

1 **HTC LANGUAGE FOR BUDGET BILL (dr req 20-1017)**

2 **[YELLOW = changes since v. 2.3]**

3 *** * * Adjustments to the Transportation Bill,**

4 **2020 Acts and Resolves No. 121 * * ***

5 Sec. A. 2020 Acts and Resolves No. 121, Sec. 1(d)(3) is amended to read:

6 (3) “Federal COVID-19 legislation” includes any federal infrastructure
7 bills or other federal legislation that ~~provide~~ provides the State with additional
8 federal funding for transportation-related projects in fiscal year 2021 or was
9 enacted as a result of COVID-19, including an extension of the Fixing
10 America’s Surface Transportation Act, Pub. L. No. 114-94 (FAST Act) that
11 provides additional federal funding or flexibility with how federal funding can
12 be used, such as eliminating state match requirements, or any transportation-
13 related infrastructure stimulus bill.

14 Sec. B. 2020 Acts and Resolves No. 121, Sec. 1a is amended to read:

15 Sec. 1a. FISCAL YEAR 2021 TRANSPORTATION INVESTMENTS
16 INTENDED TO REDUCE TRANSPORTATION-RELATED
17 GREENHOUSE GAS EMISSIONS, REDUCE FOSSIL FUEL
18 USE, AND SAVE VERMONT HOUSEHOLDS MONEY

19 * * *

20 (2) Bike and Pedestrian Facilities Program. This act, in concert with the
21 Capital Construction Act, provides for a fiscal year expenditure of

1 including modifications to the Burlington Vermont Rail Systems railyard to
2 accommodate overnight servicing to facilitate New York City-Burlington rail
3 service.

4 * * *

5 (8) Vehicle incentive programs. Sec. 14 of this act authorizes an
6 additional \$50,000.00 to support administrative costs associated with
7 MileageSmart, which is the State's used high fuel efficiency vehicle incentive
8 program, and to ensure that the State's emissions repair program is operational
9 not later than July 1, 2021 and Sec. 12f(3) of this act authorizes the
10 expenditure of \$1,000,000.00 in one-time Transportation Fund monies for
11 additional new plug-in electric vehicle incentives and program development
12 costs under the New PEV Incentive Program. ~~Sees. 3 and 5~~ Sec. 3 of this act
13 also ~~authorize~~ authorizes the Secretary of Transportation to expend additional
14 monies on the New PEV Incentive Program and MileageSmart if such funding
15 becomes available.

16 Sec. C. 2020 Acts and Resolves No. 121, Sec. 3 is amended to read:

17 Sec. 3. AGENCY SPENDING; AUTHORITY TO REDIRECT; REPORT

18 * * *

19 ~~(e) The Secretary of Administration shall, on or before July 31, 2020, file a~~
20 ~~written report listing all expenditures made during fiscal year 2020 under the~~
21 ~~authority of subsections (a) and (b) of this section to the House and Senate~~

1 ~~Committees on Transportation, Joint Fiscal Office, Joint Fiscal Committee,~~
2 ~~and Joint Transportation Oversight Committee~~ If additional funding becomes
3 available pursuant to this section an additional \$1,600,000.00 for leveling and
4 paving projects shall be the top priority. The Agency shall have discretion,
5 within the guidelines established pursuant to subsections (a) and (b) of this
6 section, if there is more than \$1,600,000.00 available for reallocation.

7 * * *

8 (g) The ~~reports~~ report required pursuant to ~~subsections (e) and~~
9 subsection (f) of this section shall be in addition to the report required pursuant
10 to 19 V.S.A. § 10g(e).

11 Sec. D. 2020 Acts and Resolves No. 121, Sec. 4 is amended to read:

12 Sec. 4. ADDITION OF BURLINGTON RAIL YARD REALIGNMENT
13 FOR AMTRAK PROJECT; RAIL PROGRAM

14 (a) The following project is added to the development and evaluation list of
15 Rail within the Agency's Fiscal Year 2020 Transportation Program, as adopted
16 pursuant to 2019 Acts and Resolves No. 59, Sec. 1, and the ~~development and~~
17 ~~evaluation~~ construction list of Rail within the Agency's Proposed Fiscal Year
18 2021 Transportation Program, with a spending authorization of \$1,450,000.00
19 in Transportation Fund monies for construction: Burlington – Railyard
20 Realignment for Amtrak.

1 (b) Within the Agency of Transportation’s Proposed Fiscal Year 2021
2 Transportation Program for Rail, authorized spending for Statewide – Amtrak
3 Contract is reduced by \$750,000.00 in Transportation Fund monies.

4 (c) Within the Agency of Transportation’s Proposed Fiscal Year 2021
5 Transportation Program for Rail, authorized spending for Statewide – Rail
6 Section Administration is reduced by \$21,192.00 in Transportation Fund
7 monies.

8 Sec. E. 2020 Acts and Resolves No. 121, Sec. 5(a) is amended to read:

9 (a) Within the Agency of Transportation’s Proposed Fiscal Year 2021
10 Transportation Program for Maintenance, authorized spending is amended as
11 follows:

<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
Personal	45,757,089	45,757,089	0
Services		45,305,185	-451,904
Operating	52,896,134	52,296,134	-600,000
Expenses		54,291,051	1,394,917
Grants	240,200	240,200	0
Total	98,893,423	98,293,423	-600,000
		99,836,436	943,013

1	<u>Sources of funds</u>			
2	State	96,415,636	95,815,636	-600,000
3			<u>97,358,649</u>	<u>943,013</u>
4	Federal	2,377,787	2,377,787	0
5	Interdepart.	100,000	100,000	0
6	Transfer			
7	Total	98,893,423	98,293,423	-600,000
8			<u>99,836,436</u>	<u>943,013</u>

9 Sec. F. 2020 Acts and Resolves No. 121, Sec. 5a is amended to read:

10 Sec. 5a. ~~CLARENDON SRE BUILDING AVIATION~~ AVIATION

11 (a) Clarendon SRE building. Within the Agency of Transportation's
12 Proposed Fiscal Year 2021 Transportation Program for Aviation, authorized
13 spending for Clarendon AV-FY20-001 is amended as follows:

14 * * *

15 (b) Morristown fuel farm. Within the Agency of Transportation's
16 Proposed Fiscal Year 2021 Transportation Program for Aviation, authorized
17 spending for Morristown AV-FY21-015 is amended by increasing spending
18 authority for construction by \$230,000.00 in Transportation Fund monies.

19 (c) Coventry runway 5/23. Within the Agency of Transportation's
20 Proposed Fiscal Year 2021 Transportation Program for Aviation, the sources

1 of funds for Coventry AV-FY20-002 is amended by reducing Transportation
2 Fund monies by \$8,000.00 and increasing federal fund monies by \$8,000.00.

3 (d) Paving. Within the Agency of Transportation’s Proposed Fiscal Year
4 2021 Transportation Program for Aviation, the sources of funds for Statewide
5 AV-FY19-013 is amended by reducing Transportation Fund monies by
6 \$14,420.00 and increasing federal fund monies by \$14,420.00; and the sources
7 of funds for Statewide AV-FY21-003 is amended by reducing Transportation
8 Fund monies by \$4,000.00 and increasing federal fund monies by \$4,000.00.

9 (e) Administrative support. Within the Agency of Transportation’s
10 Proposed Fiscal Year 2021 Transportation Program for Aviation, authorized
11 spending for Statewide – Aviation Admin. Support is reduced by \$17,846.00 in
12 Transportation Fund monies.

13 Sec. G. 2020 Acts and Resolves No. 121, Sec. 6 is amended to read:

14 Sec. 6. PROGRAM DEVELOPMENT; ROADWAY

15 (a) Within the Agency of Transportation’s Proposed Fiscal Year 2021
16 Transportation Program for Program Development—Roadway, authorized
17 spending for Burlington MEGC M 5000(1) is amended as follows:

18 * * *

19 (b) Within the Agency of Transportation’s Proposed Fiscal Year 2021
20 Transportation Program for Program Development—Roadway, the sources of

1 funds for Pittsford NH 019-3(491) is amended by reducing TIB funds by
2 \$946,000.00 and increasing federal fund monies by \$946,000.00.

3 Sec. H. 2020 Acts and Resolves No. 121, Secs. 7b and 7c and the
4 corresponding reader assistance headings are added to read:

5 * * * Paving * * *

6 Sec. 7b. PROGRAM DEVELOPMENT; PAVING

7 (a) Within the Agency of Transportation’s Proposed Fiscal Year 2021
8 Transportation Program for Program Development—Paving, authorized
9 spending for construction in Statewide Federal Paving is increased by
10 \$1,150,000.00 in Transportation Fund monies and \$4,600,000.00 in federal
11 fund monies.

12 (b) Within the Agency of Transportation’s Proposed Fiscal Year 2021
13 Transportation Program for Program Development—Paving, the sources of
14 funds for Sharon–Bethel IM 089-1(66) is amended by increasing
15 Transportation Fund monies by \$124,947.00 and federal fund monies by
16 167,500.00 and reducing TIB funds by \$292,447.00.

17 * * * State Highway Bridges * * *

18 Sec. 7c. PROGRAM DEVELOPMENT; STATE HIGHWAY BRIDGES

19 (a) Within the Agency of Transportation’s Proposed Fiscal Year 2021
20 Transportation Program for Program Development—State Highway Bridges,
21 the sources of funds for North Hero–Grand Isle BHF 028-1(26) is amended by

1 reducing TIB funds by \$2,910,000.00 and increasing federal fund monies by
2 \$2,910,000.00.

3 (b) Within the Agency of Transportation’s Proposed Fiscal Year 2021
4 Transportation Program for Program Development—State Highway Bridges,
5 the sources of funds for Middlebury WCRS(23) is amended by reducing
6 Transportation Fund monies by \$850,000.00 and increasing federal fund
7 monies by \$850,000.00.

8 Sec. I. 2020 Acts and Resolves No. 121, Sec. 9a is added to read:

9 Sec. 9a. PUBLIC TRANSIT; ADMINISTRATIVE SUPPORT

10 (a)(1) Within the Agency of Transportation’s Proposed Fiscal Year 2021
11 Transportation Program for Public Transit, authorized spending for State
12 Public Transportation is amended as follows:

<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
Other	6,241,403	7,128,955	887,552
Total	6,241,403	7,128,955	887,552
<u>Sources of funds</u>			
State	6,241,403	3,190,600	-3,050,803
Federal	0	3,938,355	3,938,355
Total	6,241,403	7,128,955	887,552

20 (2) These amendments reflect a swap of federal fund monies for
21 Transportation Fund monies in the amount of \$3,100,000.00, which is possible

1 because of monies that are available for public transit under the Coronavirus
2 Aid, Relief, and Economic Security Act, Pub. L. No. 116-136 (CARES Act),
3 an increase in federal funds in the amount of \$838,355.00, which is the result
4 of a Federal Transit Administration grant award for the replacement of buses,
5 and an increase in Transportation Fund monies in an amount of \$49,197.00,
6 which is the required match for the federal grant award for the replacement of
7 buses.

8 (b) Within the Agency of Transportation’s Proposed Fiscal Year 2021
9 Transportation Program for Public Transit, authorized spending authority for
10 Administrative Support – Public Transit Admin Support is reduced by
11 \$5,577.00 in Transportation Fund monies.

12 Sec. J. 2020 Acts and Resolves No. 121, Secs. 11 and 12 are amended to read:

13 Sec. 11. TRANSFER TO CENTRAL GARAGE FUND

14 Notwithstanding 19 V.S.A. § 13(c)(1), in fiscal year 2021, the amount of
15 ~~\$1,605,358.00~~ \$1,005,358.00 is transferred from the Transportation Fund to
16 the Central Garage Fund created in 19 V.S.A. § 13, and \$600,000.00 of this
17 transfer shall be from one-time Transportation Fund monies pursuant to Sec.
18 12f(a)(5) of this act.

19 Sec. 12. CENTRAL GARAGE EQUIPMENT

20 In fiscal year 2021, the amount of ~~\$8,668,094.00~~ \$8,068,094.00 is
21 authorized for replacement equipment pursuant to 19 V.S.A. § 13(b) and, of

1 this amount, a minimum of \$250,000.00 shall be dedicated for the replacement
2 of Department of Motor Vehicles enforcement fleet vehicles.

3 Sec. K. 2020 Acts and Resolves No. 121, Sec. 12a–12f and the corresponding
4 reader assistance headings are added to read:

5 Sec. 12a. CENTRAL GARAGE FUNDING

6 Within the Agency of Transportation’s Proposed Fiscal Year 2021

7 Transportation Program for Central Garage, authorized spending is amended as
8 follows:

9	<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
10	Personal	4,612,051	4,566,949	–45,102
11	Services			
12	Operating	17,027,708	16,415,926	–611,782
13	Expenses			
14	Total	21,639,759	20,982,875	–656,884
15	<u>Sources of funds</u>			
16	Internal	21,639,759	20,982,875	–656,884
17	Service Fund			
18	Total	21,639,759	20,982,875	–656,884

* * * Town Highways * * *

Sec. 12b. BRATTLEBORO-HINSDALE, NH

Within the Agency of Transportation’s Proposed Fiscal Year 2021

Transportation Program for Town Highway Bridge, authorized spending for

Brattleboro-Hinsdale, NH is amended as follows:

<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
Other	750,000	750,000	0
PE	0	200,000	200,000
ROW	2,875,973	4,675,973	1,800,000
Construction	1,000,000	1,000,000	0
Total	4,625,973	6,625,973	2,000,000
<u>Sources of funds</u>			
TIB	925,195	1,325,000	400,000
Federal	3,700,778	5,100,778	1,600,000
Total	4,625,973	6,625,973	2,000,000

Sec. 12c. **MONIES FOR TOWN HIGHWAYS**

(a) Town Highway Structures. Notwithstanding 19 V.S.A. § 306(e)(2), the

Agency shall not issue any new grants under the Town Highway Structures

Program in fiscal year 2021 and authorized spending for grants in fiscal year

2021 is reduced by \$1,683,500.00 in Transportation Fund monies to a total of

\$4,650,000.00 in Transportation Fund monies.

1 **(b) Town Highway Class 2 Roadway. Notwithstanding 19 V.S.A.**
2 **§ 306(h), the Agency shall not issue any new grants under the Class 2 Town**
3 **Highway Roadway Program in fiscal year 2021 and authorized spending for**
4 **grants in fiscal year 2021 is reduced by \$4,398,750.00 in Transportation Fund**
5 **monies to a total of \$3,250,000.00 in Transportation Fund monies.**

6 **(b) Town Highway Aid.**

7 **(1) Notwithstanding 19 V.S.A. § 306(a), the annual appropriation for**
8 **aid to town highways is increased by \$6,000,000.00 in Transportation Fund**
9 **monies to a total of \$33,105,769.00 in Transportation Fund monies.**

10 **(2) Notwithstanding 19 V.S.A. § 306(a)(3)(D), the additional**
11 **\$6,000,000.00 shall be distributed to municipalities not later than October 31,**
12 **2020 in the same apportionments and for the same purposes prescribed under**
13 **19 V.S.A. § 306(a)(3).**

14 **(3) The additional appropriation of \$6,000,000.00 in Transportation**
15 **Fund monies for aid to town highways authorized pursuant to subdivision (1)**
16 **of this subsection shall not be included in any subsequent calculations for the**
17 **annual appropriation for aid to town highways pursuant to 19 V.S.A. § 306(a).**

18 *** * * Department of Motor Vehicles * * ***

19 **Sec. 12d. DEPARTMENT OF MOTOR VEHICLES; SAVINGS AND**
20 **INCREASE OF LIMITED SERVICE STAFF**

1 Within the Agency of Transportation’s Proposed Fiscal Year 2021
2 Transportation Program for the Department of Motor Vehicles, authorized
3 spending is increased by \$48,368 for personal services and reduced by
4 \$96,059.00 for operating expenses with a corresponding reduction of
5 \$47,691.00 in Transportation Fund monies as the source of funds.

6 * * * Vacancy Savings; Statewide Allocated Cost Reductions * * *

7 Sec. 12e. VACANCY SAVINGS AND STATEWIDE ALLOCATED
8 COST REDUCTIONS

9 (a) Finance and Administration. Within the Agency of Transportation’s
10 Proposed Fiscal Year 2021 Transportation Program for Finance and
11 Administration, authorized spending is reduced by \$107,890.00 for personal
12 services and \$28,189.00 for operating expenses with a corresponding reduction
13 of \$136,079.00 in Transportation Fund monies as the source of funds.

14 (b) Policy and Planning. Within the Agency of Transportation’s Proposed
15 Fiscal Year 2021 Transportation Program for Policy and Planning, authorized
16 spending is reduced by \$28,299.00 for personal services and \$7,392.00 for
17 operating expenses with a corresponding reduction of \$35,691.00 in
18 Transportation Fund monies as the source of funds.

19 (c) Transportation Board. Within the Agency of Transportation’s Proposed
20 Fiscal Year 2021 Transportation Program for Transportation Board, authorized
21 spending is reduced by \$195.00 for personal services and \$781.00 for

1 operating expenses with a corresponding reduction of \$976.00 in
2 Transportation Fund monies as the source of funds.

3 (d) Program Development. Within the Agency of Transportation’s
4 Proposed Fiscal Year 2021 Transportation Program for Program
5 Development—Administration, authorized spending is reduced by
6 \$253,808.00 for personal services and \$66,304.00 for operating expenses with
7 a corresponding reduction of \$320,112.00 in Transportation Fund monies as
8 the source of funds.

9 * * * One-Time Spending * * *

10 Sec. 12f. ONE-TIME SPENDING

11 (a) Transportation Fund. In fiscal year 2021, spending authority of
12 Transportation Fund monies is added to the fiscal year 2021 Transportation
13 Program as follows:

14 (1) \$1,000,000.00 to be distributed to municipalities not later than
15 October 31, 2020 in the same apportionments and for the same purposes
16 prescribed under 19 V.S.A. § 306(a)(3), which shall not be included in any
17 subsequent calculations for the annual appropriation for aid to town highways
18 pursuant to 19 V.S.A. § 306(a);

19 (2) \$500,000.00 for maintenance and roadside mowing;

20 (3) \$1,000,000.00 for the New PEV Incentive Program established in
21 2019 Acts and Resolves No. 59, Sec. 34, as amended, with up to \$200,000.00

1 available to continue and expand the Agency of Transportation’s public-private
2 partnership with Drive Electric Vermont to support the expansion of the plug-
3 in electric vehicle market in the State;

4 (4) \$500,000.00 to fund initiatives to increase public transit initiatives in
5 fiscal year 2021 as authorized under Sec. 9 of this act;

6 (5) \$600,000.00 to increase the transfer from the Transportation Fund to
7 the Central Garage Fund to increase the appropriation of internal service funds
8 for the purchase of new equipment consistent with Secs. 11, 12, and 12a of this
9 act;

10 (6) \$2,400,000.00 for leveling and paving projects; and

11 (7) \$900,000.00 for information technology modernization at the
12 Department of Motor Vehicles.

13 (b) Coronavirus Relief Fund. In fiscal year 2021, spending authority of
14 Coronavirus Relief Fund (CRF) in the amount of \$1,557,438.00 is added to the
15 fiscal year 2021 Transportation Program in DeptID 8100007000;

16 AOT COVID-19.

17 Sec. L. REPEALS

18 2020 Acts and Resolves No. 121, Secs. 5(b) (contingent funding for the
19 vehicle incentive programs) and 5b (Morristown fuel farm) are repealed.

20 * * * Amendments to Vehicle Incentive Programs * * *

1 Sec. M. 2019 Acts and Resolves No. 59, Sec. 34(a) as amended by 2020 Acts
2 and Resolves No. 121, Sec. 14 is further amended to read:

3 (a) Vehicle incentive and emissions repair programs administration.

4 * * *

5 (2) The Agency is authorized to spend \$2,000,000.00 as appropriated in
6 the fiscal year 2020 budget, \$50,000.00 in Transportation Fund monies, and
7 any additional monies as appropriated in the fiscal year 2021 budget for the
8 programs described in subsection (b) and (c) of this section or Transportation
9 Fund monies authorized to be expended by the Secretary of Transportation
10 pursuant to ~~Secs. 3 and 5 of this act, or both~~, on the programs described in
11 subsections (b) and (c) of this section. Notwithstanding any other provision of
12 law and subject to the approval of the Secretary of Administration,
13 appropriations for the programs described in subsections (b) and (c) of this
14 section remaining unexpended on June 30, 2021 shall be carried forward and
15 designated for expenditure on these programs in the subsequent fiscal year.

16 (3) Subject to State procurement requirements, the Agency may retain a
17 contractor or contractors to assist with marketing, program development, and
18 administration of the programs. Up to \$150,000.00 of program funding may
19 be set aside for this purpose for the programs described in subsection (c) of this
20 section in fiscal year 2020 and \$50,000.00 of program funding shall be set
21 aside for this purpose for the programs described in subsection (c) of this

1 section in fiscal year 2021 and to ensure that the emissions repair program is
2 operational not later than July 1, 2021. ~~In fiscal year 2021, the Agency is~~
3 ~~authorized to spend up to \$200,000.00 in program funding to continue and~~
4 ~~expand the Agency’s public-private partnership with Drive Electric Vermont to~~
5 ~~support the expansion of the PEV market in the State through technical and~~
6 ~~consumer assistance; auto-dealer education; outreach and incentive program~~
7 ~~management, including marketing, consumer support, record keeping and~~
8 ~~reporting, program development and modification, and general program~~
9 ~~administration for the program described in subsection (b) of this section; and~~
10 ~~PEV promotional efforts. The Agency shall develop, in consultation with the~~
11 ~~Departments of Environmental Conservation and of Public Service, a scope of~~
12 ~~work for funding the Agency’s grants to Drive Electric Vermont pursuant to~~
13 ~~this section.~~

14 * * *