

1 TO THE HONORABLE SENATE:

2 The Committee on Transportation to which was referred House Bill No.  
3 529 entitled “An act relating to the Transportation Program and miscellaneous  
4 changes to laws related to transportation” respectfully reports that it has  
5 considered the same and recommends that the Senate propose to the House that  
6 the bill be amended by striking out all after the enacting clause and inserting in  
7 lieu thereof the following:

8 \* \* \* Transportation Program Adopted as Amended; Definitions \* \* \*

9 Sec. 1. TRANSPORTATION PROGRAM ADOPTED AS AMENDED;

10 DEFINITIONS

11 (a) The Agency of Transportation’s proposed fiscal year 2020  
12 Transportation Program appended to the Agency of Transportation’s Proposed  
13 Fiscal Year 2020 Transportation Program (Revised February 21, 2019), as  
14 amended by this act, is adopted to the extent federal, State, and local funds are  
15 available.

16 (b) As used in this act, unless otherwise indicated:

17 (1) “Agency” means the Agency of Transportation.

18 (2) “Electric vehicle supply equipment” has the same meaning as in 30  
19 V.S.A. § 201 as amended by Sec. 26 of this act.

20 (3) “Plug-in electric vehicle” has the same meaning as in 23 V.S.A.  
21 § 4(85) as added by Sec. 25 of this act and is abbreviated “PEV.”

1           (4) “Secretary” means the Secretary of Transportation.

2           (5) The table heading “As Proposed” means the Transportation Program  
3 referenced in subsection (a) of this section; the table heading “As Amended”  
4 means the amendments as made by this act; the table heading “Change” means  
5 the difference obtained by subtracting the “As Proposed” figure from the “As  
6 Amended” figure; and the terms “change” or “changes” in the text refer to the  
7 project- and program-specific amendments, the aggregate sum of which equals  
8 the net “Change” in the applicable table heading.

9           (6) “TIB funds” means monies deposited into the Transportation  
10 Infrastructure Bond Fund in accordance with 19 V.S.A. § 11f.

11           \* \* \* Amendments to Transportation Program – Program Development \* \* \*

12           **Sec. 2. FISCAL YEAR SPENDING AUTHORITY; PROGRAM**  
13                           DEVELOPMENT

14           If the Agency’s fiscal year 2019 maintenance of effort requirement is  
15 attained and toll credits are approved by the Federal Highway Administration  
16 in fiscal year 2020 then spending authority in Program Development in the  
17 Agency of Transportation’s Proposed Fiscal Year 2020 Transportation  
18 Program (Revised February 21, 2019) is amended as follows:

19           (a) transportation funds is reduced by the amount of toll credits approved,  
20 but not to exceed \$845,416.64; and

1        (b) federal funds is increased by the amount of toll credits approved, but  
2        not to exceed \$845,416.64.

3        **Sec. 3.** PROGRAM DEVELOPMENT; ROADWAY

4        (a) Within the Agency of Transportation’s Proposed Fiscal Year 2020  
5        Transportation Program (Revised February 21, 2019) for Program  
6        Development—Roadway authorized spending for Burlington MEGC M 5001  
7        (1) is amended as follows:

8	<u>FY20</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
9	PE	500,000	500,000	0
10	Construction	10,500,000	5,500,000	-5,000,000
11	Total	11,000,000	6,000,000	-5,000,000

12        Sources of funds

13	TIB	330,000	180,000	-150,000
14	Federal	10,450,000	5,700,000	-4,750,000
15	Local	220,000	120,000	-100,000
16	Total	11,000,000	6,000,000	-5,000,000

17        (b) Within the Agency of Transportation’s Proposed Fiscal Year 2020  
18        Transportation Program (Revised February 21, 2019) for Program  
19        Development—Roadway authorized spending for Waterbury FEGC F 013-  
20        4(13) is amended as follows:

21	<u>FY20</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
----	-------------	--------------------	-------------------	---------------

1	Construction	10,000,000	10,000,000	0
2	Total	10,000,000	10,000,000	0
3	<u>Sources of funds</u>			
4	TIB	0	150,000	150,000
5	State	300,000	150,000	-150,000
6	Federal	9,500,000	9,500,000	0
7	Local	200,000	200,000	0
8	Total	10,000,000	10,000,000	0

9 Sec. 4. PROGRAM DEVELOPMENT; TRAFFIC & SAFETY

10 Within the Agency of Transportation's Proposed Fiscal Year 2020  
11 Transportation Program (Revised February 21, 2019) for Program  
12 Development—Traffic & Safety authorized spending for Shelburne – South  
13 Burlington – NHG SGNL(51) is amended as follows:

14	<u>FY20</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
15	PE	10,000	75,000	65,000
16	Construction	0	50,000	50,000
17	Total	10,000	125,000	115,000
18	<u>Sources of funds</u>			
19	Federal	10,000	125,000	115,000
20	Total	10,000	125,000	115,000

21 \* \* \* Municipal Mitigation Assistance Program \* \* \*

1 **Sec. 5.** SPENDING AUTHORITY IN THE MUNICIPAL MITIGATION  
2 ASSISTANCE PROGRAM

3 (a) Spending authority for grants in the Municipal Mitigation Assistance  
4 Program in the Agency of Transportation’s Proposed Fiscal Year 2020  
5 Transportation Program (Revised February 21, 2019) is increased by  
6 \$135,000.00 in transportation funds.

7 (b) If the Agency’s fiscal year 2019 maintenance of effort requirement is  
8 attained and toll credits are approved by the Federal Highway Administration  
9 in fiscal year 2020 then spending authority for grants in the Municipal  
10 Mitigation Assistance Program in the Agency of Transportation’s Proposed  
11 Fiscal Year 2020 Transportation Program (Revised February 21, 2019) is  
12 further increased by the amount of toll credits approved, but not to exceed  
13 \$845,416.64.

14 \* \* \* Opioid Treatment Pilot \* \* \*

15 **Sec. 6.** ELECTRIC VEHICLE SUPPLY EQUIPMENT

16 Within the Agency of Transportation’s Proposed Fiscal Year 2020  
17 Transportation Program (Revised February 21, 2019) for Public Transit  
18 authorized spending for Opioid Treatment Pilot is amended as follows:

<u>FY20</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
Other	200,000	0	-200,000
Total	200,000	0	-200,000

1        Sources of funds

2            State	200,000	0	-200,000
3            Total	200,000	0	-200,000

4                            \* \* \* Electric Vehicle Supply Equipment \* \* \*

5        **Sec. 6a. ELECTRIC VEHICLE SUPPLY EQUIPMENT**

6            Within the Agency of Transportation's Proposed Fiscal Year 2020  
7            Transportation Program (Revised February 21, 2019) for Park & Ride Lots  
8            authorized spending for Statewide EVCS(1)-EV charging stations is amended  
9            as follows:

10 <u>FY20</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
11        Construction	300,000	300,000	0
12        Total	300,000	300,000	0

13        Sources of funds

14        State (T. Fund)	300,000	200,000	-100,000
15        State (Transfer)	0	100,000	100,000
16        Total	300,000	300,000	0

17                            \* \* \* Voluntary Cancellation of Municipal Projects \* \* \*

18        Sec. 7. 19 V.S.A. § 10g(h) is amended to read:

19            (h) Should capital projects in the Transportation Program be delayed  
20        because of unanticipated problems with permitting, right-of-way acquisition,  
21        construction, local concern, or availability of federal or State funds, the

1 Secretary is authorized to advance projects in the approved Transportation  
2 Program. The Secretary is further authorized to undertake projects to resolve  
3 emergency or safety issues. Upon authorizing a project to resolve an  
4 emergency or safety issue, the Secretary shall give prompt notice of the  
5 decision and action taken to the Joint Fiscal Office and to the House and  
6 Senate Committees on Transportation when the General Assembly is in  
7 session, and when the General Assembly is not in session, to the Joint  
8 Transportation Oversight Committee, the Joint Fiscal Office, and the Joint  
9 Fiscal Committee. Should an approved project in the current Transportation  
10 Program require additional funding to maintain the approved schedule, the  
11 Agency is authorized to allocate the necessary resources. However, the  
12 Secretary shall not delay or suspend work on approved projects to reallocate  
13 funding for other projects except when other funding options are not available.  
14 In such case, the Secretary shall notify ~~the members of~~ the Joint Transportation  
15 Oversight Committee, ~~and~~ the Joint Fiscal Office, and the Joint Fiscal  
16 Committee when the General Assembly is not in session and the House and  
17 Senate Committees on Transportation and the Joint Fiscal Office when the  
18 General Assembly is in session. With respect to projects in the approved  
19 Transportation Program, the Secretary shall notify, in the district affected, the  
20 regional planning commission, the municipality, Legislators, ~~members of~~ the  
21 Senate and House Committees on Transportation, and the Joint Fiscal Office of

1 any change ~~which~~ that likely will affect the fiscal year in which the project is  
2 planned to go to construction. No project shall be canceled without the  
3 approval of the General Assembly, except that the Agency may cancel a  
4 municipal project when requested by the municipality or when the Agency and  
5 the municipality concur that the project no longer is necessary.

6 Sec. 8. [Deleted.]

7 \* \* \* Project Additions \* \* \*

8 Sec. 9. ADDITION OF COLCHESTER – BAYSIDE INTERSECTION  
9 PROJECT

10 The following project is added to the candidate list of Program  
11 Development—Traffic & Safety Program within the Proposed Fiscal Year  
12 2020 Transportation Program (Revised February 21, 2019): Colchester –  
13 Bayside Intersection Roundabout and Stormwater Improvements.

14 Sec. 10. ADDITION OF SHELBURNE – SOUTH BURLINGTON  
15 PROJECT AND SPENDING AUTHORITY

16 (a) The following project is added to the candidate list of the Program  
17 Development—Traffic & Safety Program within the fiscal year 2020  
18 Transportation Program (Revised February 21, 2019): Shelburne – South  
19 Burlington – Automated Traffic Signal Performance Measures.

20 (b) Spending authority for the Shelburne – South Burlington – Automated  
21 Traffic Signal Performance Measures project is authorized as follows:



	<u>FY20</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
1				
2	PE	0	15,000	15,000
3	Construction	0	50,000	50,000
4	Total	0	65,000	65,000
5	<u>Sources of funds</u>			
6	State	0	13,000	13,000
7	Federal	0	52,000	52,000
8	Total	0	65,000	65,000

9                                   \* \* \* BUILD Grant Acceptance \* \* \*

10       Sec. 11. BETTER UTILIZING INVESTMENTS TO LEVERAGE  
11                                   DEVELOPMENT (BUILD) GRANT (RAIL)

12               Notwithstanding 32 V.S.A. § 5 (acceptance of grants) and 19 V.S.A. § 7(k)  
13       (Secretary; powers and duties), the Agency of Transportation is authorized to  
14       accept the Better Utilizing Investments to Leverage Development (BUILD)  
15       grant awarded in federal fiscal year 2019 for the Vermont Regional Freight  
16       Rail Corridor Upgrade Project in the amount of \$20,000,000.00.

17                                   \* \* \* CRISI Grant Acceptance and Project Addition \* \* \*

18       Sec. 12. CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY  
19                                   IMPROVEMENTS (CRISI) GRANT (RAIL)

20               (a) Notwithstanding 32 V.S.A. § 5 (acceptance of grants) and 19 V.S.A.  
21       § 7(k) (Secretary; powers and duties), the Agency of Transportation is

1 authorized to accept the Consolidated Rail Infrastructure and Safety  
2 Improvements (CRISI) grant in the amount of \$2,082,519.00 for the following  
3 project, which is added to the fiscal year 2020 Transportation Program:  
4 Windsor – St. Albans CRISI (17) Vermonter Amtrak Safety Project.

5 (b) Spending authority for the Windsor – St. Albans CRISI (17) Vermonter  
6 Amtrak Safety Project is authorized as follows:

<u>FY20</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
Other	0	2,082,519	2,082,519
Total	0	2,082,519	2,082,519
<u>Sources of funds</u>			
Federal	0	2,082,519	2,082,519
Total	0	2,082,519	2,082,519

13 \* \* \* Central Garage \* \* \*

14 Sec. 13. TRANSFER TO CENTRAL GARAGE FUND

15 Notwithstanding 19 V.S.A. § 13(c)(1), in fiscal year 2020, the amount of  
16 \$355,358.00 is transferred from the Transportation Fund to the Central Garage  
17 Fund created in 19 V.S.A. § 13.

18 Sec. 14. CENTRAL GARAGE EQUIPMENT

19 Authorized spending in fiscal year 2020 for operating expenses in the  
20 Central Garage is reduced by \$39,904.00 in internal service funds.

21 Sec. 15. 19 V.S.A. § 13(c)(1) is amended to read:

1 (c)(1) For the purpose specified in subsection (b) of this section, the  
2 following amount shall be transferred from the Transportation Fund to the  
3 Central Garage Fund:

4 (A) in fiscal year ~~2019~~ 2021, ~~\$1,318,442.00~~ \$1,355,358.00; and

5 (B) in subsequent fiscal years, at a minimum, the amount specified in  
6 subdivision (A) of this subdivision (1) as adjusted annually by increasing the  
7 previous fiscal year's amount by the percentage increase in the Bureau of  
8 Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U)  
9 during the ~~previous~~ two most recently closed State fiscal ~~year~~ years.

10 Sec. 16. 19 V.S.A. § 306(a) is amended to read:

11 § 306. APPROPRIATION; STATE AID FOR TOWN HIGHWAYS

12 (a) General State aid to town highways.

13 (1) An annual appropriation to class 1, 2, and 3 town highways shall be  
14 made. This appropriation shall increase over the previous fiscal year's  
15 appropriation by the same percentage as the following, whichever is less:

16 (A) the year-over-year increase in the two most recently closed fiscal  
17 years in the Agency's total appropriations ~~in the previous fiscal year~~ funded by  
18 Transportation Fund revenues, excluding ~~the appropriation~~ appropriations for  
19 town highways under this subsection (a) ~~for that year~~; or

1           (B) the percentage increase in the Bureau of Labor Statistics  
2           Consumer Price Index for All Urban Consumers (CPI-U) during the ~~previous~~  
3           ~~State fiscal year~~ same period in subdivision (1)(A) of this subsection.

4           (2) If the year-over-year change in appropriations specified in either  
5           subdivision (1)(A) or (B) of this subsection is negative, then the appropriation  
6           to town highways under this subsection shall be equal to the previous fiscal  
7           year's appropriation.

8           (3) The funds appropriated shall be distributed to towns as follows:

9           (A) Six percent of the State's annual town highway appropriation  
10          shall be apportioned to class 1 town highways. The apportionment for each  
11          town shall be that town's percentage of class 1 town highways of the total class  
12          1 town highway mileage in the State.

13          (B) Forty-four percent of the State's annual town highway  
14          appropriation shall be apportioned to class 2 town highways. The  
15          apportionment for each town shall be that town's percentage of class 2 town  
16          highways of the total class 2 town highway mileage in the State.

17          (C) Fifty percent of the State's annual town highway appropriation  
18          shall be apportioned to class 3 town highways. The apportionment for each  
19          town shall be that town's percentage of class 3 town highways of the total class  
20          3 town highway mileage in the State.

1 (D) Monies apportioned under subdivisions (1), (2), and (3) of this  
2 subsection shall be distributed to each town in quarterly payments beginning  
3 July 15 in each year.

4 (E) Each town shall use the monies apportioned to it solely for town  
5 highway construction, improvement, and maintenance purposes or as the  
6 nonfederal share for public transit assistance. These funds may also be used  
7 for the establishment and maintenance of bicycle routes and sidewalks. The  
8 members of the selectboard shall be personally liable to the State, in a civil  
9 action brought by the Attorney General, for making any unauthorized  
10 expenditures from money apportioned to the town under this section.

11 \* \* \* Public Transit Funding \* \* \*

12 Sec. 17. 24 V.S.A. § 5083 is amended to read:

13 § 5083. DECLARATION OF POLICY

14 (a) It shall be the State's policy to make maximum use of available federal  
15 funds for the support of public transportation. State operating support funds  
16 shall be included in Agency operating budgets to the extent that funds are  
17 available. State policy shall support the maintenance of existing public transit  
18 services and creation of new services including, ~~in order of precedence,~~ the  
19 following goals:

20 (1) Provision for basic mobility for transit-dependent persons, as defined  
21 in the current public transit policy plan of ~~January 15, 2000~~, including meeting

1 the performance standards for urban, suburban, and rural areas. The density of  
2 a service area’s population is an important factor in determining whether the  
3 service offered is fixed route, demand-response, or volunteer drivers.

4 (2) Expanding public transit service in rural areas and increasing  
5 ridership statewide.

6 (3) Access to employment, including creation of demand-response  
7 service.

8 ~~(3)~~(4) Congestion mitigation to preserve air quality, decrease  
9 greenhouse gas emissions, and the sustainability of sustain the highway  
10 network.

11 ~~(4)~~(5) Advancement of economic development objectives, including  
12 services for workers and visitors that support the travel and tourism industry.  
13 Applicants for “new starts” in this service sector shall demonstrate a high level  
14 of locally derived income for operating costs from fare-box recovery, contract  
15 income, or other income.

16 (b) The Agency of Transportation shall evaluate proposals for new public  
17 transit service submitted by providers in response to a notice of funding  
18 availability, by examining feasibility studies submitted by providers. The  
19 feasibility studies shall address criteria set forth in the most recent public  
20 transit policy plan.

1 (c) The Agency, in cooperation with the Public Transit Advisory Council,  
2 shall adopt appropriate performance and service standards for transit systems  
3 receiving federal or State assistance. The Agency of Transportation shall  
4 provide guidance, training, funding, and technical assistance to transit systems  
5 in order to meet the performance and service standards established.

6 (d) The Agency of Transportation shall provide written guidance, funding,  
7 and technical assistance in the preparation of financial and management plans  
8 for public transit systems for each fiscal year. To provide a foundation for  
9 financial stability and reliability in the provision of transportation services to  
10 the public, the Agency of Transportation shall, in cooperation with the Public  
11 Transit Advisory Council, establish both short and long-range fiscal, operating,  
12 and capital investment plans to support the goals outlined in this section and  
13 regional transportation development plan proposals and regional plans as  
14 required by section 5089 of this title.

15 Sec. 18. 24 V.S.A. § 5091(i) is amended to read:

16 (i) ~~To implement~~ The Agency of Transportation shall distribute State and  
17 federal funds to public transit systems through an annual competitive program  
18 that implements the public transportation policy goals set forth in section 5083  
19 of this title and 19 V.S.A. § 10f, ~~the Agency of Transportation shall use the~~  
20 ~~following formula for distribution of operating funds to public transit systems:~~

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

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

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

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

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

14           [Repealed]

15           ~~(2) 20 percent of operating funds shall be based on need for employment~~  
16           ~~transportation, as measured by the percentage of the State's employed persons~~  
17           ~~residing in each of the designated transit service areas, using data developed by~~  
18           ~~the Vermont Department of Labor. [Repealed.]~~

19           ~~(3) 15 percent of operating funds shall be based on the need for~~  
20           ~~congestion mitigation and air quality, as measured by the percentage of the~~  
21           ~~State's overall population living in high density areas in each of the designated~~



1 ~~transit service areas, using data from the U.S. Bureau of the Census.~~

2 [Repealed.]

3 (4) ~~15 percent of the operating funds shall be based on need for~~  
4 ~~economic development transportation, as measured by the percentage of the~~  
5 ~~State's jobs in each of the designated transit service areas, using data~~  
6 ~~developed annually by the Vermont Department of Labor. [Repealed.]~~

7 \* \* \* Public Transit Study \* \* \*

8 Sec. 19. STUDY OF METHODS TO INCREASE PUBLIC TRANSIT  
9 RIDERSHIP IN VERMONT

10 (a) The Agency of Transportation shall, in consultation with  
11 stakeholders, study methods to increase use of public transit in Vermont for  
12 both residents and visitors. This study shall review the Agency's current  
13 initiatives and those in other territories, states, and countries; review literature,  
14 marketing, and activities regarding methods to increase ridership with special  
15 emphasis on rural areas; determine unmet needs from current studies; examine  
16 the benefit of providing local connectivity to transit; and evaluate what factors  
17 affect public transit ridership in Vermont.

18 (c) The Agency shall deliver a written report of its findings and any  
19 recommendations, including where and how to make the most effective  
20 improvements in service and criteria to use to determine the priorities of

1 investments, to the House and Senate Committees on Transportation on or  
2 before January 15, 2020.

3 (d) The Agency shall evaluate recommendations for potential inclusion in  
4 its fiscal year 2021 budget proposal and estimated funding necessary to  
5 achieve the recommendations for any new initiatives identified in the study.

6 \* \* \* State Highway Condemnation and Acquisition \* \* \*

7 Sec. 20. 19 V.S.A. § 503(d) is amended to read:

8 (d) Notice and other documents. The Agency shall hand-deliver or send by  
9 mail to ~~interested persons~~ owners of property to be acquired a notice of  
10 procedures and rights and the offer of just compensation. The notice of  
11 procedures and rights shall include an explanation of the proposed State  
12 highway project and its purpose, and statements that:

13 \* \* \*

14 Sec. 21. 19 V.S.A. § 504(a) is amended to read:

15 (a) Verified complaint. If a property owner has not entered into an  
16 agreement stipulating to the necessity of a taking and the public purpose of a  
17 highway project, and the Agency wishes to proceed with the taking, the  
18 Agency shall file a verified complaint in the Civil Division of the Superior  
19 Court in a county where the project is located seeking a judgment of  
20 condemnation. The complaint shall name as defendants each ~~interested person~~  
21 property owner who has not stipulated to a proposed taking, and shall include:

1           (1) ~~statements~~ Statements that the Agency has complied with subsection  
2           503(d) of this chapter;

3           (2) ~~the~~ The Agency’s written determination of necessity;

4           (3) ~~a~~ A general description of the negotiations undertaken; ~~and~~

5           (4) ~~a~~ A survey of the proposed project, and legal descriptions of the

6           property and of the interests therein proposed to be taken. As used in this

7           subdivision, “survey” means a plan, profile, or cross section of the proposed

8           project. The survey and legal descriptions served upon the property owner

9           only need to include the particular property or properties at issue.

10          Sec. 22. 19 V.S.A. § 502(a) is amended to read:

11          (a) Authority. The Agency, when in its judgment the ~~interest~~ interests of  
12          the State ~~requires~~ require, may take any property necessary to lay out, relocate,

13          alter, construct, reconstruct, maintain, repair, widen, grade, or improve any

14          State highway, including affected portions of town highways. In furtherance

15          of these purposes, the Agency may enter upon lands to conduct necessary

16          examinations and surveys; however, the Agency shall do this work with

17          minimum damage to the land and disturbance to the owners and shall be

18          subject to liability for actual damages. All property taken permanently shall be

19          taken in fee simple whenever practicable. The Agency’s acquisition of

20          property pursuant to this chapter, whether by condemnation or conveyance in

21          lieu of condemnation, shall not require subdivision approval under any law,

1 regulation, or municipal ordinance. For all State highway projects involving  
2 property acquisitions, the Agency shall follow the provisions of the Uniform  
3 Relocation Assistance and Real Property Acquisitions Policies Act (~~“Act”~~)  
4 (Act) and its implementing regulations, as may be amended.

5 \* \* \* Public-Private Partnership (P3) Definition \* \* \*

6 Sec. 23. 19 V.S.A. § 2612(4) is amended to read:

7 (4) “Public-private partnership” or “P3” means an alternative project  
8 delivery mechanism that may be used by the Agency to permit private sector  
9 participation in a project, including in its financing, development, operation,  
10 management, ownership, leasing, or maintenance. As used in this subchapter,  
11 “partnership” shall refer solely to a “public-private partnership” and “partner”  
12 shall refer to the State or to the private entity participant or participants in a  
13 public-private partnership.

14 \* \* \* Highway Work; Minimum Wages \* \* \*

15 Sec. 24. 19 V.S.A. § 18 is amended to read:

16 § 18. WAGES

17 In making up specifications and advertising for bids on highway work, the  
18 ~~board~~ Agency shall fix, subject to local conditions, the minimum wage per  
19 hour for various classes of labor and the minimum to be paid per hour or per  
20 cubic yard for trucks ~~which~~ that the contractor shall be bound to pay.



1 a law enforcement officer may withdraw blood for the purpose of determining  
2 the presence of alcohol or ~~other~~ another drug. This limitation does not apply to  
3 the taking of a breath sample. A medical facility or business may not charge  
4 more than \$75.00 for services rendered when an individual is brought to a  
5 facility for the sole purpose of an evidentiary blood sample or when an  
6 emergency medical technician or paramedic draws an evidentiary blood  
7 sample.

8 \* \* \* Electric Vehicle Definitions \* \* \*

9 Sec. 28. 23 V.S.A. § 4(85) is added to read:

10 (85) “Plug-in electric vehicle” means a motor vehicle that can be  
11 powered by an electric motor drawing current from a rechargeable energy  
12 storage system, such as from storage batteries or other portable electrical  
13 energy storage devices provided that the vehicle can draw recharge energy  
14 from a source off the vehicle such as electric vehicle supply equipment. A  
15 “plug-in electric vehicle” includes both a motor vehicle that can only be  
16 powered by an electric motor drawing current from a rechargeable energy  
17 storage system and a motor vehicle that can be powered by an electric motor  
18 drawing current from a rechargeable energy storage system but also has an  
19 onboard combustion engine.

20 Sec. 29. 30 V.S.A. § 201 is amended to read:

21 § 201. DEFINITIONS

1       (a) As used in this chapter, ~~the word “company”~~;

2           (1) “Company” or “companies” means and includes individuals,  
3       partnerships, associations, corporations, and municipalities owning or  
4       conducting any public service business or property used in connection  
5       therewith and covered by the provisions of this chapter. The term “company”  
6       or “companies” also includes electric cooperatives organized and operating  
7       under chapter 81 of this title, the Vermont Public Power Supply Authority to  
8       the extent not inconsistent with chapter 84 of this title, and the Vermont  
9       Hydroelectric Power Authority to the extent not inconsistent with chapter 90 of  
10      this title. In the context of actions requiring prior approval under section 107  
11      of this title, the term “company” shall also mean any individual, partnership,  
12      association, corporation, group, syndicate, operating division, joint stock  
13      company, trust, other entity, or municipality which would be defined as a  
14      company pursuant to this section if such approval were to be granted.

15           (2) “Electric vehicle supply equipment” means a device or system  
16      designed and used specifically to transfer electrical energy to a plug-in electric  
17      vehicle as defined in 23 V.S.A. § 4(85), either as charge transferred via a  
18      physical or wireless connection, by loading a fully charged battery, or by other  
19      means. “Electric vehicle supply equipment available to the public” shall:

20           (A) be located at a publicly available parking space, which does not  
21      include a parking space that is part of or associated with a private residence or

1 a parking space that is reserved for the exclusive use of an individual driver,  
2 vehicle, or group of drivers or vehicles including employees, tenants, visitors,  
3 residents of a common interest development, residents of an adjacent building,  
4 or customers of a business whose primary business is not electric vehicle  
5 charging;

6 (B) disclose all charges for the use of the electric vehicle supply  
7 equipment at the point of sale; and

8 (C) provide multiple payment options that allow access by the public,  
9 if a fee is required, and shall not require persons desiring to use such public  
10 electric vehicle supply equipment to pay a subscription fee or otherwise obtain  
11 a membership in any club, association, or organization as a condition of using  
12 such electric vehicle supply equipment, but may have different price schedules  
13 that are conditioned on a subscription or membership in a club, association, or  
14 organization.

15 ~~(b) As used in this chapter, “energy”~~

16 (3) “Energy” means not only the traditional scientific characteristic of  
17 “ability to do work” but also the substances or processes used to produce heat,  
18 light, or motion, including petroleum or other liquid fuels, natural or synthetic  
19 fuel gas, solid carbonaceous fuels, solar radiation, geothermal sources, nuclear  
20 sources, biomass, organic waste products, wind, or flowing water.

21 Sec. 30. 9 V.S.A. § 2651(14) is amended to read:



1           (14) “Weights and measures” means all weights and measures of every  
2 kind, instruments and devices for weighing and measuring, and any appliances  
3 and accessories associated with any or all such instruments and devices  
4 including electric vehicle supply equipment available to the public, as defined  
5 in subdivision 2730(a)(14) of this title, but not including meters for the  
6 measurement of electricity, gas (natural or manufactured), or water when they  
7 are operated in a public utility system. Such electricity, gas, and water meters  
8 are specifically excluded from the purview of this chapter, and this chapter  
9 shall not apply to such meters or to any appliances or accessories associated  
10 therewith.

11       Sec. 31. 9 V.S.A. § 2730(a)(14) is added to read:

12           (14) “Electric vehicle supply equipment” and “electric vehicle supply  
13 equipment available to the public” have the same meanings as in 30 V.S.A.  
14 § 201.

15           \* \* \* Net Metering at Electric Vehicle Supply Equipment \* \* \*

16       Sec. 32. 30 V.S.A. § 8002(16) is amended to read:

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

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

20           (B) operates in parallel with facilities of the electric distribution  
21 system;

1 (C) is intended primarily to offset the customer's own electricity  
2 requirements and does not supply electricity to electric vehicle supply  
3 equipment, as defined in section 201 of this title, for the for profit resale of  
4 electricity to the public by the kWh or for other retail sales to the public,  
5 including those based in whole or in part on a flat fee per charging session or a  
6 time-based fee for occupying a parking space while using electric vehicle  
7 supply equipment; and

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

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

13 \* \* \* Vehicle Incentive and Emissions Repair Programs \* \* \*

14 **Sec. 33. VEHICLE INCENTIVE AND EMISSIONS REPAIR PROGRAMS**

15 (a) Vehicle incentive and emissions repair programs administration. The  
16 Agency of Transportation (Agency), in consultation with the Agency of  
17 Natural Resources, the Agency of Human Services, the Department of Public  
18 Service, Vermont electric distribution utilities that are offering incentives for  
19 PEVs, and the State's network of community action agencies, shall establish  
20 and administer the programs described in subsections (b) and (c) of this  
21 section. The Agency is authorized to spend \$1,500,000.00 in funds

1 appropriated from fund number 21638 the AG-Fees & Reimbursements-Court  
2 Order Fund on the two programs. Subject to State procurement requirements,  
3 the Agency may retain a contractor or contractors to assist with marketing,  
4 program development, and administration of the two programs and up to  
5 \$150,000.00 of program funding may be set aside for this purpose. The  
6 Agency shall annually evaluate the two programs to gauge effectiveness and  
7 submit a written report on the effectiveness of the programs to the House and  
8 Senate Committees on Transportation, the House Committee on Energy and  
9 Technology, and the Senate Committee on Finance on or before the 31st day of  
10 December in each year that an incentive or repair voucher is provided through  
11 one of the programs.

12 (b) Electric vehicle incentive program. A new PEV purchase and lease  
13 incentive program for Vermont residents shall structure PEV purchase and  
14 lease incentive payments by income to help all Vermonters benefit from  
15 electric driving, including Vermont's most vulnerable. Specifically, the  
16 Program shall:

17 (1) apply to both purchases and leases of new PEVs with an emphasis  
18 on creating and matching incentives for exclusively electric powered vehicles  
19 that do not contain an onboard combustion engine;

20 (2) provide incentives to Vermont households with low and moderate  
21 income where a Vermont household with moderate income is a household at or

1 below 140 percent of the State’s prior five-year average Median Household  
2 Income (MHI) level; and

3 (3) apply to manufactured PEVs with a Base Manufacturer’s Suggested  
4 Retail Price (MSRP) of \$40,000.00 or less.

5 (c) High fuel efficiency vehicle incentive and emissions repair program. A  
6 used high fuel efficiency vehicle purchase incentive and emissions repair  
7 program for Vermont residents shall structure high fuel efficiency purchase  
8 incentive payments and emissions repair vouchers by income to help all  
9 Vermonters benefit from more efficient driving, including Vermont’s most  
10 vulnerable. Specifically, the program shall:

11 (1) apply to purchases of used high fuel efficient motor vehicles, which  
12 for purposes of this program shall be pleasure cars with a combined  
13 city/highway fuel efficiency of at least 40 miles per gallon or miles per gallon  
14 equivalent as rated by the Environmental Protection Agency when the vehicle  
15 was new, and repairs of certain vehicles that failed the on board diagnostic  
16 (OBD) systems inspection;

17 (2) base eligibility on the same criteria used for income qualification for  
18 weatherization services through the Weatherization Program and provide  
19 vouchers through the State’s network of community action agencies; and

20 (3) provide one of the following to qualifying individuals:



1 Public Service, and Efficiency Vermont, shall report back to the Senate  
2 Committees on Transportation and on Natural Resources and Energy and the  
3 House Committees on Transportation and on Energy and Technology on or  
4 before December 15, 2019 concerning the steps necessary to implement fees  
5 on PEV charging:

6 (1) Fees and assessments. Whether or not electric distribution utilities  
7 should collect both a transportation efficiency fee, as defined in subdivision  
8 (A) of this subsection, and a transportation infrastructure assessment, as  
9 defined in subdivision (B) of this subsection, or just a transportation  
10 infrastructure assessment and how best to implement:

11 (A) A transportation efficiency fee. A per-kWh transportation  
12 efficiency fee on electricity provided by an electric distribution utility for  
13 electric vehicle supply equipment equal to the energy efficiency charge rate set  
14 by the Commission, and to be charged instead of an energy efficiency charge;  
15 and

16 (B) A transportation infrastructure assessment. A per-kWh  
17 transportation infrastructure assessment on electricity provided by an electric  
18 distribution utility for electric vehicle supply equipment.

19 (2) Electric vehicle charging tariff design. The design of an electric  
20 vehicle charging tariff for electric utilities with more than 17,000 customers,  
21 and other electric utilities at their discretion, that allows a customer, including

1 a company that owns and operates electric vehicle supply equipment, to  
2 purchase electricity solely to charge a plug-in electric vehicle. The report  
3 should consider whether the tariff should:

4 (A) contain either a time-of-day or off-peak rate, as elected by the  
5 electric utility that takes advantage of lower-cost electricity and minimizes  
6 adverse grid effects and investment costs, maximizes the grid benefits of PEV  
7 charging, including electric distribution utility control of charging, and reduces  
8 the negative environmental effects of burning fossil fuels for transportation and  
9 electrical generation;

10 (B) include the per-kWh transportation efficiency fee;

11 (C) include the per-kWh transportation infrastructure assessment;

12 (D) offer a customer the option to purchase electricity from the  
13 utility's current mix of energy supply sources or entirely from renewable  
14 energy sources;

15 (E) include a mechanism to allow the recovery of costs reasonably  
16 necessary to comply with electric vehicle charging tariff setting, such as costs  
17 to inform and educate customers about the financial, energy conservation, and  
18 environmental benefits of electric vehicles and to publicly advertise and  
19 promote participation in a customer-optional tariff;

20 (F) provide for clear and transparent customer billing statements  
21 including the amount of energy consumed under the tariff;

1           (G) incorporate any necessary costs of metering or submetering  
2           within the rate charged to the customer; and

3           (H) factor in other considerations as the Commission deems  
4           appropriate.

5           (3) Reporting by electric distribution utilities. Whether there should be  
6           a mandatory periodic report from electric distribution utilities to the  
7           Commission and what should be included in those reports, consideration  
8           should be given to:

9           (A) participation and impact highlights including participation levels  
10           and new electric vehicle supply equipment installed by county;

11           (B) the overall costs and benefits of the tariff, including any changes  
12           or issues encountered during the reporting period; and

13           (C) other data required by the Commission.

14           (4) Incremental revenue and costs. The amount of incremental revenue  
15           to electric distribution utilities expected to be generated by PEVs and all other  
16           financial benefits that PEVs may bring to electric distribution utilities over the  
17           next ten years, whether there are necessary costs and technical feasibility  
18           problems to meter PEV charging separate from other electrical demand on the  
19           same account, and all other costs expected to be incurred by the electric  
20           distribution utilities related to PEV deployment and associated infrastructure.



1           (5) Net metering. How to address the use of net metering energy and  
2           net metering energy credits for electric vehicle supply equipment.

3           \* \* \* Reporting by the Agency of Agriculture, Food and Markets \* \* \*

4           Sec. 36. REPORTING BY THE AGENCY OF AGRICULTURE, FOOD  
5                           AND MARKETS

6           (a) The Agency of Agriculture, Food and Markets shall file a written report  
7           with the Senate Committees on Transportation and on Finance and the House  
8           Committees on Transportation and on Ways and Means on or before December  
9           1, 2019 that provides an update on the National Institute of Standards and  
10           Technology's progress towards adopting a code on electric vehicle fueling  
11           systems and makes a recommendation for an annual licensing fee for electric  
12           vehicle supply equipment available to the public for inclusion in 9 V.S.A.  
13           § 2730(f)(1).

14           (b) If the National Institute of Standards and Technology has not adopted a  
15           code on electric vehicle fueling systems by December 1, 2020 then the Agency  
16           of Agriculture, Food and Markets shall file a written report with the House and  
17           Senate Committees on Transportation on or before December 1, 2020 that  
18           provides an update on the National Institute of Standards and Technology's  
19           progress towards adopting a code on electric vehicle fueling systems.

20           \* \* \* Fees for Use of Electric Vehicle Supply Equipment \* \* \*

21           Sec. 37. 32 V.S.A. § 604 is added to read:

1        § 604. ELECTRIC VEHICLE SUPPLY EQUIPMENT FEES

2            Notwithstanding any other provision of this subchapter, any agency or  
3        department that owns or controls electric vehicle supply equipment, as defined  
4        in 30 V.S.A. § 201, may establish, set, and adjust fees for the use of that  
5        electric vehicle supply equipment. The agency or department may establish  
6        fees for electric vehicle charging at less than its costs, to cover its costs, or  
7        equal to the retail rate charged for the use of electric vehicle supply equipment  
8        available to the public. Fees collected under this section shall be deposited in  
9        the same fund or account within a fund from which the electric operating  
10       expense for the electric vehicle supply equipment originated.

11       Sec. 38. ELECTRIC VEHICLE SUPPLY EQUIPMENT FEES REPEAL

12            32 V.S.A. § 604 (electric vehicle supply equipment fees) is repealed on  
13        July 1, 2022.

14       Sec. 39. [Deleted.]

15            \* \* \* Jurisdiction Over Electric Vehicle Supply Equipment \* \* \*

16       Sec. 40. 30 V.S.A. § 203 is amended to read:

17       § 203. JURISDICTION OF CERTAIN PUBLIC UTILITIES

18            The Public Utility Commission and the Department of Public Service shall  
19        have jurisdiction over the following described companies within the State, their  
20        directors, receivers, trustees, lessees, or other persons or companies owning or  
21        operating such companies and of all plants, lines, exchanges, and equipment of

1 such companies used in or about the business carried on by them in this State  
2 as covered and included herein. Such jurisdiction shall be exercised by the  
3 Commission and the Department so far as may be necessary to enable them to  
4 perform the duties and exercise the powers conferred upon them by law. The  
5 Commission and the Department may, when they deem the public good  
6 requires, examine the plants, equipment, lines, exchanges, stations, and  
7 property of the companies subject to their jurisdiction under this chapter.

8 (1) A company engaged in the manufacture, transmission, distribution,  
9 or sale of gas or electricity directly to the public or to be used ultimately by the  
10 public for lighting, heating, or power and so far as relates to their use or  
11 occupancy of the public highways.

12 (2) That part of the business of a company ~~which~~ that consists of the  
13 manufacture, transmission, distribution, or sale of gas or electricity directly to  
14 the public or to be used ultimately by the public for lighting, heating, or power  
15 and so far as relates to their use or occupancy of the public highways.

16 \* \* \*

17 (7) Notwithstanding subdivisions (1) and (2) of this section, the  
18 Commission and Department shall not have jurisdiction over persons otherwise  
19 not regulated by the Commission that is engaged in the siting, construction,  
20 ownership, operation, or control of a facility that sells or supplies electricity to  
21 the public exclusively for charging a plug-in electric vehicle, as defined in 23

1 V.S.A. § 4(85). These persons may charge by the kWh for owned or operated  
2 electric vehicle supply equipment, as defined in 30 V.S.A. § 201, but shall not  
3 be treated as an electric distribution utility just because electric vehicle supply  
4 equipment charges by the kWh.

5 \* \* \* State Vehicle Fleet \* \* \*

6 **Sec. 41.** 29 V.S.A. § 903(g) is amended to read:

7 (g) The Commissioner of Buildings and General Services, when purchasing  
8 or leasing vehicles for State use shall ~~consider vehicles using alternative fuels~~  
9 ~~when the alternative fuel is suitable for the vehicle's operation, is available in~~  
10 ~~the region where the vehicle will be used, and is competitively priced with~~  
11 ~~traditional fuels,~~ to the maximum extent practicable, purchase or lease hybrid  
12 or plug-in electric vehicles, as defined in 23 V.S.A. § 4(85), but in no instance  
13 shall less than 50 percent of the vehicles annually purchased or leased be  
14 hybrid or plug-in electric vehicles. The Commissioner shall, whenever  
15 possible, purchase or lease the lowest cost year of the selected make  
16 and model, and only the latest year model when it is the least expensive.

17 **Sec. 41a.** 29 V.S.A. § 903(g) is amended to read:

18 (g) The Commissioner of Buildings and General Services, when purchasing  
19 or leasing vehicles for State use shall, to the maximum extent practicable,  
20 purchase or lease hybrid or plug-in electric vehicles, as defined in 23 V.S.A.  
21 § 4(85), but in no instance shall less than 50 75 percent of the vehicles

1 annually purchased or leased be hybrid or plug-in electric vehicles. The  
2 Commissioner shall, whenever possible, purchase or lease the lowest cost year  
3 of the selected make and model, and only the latest year model when it is the  
4 least expensive.

5 Sec. 42. 3 V.S.A. § 217(c) is amended to read:

6 (c) ~~At least 50 percent of the vehicles purchased annually by the~~  
7 ~~Commissioner shall be low emission passenger vehicles~~ The Commissioner of  
8 Buildings and General Services shall purchase and lease vehicles for the State  
9 Fleet subject to the requirements of 29 V.S.A. § 903(g).

10 \* \* \* Transportation Alternatives Grant Committee \* \* \*

11 Sec. 43. 19 V.S.A. § 38 is amended to read:

12 § 38. TRANSPORTATION ALTERNATIVES GRANT PROGRAM

13 (a) ~~The Transportation Alternatives Grant Committee is created and shall~~  
14 ~~comprise:~~

15 ~~(1) the Secretary of Transportation or his or her designee;~~

16 ~~(2) a representative from the Division of Historic Preservation appointed~~  
17 ~~by the Secretary of Commerce and Community Development;~~

18 ~~(3) one member appointed by the Secretary of Commerce and~~  
19 ~~Community Development to represent the tourism and marketing industry;~~

20 ~~(4) a representative of the Agency of Natural Resources appointed by the~~  
21 ~~Secretary of Natural Resources;~~

1           ~~(5) three municipal representatives appointed by the governing body of~~  
2           ~~the Vermont League of Cities and Towns;~~

3           ~~(6) one member representing and appointed by the governing board of~~  
4           ~~the Vermont Association of Planning and Development Agencies;~~

5           ~~(7) two members from the House designated by the Speaker; and~~

6           ~~(8) two members from the Senate designated by the Committee on~~  
7           ~~Committees. [Repealed.]~~

8           ~~(b) Municipal and legislative members of the Transportation Alternatives~~  
9           ~~Grant Committee shall serve concurrently for two-year terms and the initial~~  
10           ~~appointments of these members shall be made in a manner which allows for~~  
11           ~~them to serve a full legislative biennium. In the event a municipal or legislative~~  
12           ~~member ceases to serve on the Committee prior to the full term, the appointing~~  
13           ~~authority shall fill the position for the remainder of the term. The Committee~~  
14           ~~shall, to the greatest extent practicable, encompass a broad geographic~~  
15           ~~representation of Vermont. [Repealed.]~~

16           (c) The Transportation Alternatives Grant Program is created. The Grant  
17           Program shall be administered by the Agency, and shall be funded in the  
18           amount provided for in 23 U.S.C. § 133(h), less the funds set aside for the  
19           Recreational Trails Program. Awards shall be made to eligible entities as  
20           defined under 23 U.S.C. § 133(h), and awards under the Grant Program shall

1 be limited to the activities authorized under federal law and no more than  
2 \$300,000.00 per grant.

3 (d) Eligible entities awarded a grant must provide all funds required to  
4 match federal funds awarded for a Transportation Alternatives project. All  
5 grant awards shall be decided and awarded by the ~~Transportation Alternatives~~  
6 ~~Grant Committee~~ Agency.

7 (e) Transportation Alternatives grant awards shall be announced annually  
8 by the ~~Transportation Alternatives Grant Committee~~ Agency not earlier than  
9 December and not later than the following March.

10 (f)(1) In fiscal years 2018 and 2019, all Grant Program funds shall be  
11 reserved for municipalities for environmental mitigation projects relating to  
12 stormwater and highways, including eligible salt and sand shed projects.

13 (2) In fiscal years 2020 and 2021, Grant Program funds shall be awarded  
14 for any eligible activity and in accordance with the priorities established in  
15 subdivision (4) of this subsection.

16 (3) In fiscal year 2022 and thereafter, \$1,100,000.00 of Grant Program  
17 funds, or such lesser sum if all eligible applications amount to less than  
18 \$1,100,000.00, shall be reserved for municipalities for environmental  
19 mitigation projects relating to stormwater and highways, including eligible salt  
20 and sand shed projects.





1 a safety and visual emissions inspection once each year and all motor vehicles  
2 that are registered in this State and are 15 model years old or less shall undergo  
3 an emissions or on board diagnostic (OBD) systems inspection once each year  
4 as applicable. Any motor vehicle, trailer, or semi-trailer not currently  
5 inspected in this State shall be inspected within 15 days following the date of  
6 its registration in the State of Vermont.

7 Sec. 45. RULEMAKING; IMMEDIATE IMPLEMENTATION

8 (a) Within 14 days after the effective date of this section, the  
9 Commissioner of Motor Vehicles shall file with the Secretary of State a  
10 proposed amended rule governing vehicle inspections in this State (Periodic  
11 Inspection Manual) that is consistent with amendments to 23 V.S.A. § 1222 in  
12 Sec. 44 of this act, with the effect that no motor vehicle that is more than  
13 15 model years old will be required to undergo an emissions or on board  
14 diagnostic (OBD) systems inspection.

15 (b) As soon as practicable after the effective date of this section, the  
16 Commissioner shall update the content of inspections conducted through the  
17 Automated Vehicle Inspection Program to exclude any requirements of the  
18 current Periodic Inspection Manual that are inconsistent with the amendments  
19 to 23 V.S.A. § 1222 in Sec. 44 of this act, with the effect that no motor vehicle  
20 that is more than 15 model years old will be required to undergo an emissions  
21 or OBD systems inspection.

1       (c) In the event that the Commissioner cannot update the content of  
2       inspections conducted through the Automated Vehicle Inspection Program in  
3       accordance with subsection (b) of this section within 30 days after the effective  
4       date of this section, the Commissioner shall, within 30 days after the effective  
5       date of this section, develop and implement a temporary work-around to ensure  
6       that no motor vehicle that is more than 15 model years old will be required to  
7       undergo an emissions or OBD systems inspection.

8                                   \* \* \* Vehicle Feebate Report \* \* \*

9       **Sec. 46. VEHICLE FEEBATE REPORT**

10           The Agency of Transportation, in consultation with the Joint Fiscal  
11           Office, shall complete a study and submit a written report to the House and  
12           Senate Committees on Transportation on or before October 15, 2019  
13           concerning whether Vermont should establish a time-of-acquisition vehicle  
14           feebate program to act as a self-funding incentive program. For purposes of  
15           this section a “vehicle feebate” provides rebates to individuals who purchase  
16           or, if applicable, lease efficient vehicles that are funded by fees levied on  
17           individuals who purchase or, if applicable, lease inefficient vehicles. The  
18           report shall, at a minimum, consider whether vehicle feebates should be  
19           structured in steps—one or multiple—or as a continuum; whether there should  
20           be separate vehicle feebates for different classes of vehicles and, if so, whether  
21           there should be different pivot points for where a fee crosses over to a rebate;

1 and if vehicle feebates should apply to both new and used vehicles and  
2 purchased and leased vehicles. The report shall also consider how a time-of-  
3 acquisition vehicle feebate program or other funding mechanism could  
4 function with the vehicle incentive programs established in Sec. 33 of this act  
5 and the level of investment, incentives, feebates, and other monetary incentives  
6 and disincentives needed to reach the number of plug-in electric vehicles in  
7 Vermont's Comprehensive Energy Plan.

8 \* \* \* Weight-Based Annual Registration Report \* \* \*

9 **Sec. 47. WEIGHT-BASED ANNUAL REGISTRATION REPORT**

10 The Agency of Transportation, in consultation with the Joint Fiscal Office,  
11 shall complete a study and submit a written report to the House and Senate  
12 Committees on Transportation on or before December 15, 2019 concerning the  
13 feasibility of implementing an annual motor vehicle registration fee system  
14 that addresses road maintenance cost allocations for road traveling motor  
15 vehicles based on vehicle weight. Such a registration fee system could be in  
16 addition to or in lieu of existing motor vehicle registration fees. The study and  
17 report shall, at a minimum, identify, analyze, and make recommendations on:  
18 the current motor vehicle registration fee structure, any benefits to establishing  
19 a new system that better allocates costs based on vehicle weight; any  
20 anticipated implementation difficulties; ways to measure vehicle weight; what  
21 types of road traveling motor vehicles could and should be subject to such a

1 registration fee; how to calculate registration fees to best account for weight  
2 based wear on Vermont roads; and how other States have implemented weight  
3 based registration fees.

4 \* \* \* Sign Law Violation Civil Ticket \* \* \*

5 *[LANGUAGE TO BE PROVIDED BY E. CZAJKOWSKI]*

6 \* \* \* Effective Dates \* \* \*

7 Sec. 4X. EFFECTIVE DATES

8 (a) This section and Secs. 1(b) (act definitions), 11 (BUILD grant), 12  
9 (CRISI grant), 19 (public transit study), 28 (plug-in electric vehicle definition),  
10 29 (electric vehicle supply equipment definition), 32 (net metering), 33  
11 (vehicle incentive and repair programs), 35 (Public Utility Commission report),  
12 36 (Agency of Agriculture, Food and Markets reporting), 40 (PUC  
13 jurisdiction), 44 (emissions inspections), 45 (emissions inspections  
14 implementation), 46 (vehicle feebate report), and 47 (weight based annual  
15 registration report) shall take effect on passage.

16 (b) Secs. 30 (weights and measures definition), and 31 (electric vehicle  
17 supply equipment definition) shall take effect on the earlier of January 1, 2021  
18 or six months after the National Institute of Standards and Technology adopts  
19 code on electric vehicle fueling systems.

20 (c) Sec. 41a (state vehicle fleet) shall take effect on July 1, 2021.

21 (d) All other sections shall take effect on July 1, 2019.

1

2

3

4

5

6

7 (Committee vote: \_\_\_\_\_)

8

\_\_\_\_\_

9

Senator \_\_\_\_\_

10

FOR THE COMMITTEE