter or remain on any State highway facility for the

11 purpose of overnight camping unless the particular facility has been designated

12 for that purpose by the Traffic Committee.

13 (c)(1) On the basis of an engineering and traffic investigation or findings as

14 to adverse effects on the quiet enjoyment and property values of people living

15 adjacent to a State highway facility, the Traffic Committee may designate the

16 size and types of vehicles allowed to park in a State highway facility or in

17 particular areas of a State highway facility.

18 (2) In addition, the Secretary may prescribe that only plug-in electric

19 vehicles are permitted to park in designated areas of a State highway facility.

1 (d) Notice of the prohibitions or restrictions under this section shall be
2 posted at the affected facilities by regulatory signs conforming to the Manual
3 on Uniform Traffic Control Devices.

4 Sec. 21. 23 V.S.A. § 1008a is amended to read:

5 § 1008a. REGULATION OF MOTOR VEHICLES AT STATE AIRPORTS

6 (a)(1) The Secretary may adopt rules governing the operation, use, and
7 parking of motor vehicles on the grounds of State airports, including the
8 access roads.

9 (2) In addition, the Secretary may prescribe that only plug-in electric
10 vehicles are permitted to park in designated areas on such grounds.

11 (b) Signs indicating the ~~special regulations~~ rules or restrictions shall be
12 conspicuously posted in and near all areas affected.

13 * * * Charging Stations; Public Utility Commission Jurisdiction * * *

14 Sec. 22. 30 V.S.A. § 201 is amended to read:

15 § 201. DEFINITIONS

16 (a) As used in this chapter, the word “company” or “companies” means and
17 includes individuals, partnerships, associations, corporations, and
18 municipalities owning or conducting any public service business or property
19 used in connection therewith and covered by the provisions of this chapter.

20 (1) The term “company” or “companies” also includes electric
21 cooperatives organized and operating under chapter 81 of this title, the

1 Vermont Public Power Supply Authority to the extent not inconsistent with
2 chapter 84 of this title, and the Vermont Hydroelectric Power Authority to the
3 extent not inconsistent with chapter 90 of this title.

4 (2) In the context of actions requiring prior approval under section 107
5 of this title, the term “company” shall also mean any individual, partnership,
6 association, corporation, group, syndicate, operating division, joint stock
7 company, trust, other entity, or municipality ~~which~~ that would be defined as a
8 company pursuant to this section if such approval were to be granted.

9 (3) The ownership or operation, or both, of a station that provides power
10 to motor vehicles or the provision of power to motor vehicles shall not, in and
11 of themselves, cause an individual or other entity to be a company within the
12 meaning of this subsection or to be subject to the jurisdiction of the Public
13 Utility Commission and the Department of Public Service.

14 * * *

15 * * * Rate Schedules for Customer Charging of Electric Vehicles * * *

16 Sec. 23. 30 V.S.A. § 218(h) is added to read:

17 (h) A company may propose and the Commission may approve or require
18 the adoption of a rate schedule under which a customer as defined in section
19 8002 of this title may charge a plug-in electric vehicle (EV) on the customer’s
20 premises at a rate that is reduced from what the customer otherwise would pay
21 the company for consuming electric energy. The Commission shall provide

1 notice and opportunity for hearing prior to approving or requiring such a rate
2 schedule. The Commission may approve or require such a schedule after
3 finding all of the following:

4 (1) The schedule will provide benefits to the company's transmission or
5 distribution system, or both, such as increasing the efficient use of the system
6 through encouraging nighttime charging of EVs.

7 (2) The schedule will provide benefits to the ratepayers of the company
8 that outweigh any costs to those ratepayers.

9 (3) Implementation of the schedule will result in avoided environmental
10 and public health costs of greenhouse gas emissions, and the amount of those
11 avoided costs exceeds the costs caused by the schedule and its implementation.

12 Sec. 24. INVESTIGATION; ELECTRIC VEHICLE RATE SCHEDULES

13 (a) On or before July 1, 2019, the Public Utility Commission shall open
14 and complete an investigation and issue a final order concerning the
15 establishment of rate schedules under which a customer may charge a plug-in
16 electric vehicle on the customer's premises (on-premise charging) at a rate that
17 is reduced from what the customer otherwise would pay the company for
18 consuming electric energy.

19 (1) Terms used in this section that are defined in 30 V.S.A. § 8002 shall
20 have the same meaning as in that statute.

1 (2) Parties to the investigation shall include the Department of Public
2 Service and the Vermont retail electricity providers.

3 (b) Issues addressed in the Commission’s final order in this investigation
4 shall include:

5 (1) The potential existence and amount of economic benefit to the
6 Vermont transmission and distribution system that may be obtained from
7 encouraging on-premise charging.

8 (2) The environmental and public health costs that may be avoided
9 through encouraging on-premise charging, including the quantification of
10 those costs.

11 (3) The parameters of a rate schedule that would be needed to encourage
12 on-premise charging in a manner that captures the benefits and avoids the costs
13 described in subdivisions (1) and (2) of this subsection, respectively, and
14 otherwise avoids or reduces the imposition of costs on ratepayers who do not
15 engage in such charging.

16 (c) If, after consideration of the issues identified in subsection (b) of this
17 section, the Commission finds that reduced rate schedules for on-premise
18 charging should be instituted, the Commission’s final order shall require each
19 Vermont retail electricity provider to submit, by a date certain, a proposed rate
20 schedule that complies with 30 V.S.A. § 218(h).

1 * * * Agency of Agriculture, Food and Markets; Weights and Measures;
2 Electric Vehicle Charging Stations; Inspection and Enforcement * * *

3 Sec. 25. 9 V.S.A. § 2651(14) is amended to read:

4 (14) “Weights and measures” means all weights and measures of every
5 kind, instruments and devices for weighing and measuring, and any appliances
6 and accessories associated with any or all such instruments and devices,
7 including meters for the measurement of electricity offered for sale at an
8 electric vehicle charging station, but not including meters for the measurement
9 of electricity, natural or manufactured gas (~~natural or manufactured~~), or water
10 when they are operated in a public utility system. Such electricity, gas, and
11 water meters are specifically excluded from the purview of this chapter, and
12 this chapter shall not apply to such meters or to any appliances or accessories
13 associated therewith.

14 * * * Charging Stations; Exclusion from Net Metering * * *

15 Sec. 26. 30 V.S.A. § 8002(16) is amended to read:

16 (16) “Net metering system” means a plant for generation of electricity
17 that:

18 (A) is of no more than 500 kW capacity;

19 (B) operates in parallel with facilities of the electric distribution

20 system;

1 (C) is intended primarily to offset the customer’s own electricity
2 requirements and does not supply electricity to a charging station for the retail
3 sale of electricity to plug-in electric vehicles; and

4 (D)(i) employs a renewable energy source; or

5 (ii) is a qualified micro-combined heat and power system of
6 20 kW or fewer that meets the definition of combined heat and power in
7 subsection 8015(b) of this title and uses any fuel source that meets air quality
8 standards.

9 Sec. 27. 30 V.S.A. § 8010(c)(2)(F)(iii) is added to read:

10 (iii) A bill credit for kWh generated by a net metering system shall
11 not be assigned to a customer account that serves premises containing a
12 charging station for the retail sale of electricity to plug-in electric vehicles.

13 * * * Effective Dates * * *

14 Sec. 28. EFFECTIVE DATES

15 (a) This section and Secs. 11b (RES rulemaking) and 24 (investigation;
16 electric vehicle rate schedules) shall take effect on passage.

17 (b) Secs. 14 (repeal of 23 V.S.A. § 361(b) and (c)) and 16 (prospective
18 amendment of 30 V.S.A. § 8015) shall take effect on July 1, 2021.

19 (c) All other sections shall take effect on July 1, 2018.

20 **and that after passage the title of the bill be amended to read: “An act**
21 **relating to appliance efficiency, energy planning, and electric vehicles”**

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(Committee vote: _____)

Senator _____

FOR THE COMMITTEE

DRAFT