Act No. 121 (H.942).  Transportation; motor vehicles; natural resources and energy; judiciary

An act relating to the Transportation Program and miscellaneous changes to laws related to transportation

This act

- **Transportation Program Adopted.** Adopts the Agency of Transportation’s (Agency) Proposed Fiscal Year 2021 Transportation Program except as amended in the act (Transportation Program); provides legislative intent regarding priorities and COVID-19; requires additional reporting from the Agency in September 2020 and February 2021; and defines terms used throughout the act.

- **Fiscal Year 2021 Transportation Investments Intended to Reduce Transportation-Related Greenhouse Gas Emissions, Reduce Fossil Fuel Use, and Save Vermont Households Money.** Summarizes certain transportation investments.

- **Additional Agency Spending.** Authorizes the Secretary of Transportation to exceed and redirect spending in certain circumstances and for certain purposes; requires additional reporting if the Secretary plans to or does exceed or redirect spending.

- **Amtrak; Burlington Rail Yard Realignment.** Adds the Burlington – Railyard Realignment for Amtrak project to the development and evaluation list in the Fiscal Year 2020 and Fiscal Year 2021 Transportation Programs.

- **Maintenance.** Reduces spending authority for Maintenance by $600,000.00 in transportation funds; contingently reduces spending authority for Maintenance by up to $700,000.00 in transportation funds; and contingently increases spending authority for the New PEV Incentive Program and MileageSmart, in equal proportions, by up to $700,000.00 in transportation funds.

- **Aviation.** Reduces spending authority for Clarendon AV-FY20-001 by $530,000.00 in transportation funds; and increases spending authority for Morristown AV-FY21-015 by $230,000.00 in transportation funds.

- **Transportation Buildings.** Reduces spending authority for Transportation Buildings Lunenburg by $350,000.00 in transportation funds.
- **Program Development—Roadway; Safety and Traffic Operations; and Bicycle and Pedestrian Facilities.** Reduces spending authority for Burlington MEGC M 5000(1) by $1,580,000.00, with $47,400.00 coming from transportation infrastructure bond funds, $1,501,000.00 coming from federal funds, and $31,600.00 coming from local match; reduces spending authority for Colchester HES NH 5600(14) by $2,100,000.00 in federal funds; and increases spending authority for Statewide State-Aid Construction Projects by $200,000.00, with $100,000.00 coming from transportation funds and $100,000.00 coming from local match.

- **Public Transit Program.** Establishes that it is the intent of the General Assembly that public transit operated by transit agencies that are eligible for grant funds pursuant to 49 U.S.C. § 5307 or 5311, or both shall be operated on a fare-free basis with monies for public transit from the CARES Act as practicable; adds a new project to the Transportation Program regarding increasing the use of public transit; and authorizes spending of $500,000.00 in transportation funds.

- **Lamoille Valley Rail Trail.** Increases spending authority for Swanton-St. Johnsbury LVRT ( ) by $4,530,000.00 in Fiscal Year 2021 and by $3,500,000.00 in Fiscal Year 2022 in federal funds and General Obligation Bond proceeds.

- **Central Garage.** Notwithstanding statutory formula to transfer $1,605,358.00 from the Transportation Fund to the Central Garage Fund and authorizes spending of $8,668,094.00 on replacement equipment with a minimum of $250,000.00 for the replacement of Department of Motor Vehicles enforcement fleet vehicles.

- **Plug-In Electric Vehicle Definitions.** Modifies the existing definition of plug-in electric vehicle to also include the definition of plug-in hybrid electric vehicle and battery electric vehicle.

- **Vehicle Incentive and Emissions Repair Programs.** Modifies the existing programs established pursuant to 2019 Acts and Resolves No. 59, Sec. 34.

- **Class 2 Town Highway Roadway Program.** Modifies the existing program to allow municipalities that have no State highways or class 1 town highways within their borders to use grants for both class 2 and class 3 town highways.

- **Transportation Demand Management and Micro-Transit Innovations Grant Program.** Establishes the Transportation Demand Management and Micro-Transit Innovations Grant Program and authorizes $500,000.00 in grant awards.

- **All-Terrain Vehicles.** Makes changes to laws on all-terrain vehicles.
• **U.S. Postal Service Vehicle Inspection Exemption.** Repeals the sunset of an inspection exemption for vehicles used as a mail carrier under a contract with the U.S. Postal Service.

• **Right-of-Way Permit Fees.** Authorizes the Secretary to waive fees associated with permits or permit amendments issued pursuant to 19 V.S.A. § 1111 for any reason associated with the response and recovery to the COVID-19 pandemic until six months after the conclusion of the state of emergency.

• **Pozzolans.** Encourages the Agency to continue researching, testing, and, wherever practicable, using pozzolans and alternatives to Portland Cement as part of the concrete mix design for all transportation infrastructure projects.

• **Direct-to-Consumer Motor Vehicle Sales.** Requires the Agency, in consultation with the Attorney General’s Office, the Department of Financial Regulation, a manufacturer that engages in direct-to-consumer motor vehicle sales, and the Vermont Vehicle and Automotive Distributors Association to conduct a study and submit a written report on the regulation of direct-to-consumer motor vehicle sales.

Multiple effective dates, beginning on June 30, 2020