

1 S. 339

2 Senator Ashe moves to amend the bill by striking out Sec. 39 and its  
3 corresponding reader assistance heading in their entirety and inserting in lieu  
4 thereof the following:

5 \* \* \* Transportation and Climate Initiative \* \* \*

6 Sec. 39. TRANSPORTATION AND CLIMATE INITIATIVE FINDINGS

7 The General Assembly finds that:

8 (1) Climate change, caused by human-made emissions of greenhouse  
9 gases such as carbon dioxide, poses serious risks to Vermont’s environment,  
10 economy, and way of life.

11 (2) Approximately 40 percent of the carbon emissions in Vermont are  
12 caused by the transportation sector. As a result, any effort to reduce carbon  
13 emissions in Vermont and to address climate change must include this sector.

14 (3) Twelve Northeastern and Mid-Atlantic states, including Vermont  
15 and the District of Columbia, have worked together to establish the  
16 Transportation and Climate Initiative of the Northeast and Mid-Atlantic States  
17 (TCI).

18 (4) TCI, modeled on the successful Regional Greenhouse Gas Initiative  
19 (RGGI), will create a regional cap and invest program to reduce carbon  
20 emissions from the transportation sector in a cost-effective and market-based  
21 manner.

1           (5) Although the TCI cap and invest program may not be operational  
2           until 2022, it is important that Vermont enact legislation now to authorize the  
3           Governor to enter into TCI upon a determination that two adjacent states have  
4           entered the agreement and that if Vermont does not enter the agreement the  
5           State shall not receive revenue from TCI but will be impacted by compliance  
6           costs, if any, in order to emphasize our State’s commitment to addressing  
7           climate change and to allow the Agency of Natural Resources, the Agency of  
8           Transportation, the Department of Public Service, other State agencies and  
9           departments, and other stakeholders to begin the complex planning process  
10           necessary for the implementation of TCI.

11           Sec. 40. AUTHORIZATION TO ENTER INTO AGREEMENT

12           The Governor is authorized to enter into the Transportation and Climate  
13           Initiative of the Northeast and Mid-Atlantic States (TCI) upon a determination  
14           that:

15                   (1) two adjacent states have entered the agreement; and

16                   (2) if Vermont does not enter the agreement, the State shall not receive  
17           revenue from TCI but will be impacted by compliance costs, if any.

18           Sec. 41. 30 V.S.A. § 256 is added to read:

19           § 256. TRANSPORTATION AND CLIMATE INITIATIVE

1       (a) Transportation and Climate Initiative. Vermont shall join and  
2       participate in the Transportation and Climate Initiative of the Northeast and  
3       Mid-Atlantic States (TCI), including any cap and invest program.

4       (b) Special Fund. Net revenues above costs from the sale of credits under  
5       the TCI cap and invest program shall be deposited into the Transportation and  
6       Climate Initiative Special Fund established pursuant to section 257 of this title.  
7       Monies in the Fund shall be invested in programs and activities that:

8             (1) reduce the use of fossil fuels in the transportation sector;

9             (2) reduce the emission of greenhouse gases, as defined in 10 V.S.A.  
10       § 552, in the transportation sector; and

11            (3) save Vermonters money.

12       (c) Rules. The Agency of Natural Resources (ANR), the Agency of  
13       Transportation (AOT), the Department of Public Service (DPS), and other  
14       State agencies and departments shall adopt rules as necessary to implement this  
15       section.

16       (d) Reports. On or before January 15 of each year, commencing in 2022,  
17       ANR, AOT, and DPS shall submit a report to the House Committees on  
18       Energy and Technology, on Transportation, and on Ways and Means; to the  
19       Senate Committees on Finance, on Natural Resources and Energy, and on  
20       Transportation; and to the Joint Carbon Emissions Reduction Committee  
21       detailing the implementation and operation of TCI, the revenues collected, the

1 expenditures made, and recommendations concerning the allocation of funds.

2 ANR shall account for and report concerning the Transportation and Climate

3 Initiative Special Fund pursuant to 32 V.S.A. § 588(6).

4 Sec. 42. 30 V.S.A. § 257 is added to read:

5 § 257. TRANSPORTATION AND CLIMATE INITIATIVE SPECIAL

6 FUND

7 (a) There is established the Transportation and Climate Initiative Special

8 Fund that shall be managed in accordance with 32 V.S.A. chapter 7,

9 subchapter 5. The Fund shall be administered by the Agency of

10 Transportation.

11 (b) Net revenues above costs from the sale of credits under the

12 Transportation and Climate Initiative cap and invest program established

13 pursuant to section 256 of this title shall be deposited into the Fund.

14 (c) Balances in the Fund shall only be used to support the programs and

15 activities authorized pursuant to section 256 of this title and shall not be

16 available to meet the general obligations of the State. Monies in the Fund shall

17 be carried forward and remain in the Fund at the end of each fiscal year.

18 Notwithstanding 32 V.S.A. § 588, interest earned shall remain in the Fund.

19 Necessary costs incurred for administration of the Fund may be withheld and

20 credited to the General Fund.

1       Sec. 43. RULES REQUIRED PURSUANT TO 30 V.S.A. § 256

2           (a) Pursuant to 30 V.S.A. § 256, the Agency of Natural Resources (ANR),  
3       the Agency of Transportation (AOT), the Department of Public Service (DPS),  
4       and other State agencies and departments shall adopt rules as necessary for  
5       Vermont to join and participate in the Transportation and Climate Initiative of  
6       the Northeast and Mid-Atlantic States (TCI), including a cap and invest  
7       program.

8           (b) ANR, AOT, and DPS shall consult with other State agencies and  
9       departments, the Public Utility Commission, electric distribution utilities,  
10       efficiency utilities, stakeholders, members of the public, and relevant or  
11       interested persons in developing the rules.

12           (c) The rules shall:

13           (1) be the same as, or substantially similar to, any TCI model rules,  
14       regulations, and guidance;

15           (2) ensure that funds Vermont receives from TCI shall be invested in  
16       programs and initiatives that reduce the use of fossil fuels in the transportation  
17       sector, reduce the emission of greenhouse gases from the transportation sector,  
18       and save Vermonters money, including programs and initiatives that:

19           (A) support the electrification of transportation, including:

20           (i) incentivizing and promoting the purchase of plug-in electric  
21       vehicles as defined in 23 V.S.A. § 4(85);

1                   (ii) providing support and assistance to State, local, and municipal  
2 governments to purchase plug-in electric vehicles as defined in 23 V.S.A.  
3 § 4(85);

4                   (iii) supporting the construction and maintenance of electric  
5 vehicle supply equipment as defined in 30 V.S.A. § 201(2) throughout the  
6 State; and

7                   (iv) supporting the electrification of mass transit including  
8 incentivizing and promoting the purchase, lease, and use of hybrid, plug-in  
9 hybrid, and electric mass transit vehicles; and

10                   (B) support and expand new and existing:

11                   (i) efficiency programs in the transportation sector; and

12                   (ii) programs and services provided pursuant to 30 V.S.A.  
13 § 8005(a)(3) that support the electrification of transportation; and

14                   (3) seek to minimize costs to Vermonters with low and moderate  
15 incomes and ensure that all Vermonters can participate in and benefit from the  
16 programs and initiatives funded by TCI.

17                   (d) ANR, AOT, DPS, and any other State agency or department involved in  
18 the drafting of proposed rules pursuant to 30 V.S.A. § 256 shall, commencing  
19 on January 1, 2021, provide updates concerning the development and drafting  
20 of the rules and any relevant issues every third month to:



1 23 V.S.A. chapter 28, subchapter 1), 19 (International Registration Plan;  
2 23 V.S.A. chapter 35), 20 (fuel tax credits and refunds; 23 V.S.A. § 3020),  
3 21 (registration credits and refunds; 23 V.S.A. § 3705), 22 (snowmobile  
4 certificate; 23 V.S.A. § 3206(b)), 23 (snowmobile penalties; 23 V.S.A.  
5 § 3207), 25 (commercial driver’s license disqualifications; 23 V.S.A. § 4116),  
6 26 (online truck permitting system), 27 (report on release of personal  
7 information), 28 (lighted paddle signaling devices; speed reduction practices);  
8 39 (Transportation and Climate Initiative findings), and 40 (authorization to  
9 enter into Transportation and Climate Initiative) shall take effect on passage.

10 (b) Sec. 11 (inspection of school buses; 23 V.S.A. § 1282) shall take effect  
11 on September 1, 2020.

12 (c) Sec. 4 (electronic in-transit permit; 23 V.S.A. § 518) shall take effect on  
13 July 1, 2021.

14 (d) Secs. 41 (Transportation and Climate Initiative; 30 V.S.A. § 256), 42  
15 (Transportation and Climate Initiative Special Fund; 30 V.S.A. § 257), and 43  
16 (Transportation and Climate Initiative rulemaking) shall take effect upon the  
17 Governor entering into the Transportation and Climate Initiative of the  
18 Northeast and Mid-Atlantic States pursuant to Sec. 40 of this act.

19 (e) All other sections shall take effect on July 1, 2020.