

VERMONT **GENERAL ASSEMBLY**

The Vermont Statutes Online

The statutes were updated in November, 2018, and contain all actions of the 2018 legislative session.

Title 24 : Municipal And County Government

Chapter 126 : Public Transportation

Subchapter 002 : Public Transit

(Cite as: **24 V.S.A. § 5091**)

§ 5091. Funding

(a) The Secretary of Transportation, within the annual budget setting process, shall meet with the Public Transit Advisory Council and representatives of public transit systems to establish the level of State funds needed by public transit systems in Vermont, and shall consider this level in formulating the Agency of Transportation's proposed Transportation Program.

(b) State funds authorized by the General Assembly as grant assistance for the operation of public transit services shall be eligible for use as a matching source for federal funds.

(c) The same fiscal accountability requirements and regulatory standards shall apply to all grantees of funds as provided by rule of the Secretary of Transportation.

(d) Rideshare, capital, contracted services, and transportation brokerage services are not to be considered as operating funds under this section.

(e) State funds shall be paid to eligible grantees as follows:

(1) the first payment of 50 percent of the estimated annual fiscal year total shall be paid immediately upon execution of the grant;

(2) subsequent payments shall be paid quarterly based on projected need determined by current fiscal year spending and availability of funds;

(3) additional payments, if necessary, shall occur only if actual costs exceed the previous payments and if funds are available.

(f) [Repealed.]

(g) Monies which are in excess of the grantee's net project cost shall be returned to the Agency of Transportation within 30 days of the Agency's acceptance of the post-project audit.

(h) Applicants for State funding shall meet the requirements of federal laws and regulations relating to fiscal accountability and accessibility by persons with a disability.

(i) To implement the public transportation policy goals set forth in section 5083 of this title and 19 V.S.A. § 10f, the Agency of Transportation shall use the following formula for distribution of operating funds to public transit systems:

(1) [Repealed]

(A) 10 percent based on the percentage of the State's population of elders (persons age 60 and above) in each of the designated transit service areas;

(B) 10 percent based on the percentage of the State's youth population (persons ages 12 through 17) in each of the designated transit service areas;

(C) 10 percent based on the percentage of the State's population of people who have limited physical mobility in each of the designated transit service areas;

(D) 10 percent based on the percentage of the State's population of people who are in poverty in each of the designated transit service areas;

(E) 10 percent based on the percentage of the State's households lacking access to an automobile in each of the designated transit service areas.

(2) 20 percent of operating funds shall be based on need for employment transportation, as measured by the percentage of the State's employed persons residing in each of the designated transit service areas, using data developed by the Vermont Department of Labor.

(3) 15 percent of operating funds shall be based on the need for congestion mitigation and air quality, as measured by the percentage of the State's overall population living in high density areas in each of the designated transit service areas, using data from the U.S. Bureau of the Census.

(4) 15 percent of the operating funds shall be based on need for economic development transportation, as measured by the percentage of the State's jobs in each of the designated transit service areas, using data developed annually by the Vermont Department of Labor.

(j) Notwithstanding subsection (i) of this section, and to the extent that appropriated funds are available, no provider who is otherwise eligible shall receive a lesser amount of operating funds than it expended on eligible operating expenses in State fiscal year 2001 for services that remain ongoing, and provided that the amount shall be evaluated as necessary to address changes in the cost of providing the services. In the event that a provider merges with or is otherwise succeeded by another provider, the successor provider shall be entitled to the same protection under this subsection that would have been available to the superseded provider.

(k) Eligibility for an intercity bus carrier is limited to capital and operating assistance for routes which have not demonstrated economic viability. The Agency of Transportation is directed to develop procedures and criteria by December 31, 2001 to administer this subsection. Funding shall be appropriated and distributed outside the funding formula of subsection (i) of this section.

(l) State operating assistance appropriated for projects coming off new public transit service funding in fiscal year 2002 shall not be distributed pursuant to the formula in subsection (i) of this section, but shall be added to the eligible grantees' funding under subsection (j) of this section to the extent that they meet criteria for successful evaluation at the end of 2002.

(m) Any new State operating assistance appropriated to replace new public transit service funds for routes that have successfully met the evaluation criteria after State fiscal year 2002 shall not be distributed pursuant to the formula in subsection (i) of this section, but shall be added to the eligible grantees' funding under subsection (j) of this section. (Added 1989, No. 262 (Adj. Sess.); amended 1991, No. 175 (Adj. Sess.), § 21, eff. May 15, 1992; 1993, No. 61, § 28, eff. June 3, 1993; 1993, No. 211 (Adj. Sess.), §§ 19, 21, eff. June 17, 1994; 2001, No. 64, § 19, eff. June 16, 2001; 2003, No. 56, § 39, eff. June 4, 2003; 2005, No. 103 (Adj. Sess.), § 3, eff. April 5, 2006; 2009, No. 123 (Adj. Sess.), § 47(2); 2013, No. 96 (Adj. Sess.), § 163; 2017, No. 38, § 17.)