

**“Short” Section-by-Section Summary of [H.736](#)
(as introduced)
2022 Transportation Bill (FY23)**

[Sec. 1](#) – Transportation Program. Probably the most important section of the Transportation Bill (T. Bill). Adopts the Agency of Transportation’s (VTrans/Agency/AOT) proposed fiscal year 2023 Transportation Program except as amended in the bill (and provided that funding is available). REMEMBER: This adoption language is why the white binder is “clipped to the back of the T. Bill.”

[Sec. 2](#) – Electric Vehicle Supply Equipment (EVSE) Grants. Authorizes State investments in electric vehicle supply equipment in three categories. Silent on funding source, but includes language to account for flexibility in implementation if the funding source is State and Local Fiscal Recovery Funds (SLFRF/ARPA). Also includes carryforward and expedient deployment language.

- \$6,250,000 – Level 3 EVSE along the State highway network;
- \$10,000,000 – Level 1 and 2 EVSE at workplaces and multiunit dwellings and Level 1, 2, and 3 EVSE at public venues and attractions; and
- \$3,000,000 – Level 1 and 2 EVSE at State parks and fishing access areas.

[Sec. 3](#) – Electric Vehicle Supply Equipment (EVSE) Goals. Updates the EVSE goals from last year (2021 Acts and Resolves No. 55, Sec. 30) to have a level 3 EVSE within (1) one (as opposed to five) miles of every exit of the interstate within the State and (2) 25 (as opposed to 50) miles of another level 3 EVSE along the State highway.

[Sec. 4](#) – Vehicle Incentives. Authorizes funding for existing and new electric vehicle incentive programs. Silent on funding source, but includes language to account for flexibility in implementation if the funding source is State and Local Fiscal Recovery Funds (SLFRF/ARPA). Also includes carryforward and expedient deployment language.

- \$12,000,000 – Incentive Program for New PEVs (existing program);
- \$3,000,000 – MileageSmart (existing program);
- \$3,000,000 – Replace Your Ride (existing program that has not been implemented yet);
- \$1,000,000 – eBike Incentive Program (new program, but related to a \$50,000 authorization in the 2021 T. Bill that has not been implemented yet); and
- \$1,000,000 – Incentives for eSnowmobiles and eATVs (new program).

[Sec. 5](#) – Base MSRP for Incentive Program for New PEVs. Increases base MSRP of vehicles that are eligible from \$40,000 to \$45,000.

[Sec. 6](#) – Vermont Association of Snow Travelers (VAST) Authorizations. Authorizes the DMV to spend \$50,000 in one-time General Fund monies in grants to VAST to support the Law Enforcement and Safety Program and \$1,000,000 in one-time General Fund monies in grants to VAST to support the Equipment Grant-in-Aid Program.

[Sec. 7](#) – Bridge Formula Program for Off-System Bridges. Establishes the policy for how increased federal funds, available because of the Infrastructure Investment and Jobs Act (IIJA),

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for off-system bridges will be used to fully cover construction (but with engineering (PE) and right-of-way (ROW) staying at 80 (federal), 10 (State), and 10 (municipal)) for:

- all off-system bridges in the FY23 Transportation Program for Town Highway Bridges that: (1) were not authorized for federal funds for the construction phase prior to the FY23 Transportation Program and (2) are either listed as a front-of-book project or a development and evaluation (D&E) project; and
 - all off-system covered bridges and historic truss bridges in FY23 through FY29 based on the statutory prioritization
- with the balance of available federal funds going to town highway bridges advanced based on the statutory prioritization.

Sec. 8 – **Town Highway Bridge Program (FY23).** Makes the necessary changes to the Transportation Program authorizations (“white book”) based on Sec. 7 (changes authorizations in FY23—swap of \$689,082 State and \$589,082 municipal for \$1,278,164 federal—and adds covered bridges and historic truss bridges to the candidate list in Town Highway Bridges.

Sec. 9 – **Program Development.** Reduction in Program Development (operating expenses as the expenditure and Transportation Fund monies as the source) by \$54,211 to make up for the miscalculation, based on timing, for the minimum Town Highway Aid appropriation/authorization (Sec. 10).

Sec. 10 – **Town Highway Aid.** Increase in Town Highway Aid (grants as the expenditure and Transportation Fund monies as the source) by \$54,211 to match the statutory appropriation/authorization.

Sec. 11 – **Policy and Planning.** Increase in Policy and Planning (grants as the expenditure and federal (National Electric Vehicle Infrastructure (NEVI)) monies as the source) by \$3,394,522 to cover the full \$4,250,000 for level 3 EVSE along the highways in the Governor’s Recommend.

Sec. 12 – **Town Highway Structures.** Increase in Town Highway Structures (grants as the expenditure and Transportation Fund monies as the source) by \$866,500 to match the statutory minimum, as increased in the 2021 T. Bill.

Sec. 13 – **Town Highway Class 2 Roadway.** Increase in Town Highway Class 2 Roadway (grants as the expenditure and Transportation Fund monies as the source) by \$951,250 to match the statutory minimum, as increased in the 2021 T. Bill.

Sec. 14 – **Highway Maintenance.** Reduction in Highway Maintenance (operating expenses as the expenditure and Transportation Fund monies as the source) by \$3,061,668 to cover:

- \$866,500 (Town Highway Structures – Sec. 12);
 - \$951,250 (Town Highway Class 2 Roadway – Sec. 13);
 - \$500,000 (MTI – Sec. 15); and
 - \$1,433,000 (Zero-Fare Public Transit – Sec. 16)
- Less \$689,082 (Town Highway Bridges – Sec. 8).

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[Sec. 15](#) – **Mobility and Transportation Innovation (MTI) Grant Program.** Re-funds the Mobility and Transportation Innovation (MTI) Grant Program with \$500,000, but only to support micro-transit projects.

[Sec. 16](#) – **Zero-Fare Public Transit in FY23.** Funds zero-fare public transit on the urban, non-LINK Express, routes with an additional \$1,433,000 in Transportation Fund monies and requires a report to House/Senate Committees on Transportation not later than January 15, 2023 on (1) changes in ridership and (2) what is needed to fund zero-fare going forward.

[Sec. 17](#) – **Carbon Reduction Program Monies in FY24.** Requires the Agency, in consultation with the Vermont Climate Council, to ensure that the proposed FY24 Transportation Program puts all of the Carbon Reduction Program monies (federal, new program through IJJA) available in federal fiscal years 2022, 2023, and 2024 towards projects that align with the recommendations of the Climate Action Plan (CAP).

[Sec. 18](#) – **Transportation Alternatives Grant Program.** Deletes some obsolete language (prior fiscal years) and requires that, starting in FY24, 50 percent of Transportation Alternative Grant Program funds (federal program and federal monies, with local match) be reserved for municipalities for environmental mitigation projects related to stormwater and highways, unless eligible applications for environmental mitigation projects accounts for less than 50 percent of the available funds).

[Secs. 19–21](#) – **Amendments to 2021 T. Bill: \$5,000 for EBike Incentive Administration.** Allows up to \$5,000 to be used to administer the EBike Incentive Program by taking up to that amount from administration allowances for Replace Your Ride Program. Effective on July 1, 2021 (retroactive).

[Sec. 22](#) – **Amendment to 2021 T. Bill: EVSE Grant Program for MUDs.** Eliminates existing ambiguity as to what types of EVSE are eligible for grant awards under the EVSE Grant Program that was funded with \$1,000,000 in 2021 Acts and Resolves No. 55, Sec. 29 and specifies that grants can be awarded for level 1 and 2 EVSE. Effective on July 1, 2021 (retroactive).

[Sec. 23](#) – **Bicycle and Pedestrian Planning Integration Pilot Program.** Establishes a pilot program to support the continued development and buildout of bicycle and pedestrian infrastructure; requires consultation between the Agency and the regional planning commissions (RPCs); and requires a report on the outcomes of the pilot program to the House/Senate Committees on Transportation not later than January 15, 2023.

[Sec. 24](#) – **Pedestrian Safety Outreach.** Requires the Agency to develop outreach information regarding pedestrian safety funding and programs available to communities and disseminate that outreach information to communities in coordination with the regional planning commissions (RPCs) and through both the annual Transportation Planning Initiative (TPI) Program and Local Motion.

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[Secs. 25–33](#) – **Transportation Board (Titles 5 and 9)**. Makes conforming revisions to Titles 5 and 9 in response to the amendment to 19 V.S.A. § 5(c), made by [2016 Acts and Resolves No. 167, Sec. 6](#), to provide that in virtually all instances appeals from the Transportation Board go to the Supreme Court.

[Sec. 34](#) – **Transportation Board (Title 19)**. Adds clarifying language, including subsection headings, to 19 V.S.A. § 5 (the statute that was amended in 2016, thereby necessitating the conforming revisions in Secs. 25–33).

[Sec. 35](#) – **Repeal of Assessment Language**. Repeals a chapter from Title 5 that the Agency of Transportation says is now obsolete because the assessment rates were repealed in 1988 and are no longer collected, even though the authority to do so is still in law.

[Sec. 36](#) – **On-Premises Signs (10 V.S.A. § 493)**. Amends 10 V.S.A. § 493(1), and the allowance for on-premises signs, to measure the distance from the on-premises sign to a main entrance based on a straight line, and not a line measured along the centerline of the highway, if the change in elevation from the sign to the main entrance is more than 100 feet.

[Sec. 37](#) – **Right-of-Way (1111) Permit Fees (19 V.S.A. § 1112)**. Amends law to only assess the 1111 permit fee for stormwater utility connections that are subsurface, and only for the collective-direct connection to the State highway subsurface stormwater system and not each direct connection individually. This change will make statute align with what VTrans says current practice is.

[Sec. 38](#) – **Site Plan Review (24 V.S.A. § 4416(b))**. Changes “shall” (mandatory) to “may” (permissive) and strikes “any” based on the Agency’s concerns, after a period of implementation of changes made in the last T. Bill, surrounding needing to include all permit conditions in the letter, even ones that are standard and dealt with in the permit itself or only possible.

[Sec. 39](#) – **Smugglers’ Notch Restrictions (23 V.S.A. § 1006b)**. Makes some changes to existing law to increase the civil penalties for certain vehicles going through Smugglers’ Notch on Route 108; changes the vehicle prohibition to be based on length and not type of vehicle; and has the civil penalty apply to both the operator and the operator’s employer (if they are not the same).

[Sec. 40](#) – **Repeal of Authority to Restrict the Use of Covered Bridges (19 V.S.A. § 313)**. Repeals municipal authority to restrict the use of covered bridges, but added back (in updated form) as 23 V.S.A. § 1397a (Sec. 44).

[Sec. 41](#) – **Repeal of Penalties for Violating Covered Bridges Restrictions (19 V.S.A. § 315)**. Repeals fines but added back (in updated form and as civil penalties) as 23 V.S.A. § 1434(c) (Sec. 48).

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[Secs. 42–43](#) – **Redesignating Section Headings for Specificity (23 V.S.A. §§ 1396 and 1397).** Adds “weight” or “weight limits” to the section headings for statutes on weight limits and weight limit signs.

[Sec. 44](#) – **Municipal Authority to Set Limits for Covered Bridges (23 V.S.A. § 1397a).** Recodification of language to allow a municipality (or municipalities jointly where the covered bridge connects multiple municipalities), in consultation with VTrans, to establish one or more of the following: weight, height, or width limits on covered bridges. Requires that any limits be permanently posted with signs that conform to the Manual on Uniform Traffic Control Devices (MUTCD), what is referenced in 23 V.S.A. § 1025, in specified locations.

[Sec. 45](#) – **Certified Statement.** Makes technical corrections and adds in the requirement that a certified statement of limits for covered bridges also be filed with the clerk in the municipality.

[Sec. 46](#) – **Weight Limit Restrictions Exclusions (23 V.S.A. § 1399(b)).** Expands the exclusion for municipal and volunteer fire apparatus that can be operated in excess of weight limitations to also include law enforcement motor vehicles (probably limited applicability).

[Sec. 47](#) – **Agricultural Services Vehicles (23 V.S.A. § 1400d).** Exempts agricultural service vehicles (defined) from prohibition on operating in excess of covered bridges limits.

[Sec. 48](#) – **Operating in Excess of Limits (23 V.S.A. § 1434).** Adds subsection headings and makes technical corrections, but the substantive amendment is the addition of subsection (c), which is what establishes the following civil penalties for operating in violation of posted limits for a covered bridge or general limits for certain types of bridges: \$1,500 for a first violation; \$2,000 for a first violation that substantially impedes the flow of traffic and doubled for a second or subsequent conviction within a three-year period.

[Sec. 49](#) – **Liability for Damages (23 V.S.A. § 1492).** Updates very outdated internal citations and adds subsection 1434(c) to the list of violations that trigger liability for damages to the public highway or bridge (only substantive change).

[Sec. 50](#) – **Recovery for Expenses for Emergency Services (24 V.S.A. § 2296a).** Allows a municipality that deploys rescue services to aid stranded operators or move disabled vehicles to recover from the operator or operator’s employer the costs of providing rescue services.

[Sec. 51](#) – **Extension of Sunset of 32 V.S.A. § 604.** Pushes out the sunset of 32 V.S.A. § 604 by three more years, to July 1, 2025. Effective on passage.

[Sec. 52](#) – **Authority for State to Collect Fees for Use of State EVSE (32 V.S.A. § 604).** Makes no changes to existing statutory authority, but requires an annual report from VTrans, in consultation with the Department of Buildings and General Services, by January 15 each year on the State’s efforts to collect fees at State owned/controlled EVSE and any significant national trends with regards to the pricing of EVSE. Must include a copy of any applicable fee schedule, as applicable, along with an explanation as to whether or not the fee schedule accounts for

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expenses associated with the EVSE, including electricity. Report goes to House/Senate Committees on Transportation, House Ways and Means, Senate Finance, House Corrections and Institutions, and Senate Institutions.

[Sec. 53](#) – Extension of Authority for Sec. of Transportation to Relinquish Route 207 Ext. Extends the length of time that the Secretary of Transportation has the authority to enter into an agreement with the Town of St. Albans to relinquish a segment of the State highway right-of-way for what was to be known as the Vermont Route 207 Extension until June 30, 2032. Effective on passage.

[Sec. 54](#) – Repeal of 19 V.S.A. § 22. Repeals the fine applicable for a violation of the since repealed 19 V.S.A. § 21(c).

[Sec. 55](#) – JTOC Appropriation (TF monies for Dept. of Pub. Safety) (19 V.S.A. § 11a(b)). Deletes provisions related to fiscal year 2017.

[Sec. 56](#) – Town Road and Bridge Standards (19 V.S.A. § 996(a)). Deletes a 2011 reporting requirement.

[Sec. 57](#) – Effective Dates. All effective on July 1, 2022 unless noted.

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Sec. 1. Transportation Program

- **BIG PICTURE: Probably the most important section of the Transportation Bill (T. Bill). Adopts the Agency of Transportation’s (VTrans/Agency/AOT) proposed fiscal year 2023 Transportation Program except as amended in the bill (and provided that funding is available). REMEMBER: This adoption language is why the white binder is “clipped to the back of the T. Bill.”**
- Subsec. (a): Adopts the proposed Transportation Program except as amended and to the extent that federal, State, and local funds are available.
- Subsec. (b): Definitions (standard (now to include “candidate project,” “development and evaluation (D&E) project,” and “front-of-book project”) plus “electric vehicle supply equipment (EVSE)” with the three levels).
- Effective: July 1, 2022.

Sec. 2. Electric Vehicle Supply Equipment (EVSE) Grants

- **BIG PICTURE: Authorizes State investments in electric vehicle supply equipment in three categories. Silent on funding source, but includes language to account for flexibility in implementation if the funding source is State and Local Fiscal Recovery Funds (SLFRF/ARPA). Also includes carryforward and expedient deployment language.**
- Subsec. (a): Definitions related to multiunit dwellings (same as in the last T. Bill except the threshold for units has been reduced from 10 to three) and workplace.
- Subsec. (b): The Agency of Transportation is responsible for this up to \$6,250,000 authorization for level 3 EVSE along the State highway network consistent with the goals established in the last T. Bill, as amended by Sec. 3 of this T. Bill. Can be used to purchase and install or for grants.
 - NOTE: This is the only authorization in Secs. 2 and 4 that is partially from the Infrastructure Investment and Jobs Act (IIJA) monies.
- Subsec. (c): The Agency of Commerce and Community Development (ACCD) is responsible for this up to \$10,000,000 authorization for level 1 and 2 EVSE at multiunit dwellings (MUDs), including multiunit affordable housing, and workplaces and level 1, 2, and 3 EVSE at public venues and attractions, such as parks, downtowns, museums, and ski mountains with the following allocations, inclusive of administrative costs allowed under subsec. (g):
 - MUDs, including multiunit affordable housing: not less than 30%;
 - Private workplaces: not less than 20%;
 - Public venues and attractions: not less than 10%
 - State workplaces and public venues and attractions available to the public: not less than 10%; and
 - All eligible uses: up to 30%.

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But . . . if ACCD, in consultation with the EVSE Interagency Workgroup, determines that funding remains available after the first round of grant awards then it may use the balance for the purchase of or grants for EVSE at any eligible location.

- Subsec. (d): The Agency of Natural Resources is responsible for this up to \$3,000,000 authorization for level 1 and 2 EVSE at State parks and fishing access areas.
- Subsec. (e): Purpose statement to link to SLFRF/ARPA eligibility: subsecs. (b) and (d) are to respond to negative economic impacts to the tourism, travel, and hospitality industries caused by the COVID-19 public health emergency and subsec. (c) is to respond to negative economic impacts to the tourism, travel, and hospitality industries caused by the COVID-19 public health emergency and/or to provide assistance to low- and moderate-income households that were impacted by the COVID-19 public health emergency.
- Subsec. (f): Allows for the administration to notwithstanding prior eligibility criteria if needed to ensure that available federal monies are best utilized (probably not all that likely given the fact that these authorizations are not continuations of established programs).
- Subsec. (g): Allows for up to 15 percent of the total authorizations for administration expenses, including translation and interpretation service, community outreach, and education.
- Subsec. (h): Allows for carryforward with the approval of the Secretary of Administration and requires that every reasonable effort be taken to deploy authorizations in FY23 in order to keep pace with EVSE deployment necessary to meet statutory emission requirements and the goals of the Climate Action Plan (CAP).
- Subsec. (i): Requires outreach and marketing, including through the use of translation and interpretation service, in order to ensure that eligible Vermonters are aware of how to apply for an EVSE grant.
- Effective: July 1, 2022.

Sec. 3. Electric Vehicle Supply Equipment (EVSE) Goals

- **BIG PICTURE: Updates the EVSE goals from last year (2021 Acts and Resolves No. 55, Sec. 30) to have a level 3 EVSE within (1) one (as opposed to five) miles of every exit of the interstate within the State and (2) 25 (as opposed to 50) miles of another level 3 EVSE along the State highway.**
- Effective: July 1, 2022.

Sec. 4. Vehicle Incentives

- **BIG PICTURE: Authorizes funding for existing and new electric vehicle incentive programs. Silent on funding source, but includes language to**

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account for flexibility in implementation if the funding source is State and Local Fiscal Recovery Funds (SLFRF/ARPA). Also includes carryforward and expedient deployment language.

- Subsec. (a): The Agency of Transportation is authorized to spend up to \$12,000,000 on the Incentive Program for New PEVs (existing program).
- Subsec. (b): The Agency of Transportation is authorized to spend up to \$3,000,000 on MileageSmart (existing program).
- Subsec. (c): The Agency of Transportation is authorized to spend up to \$3,000,000 on Replace Your Ride (existing program that has not been implemented yet).
- Subsec. (d): The Agency of Transportation is authorized to spend up to \$1,000,000 on an eBike Incentive Program (new program, but related to a \$50,000 authorization in the 2021 T. Bill that has not been implemented yet). Must self-certify as to income eligibility.
- Subsec. (e): The Agency of Transportation is authorized to spend up to \$1,000,000 on incentives for eSnowmobiles and eATVs (new program, no link to income eligibility).
- Subsec. (f): Purpose statement to link to SLFRF/ARPA eligibility: subsecs. (a)–(d) are to provide assistance to low- and moderate-income households that were impacted by the COVID-19 public health emergency and subsec. (e) is to respond to negative economic impacts to the tourism, travel, and hospitality industries through increased outdoor recreation and the associated benefits to local business.
- Subsec. (g): Allows for the administration to notwithstanding prior eligibility criteria if needed to ensure that available federal monies are best utilized.
- Subsec. (h): Allows for up to 15 percent of the total authorizations and \$2,000,000 for administration expenses, including translation and interpretation service, community outreach, and education, and the public private partnership (P3) with Drive Electric Vermont to support the expansion of the PEV market in the State (stakeholder coordination, policy engagement, consumer education and outreach, infrastructure development, and technical assistance).
- Subsec. (i): Allows for carryforward with the approval of the Secretary of Administration and requires that every reasonable effort be taken to deploy authorizations in FY23 in order to keep pace with electric vehicle deployment necessary to meet statutory emission requirements and the goals of the Climate Action Plan (CAP).
- Subsec. (j): Requires outreach and marketing, in consultation with the Vermont Vehicle and Automotive Distributors Association (VADA), including through the use of translation and interpretation service, on the Incentive Program for New PEVs, MileageSmart, and Replace Your Ride in order to ensure that Vermonters who are eligible under one or more incentive programs can easily learn how to secure as many incentives as are available.
- Effective: July 1, 2022.

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Sec. 5. Base MSRP for Incentive Program for New PEVs

- **BIG PICTURE:** Increases base MSRP of vehicles that are eligible from \$40,000 to \$45,000.
- Effective: July 1, 2022.

Sec. 6. Vermont Association of Snow Travelers (VAST) Authorizations

- **BIG PICTURE:** Authorizes the DMV to spend \$50,000 in one-time General Fund monies in grants to VAST to support the Law Enforcement and Safety Program and \$1,000,000 in one-time General Fund monies in grants to VAST to support the Equipment Grant-in-Aid Program.
- Effective: July 1, 2022.

Sec. 7. Bridge Formula Program for Off-System Bridges

- **BIG PICTURE:** Establishes the policy for how increased federal funds, available because of the Infrastructure Investment and Jobs Act (IIJA), for off-system bridges will be used to fully cover construction (but with engineering (PE) and right-of-way (ROW) staying at 80 (federal), 10 (State), and 10 (municipal)) for:
 - all off-system bridges in the FY23 Transportation Program for Town Highway Bridges that: (1) were not authorized for federal funds for the construction phase prior to the FY23 Transportation Program and (2) are either listed as a front-of-book project or a development and evaluation (D&E) project; and
 - all off-system covered bridges and historic truss bridges in FY23 through FY29 based on the statutory prioritization with the balance of available federal funds going to town highway bridges advanced based on the statutory prioritization,
- Subsec. (a): Findings.
- Subsec. (b): Establishes the implementation tiers.
- Subsec. (c): Repeals the section on October 1, 2029, at the conclusion of the authorized implementation period for the Infrastructure Investment and Jobs Act (IIJA).
- Effective: July 1, 2022.

Sec. 8. Town Highway Bridge Program (FY23)

- **BIG PICTURE:** Makes the necessary changes to the Transportation Program authorizations (“white book”) based on Sec. 7 (changes authorizations in FY23—swap of \$689,082 State and \$589,082 municipal

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for \$1,278,164 federal—and adds covered bridges and historic truss bridges to the candidate list in Town Highway Bridges.

- Subsec. (a): What projects are at 100% federal for construction.
- Subsec. (b): Corresponding changes to the total authorization for Town Highway Bridges sources of funds changes—swap of \$689,082 State and \$589,082 municipal for \$1,278,164 federal.
- Subsec. (c): Addition of covered bridges to the candidate list.
- Subsec. (d): Addition of historic truss bridges to the candidate list.
- Effective: July 1, 2022.

Sec. 9. Program Development

- **BIG PICTURE: Reduction in Program Development (operating expenses as the expenditure and Transportation Fund monies as the source) by \$54,211 to make up for the miscalculation, based on timing, for the minimum Town Highway Aid appropriation/authorization (Sec. 10).**
- Effective: July 1, 2022.

Sec. 10. Town Highway Aid

- **BIG PICTURE: Increase in Town Highway Aid (grants as the expenditure and Transportation Fund monies as the source) by \$54,211 to match the statutory appropriation/authorization.**
- Effective: July 1, 2022.

Sec. 11. Policy and Planning

- **BIG PICTURE: Increase in Policy and Planning (grants as the expenditure and federal (National Electric Vehicle Infrastructure (NEVI)) monies as the source) by \$3,394,522 to cover the full \$4,250,000 for level 3 EVSE along the highways in the Governor’s Recommend.**
- NOTE: VTrans says that it has already programmed for the 20% State match in Policy and Planning.
- Effective: July 1, 2022.

Sec. 12. Town Highway Structures

- **BIG PICTURE: Increase in Town Highway Structures (grants as the expenditure and Transportation Fund monies as the source) by \$866,500 to match the statutory minimum, as increased in the 2021 T. Bill.**
- Effective: July 1, 2022.

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- Sec. 13. Town Highway Class 2 Roadway
- **BIG PICTURE: Increase in Town Highway Class 2 Roadway (grants as the expenditure and Transportation Fund monies as the source) by \$951,250 to match the statutory minimum, as increased in the 2021 T. Bill.**
 - Effective: July 1, 2022.
- Sec. 14. Highway Maintenance
- **BIG PICTURE: Reduction in Highway Maintenance (operating expenses as the expenditure and Transportation Fund monies as the source) by \$3,061,668 to cover:**
 - \$866,500 (Town Highway Structures – Sec. 12);
 - \$951,250 (Town Highway Class 2 Roadway – Sec. 13);
 - \$500,000 (MTI – Sec. 15); and
 - \$1,433,000 (Zero-Fare Public Transit – Sec. 16)
 - **Less \$689,082 (Town Highway Bridges – Sec. 8).**
 - Effective: July 1, 2022.
- Sec. 15. Mobility and Transportation Innovation (MTI) Grant Program
- **BIG PICTURE: Re-funds the Mobility and Transportation Innovation (MTI) Grant Program with \$500,000, but only to support micro-transit projects.**
 - Subsec. (a): Project addition.
 - Subsec. (b): Authorization (\$500,000 in Transportation Fund monies).
 - Subsec. (c): Implementation (continue to administer the MTI Grant Program, which was created pursuant to 2020 T. Bill, to support micro-transit projects).
 - Subsec. (d): No prohibition on using other funding sources for micro transit.
 - Subsec. (e): The Agency may assist public transit providers with converting fixed-route service to micro-transit service, but not required.
 - Effective: July 1, 2022.
- Sec. 16. Zero-Fare Public Transit in FY23
- **BIG PICTURE: Funds zero-fare public transit on the urban, non-LINK Express, routes with an additional \$1,433,000 in Transportation Fund monies and requires a report to House/Senate Committees on Transportation not later than January 15, 2023 on (1) changes in ridership and (2) what is needed to fund zero-fare going forward.**
 - Subsec. (a): Project addition.
 - Subsec. (b): Authorization (\$1,433,000 in Transportation Fund monies).

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- Subsec. (c): Implementation (the Agency shall ensure that all service except on LINK Express Routes is operated on a zero-fare basis in FY23, would have already been the case for rural service).
- Subsec. (d): Report due to the House and Senate Committees on Transportation not later than January 31, 2023 on:
 - changes in ridership by county and type of service in FY20, FY21, FY22, and FY23 (first half); and
 - estimates the amount of funding needed to continue zero-fare public transit.
- Effective: July 1, 2022.

Sec. 17. Carbon Reduction Program Monies in FY24

- **BIG PICTURE: Requires the Agency, in consultation with the Vermont Climate Council, to ensure that the proposed FY24 Transportation Program puts all of the Carbon Reduction Program monies (federal, new program through IIJA) available in federal fiscal years 2022, 2023, and 2024 towards projects that align with the recommendations of the Climate Action Plan (CAP).**
- Effective: July 1, 2022.

Sec. 18. Transportation Alternatives Grant Program

- **BIG PICTURE: Deletes some obsolete language (prior fiscal years) and requires that, starting in FY24, 50 percent of Transportation Alternative Grant Program funds (federal program and federal monies, with local match) be reserved for municipalities for environmental mitigation projects related to stormwater and highways, unless eligible applications for environmental mitigation projects accounts for less than 50 percent of the available funds).**
- Effective: July 1, 2022.

Secs. 19–21. Amendments to 2021 T. Bill: \$5,000 for EBike Incentive Administration

- **BIG PICTURE: Allows up to \$5,000 to be used to administer the EBike Incentive Program by taking up to that amount from administration allowances for Replace Your Ride Program.**
- NOTE: Change is in three places because of the summary section (2021 Acts and Resolves No. 55, Sec. 2), the EBike authorization section (2021 Acts and Resolves No. 55, Sec. 27), and the Replace Your Ride authorization section (2021 Acts and Resolves No. 28)
- Effective: July 1, 2021 (retroactive).

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- Sec. 22. Amendment to 2021 T. Bill: EVSE Grant Program for MUDs
- **BIG PICTURE:** Eliminates existing ambiguity as to what types of EVSE are eligible for grant awards under the EVSE Grant Program that was funded with \$1,000,000 in 2021 Acts and Resolves No. 55, Sec. 29 and specifies that grants can be awarded for level 1 and 2 EVSE.
 - NOTE: Also uses “multiunit” as opposed to “multi-unit” throughout.
 - Effective: July 1, 2021 (retroactive).
- Sec. 23. Bicycle and Pedestrian Planning Integration Pilot Program
- **BIG PICTURE:** Establishes a pilot program to support the continued development and buildout of bicycle and pedestrian infrastructure; requires consultation between the Agency and the regional planning commissions (RPCs); and requires a report on the outcomes of the pilot program to the House/Senate Committees on Transportation not later than January 15, 2023.
 - Effective: July 1, 2022.
- Sec. 24. Pedestrian Safety Outreach
- **BIG PICTURE:** Requires the Agency to develop outreach information regarding pedestrian safety funding and programs available to communities and disseminate that outreach information to communities in coordination with the regional planning commissions (RPCs) and through both the annual Transportation Planning Initiative (TPI) Program and Local Motion.
 - Effective: July 1, 2022.
- Secs. 25–33. Transportation Board (Titles 5 and 9)
- **BIG PICTURE:** Makes conforming revisions to Titles 5 and 9 in response to the amendment to 19 V.S.A. § 5(c), made by [2016 Acts and Resolves No. 167, Sec. 6](#), to provide that in virtually all instances appeals from the Transportation Board go to the Supreme Court.
 - Effective: July 1, 2022.
- Sec. 34. Transportation Board (Title 19)
- **BIG PICTURE:** Adds clarifying language, including subsection headings, to 19 V.S.A. § 5 (the statute that was amended in 2016, thereby necessitating the conforming revisions in Secs. 25–33).
 - Effective: July 1, 2022.

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Sec. 35. Repeal of Assessment Language

- **BIG PICTURE:** Repeals a chapter from Title 5 that the Agency of Transportation says is now obsolete because the assessment rates were repealed in 1988 and are no longer collected, even though the authority to do so is still in law.
- NOTE: Addressed in [Fiscal Note](#).
- Effective: July 1, 2022.

Sec. 36. On-Premises Signs (10 V.S.A. § 493)

- **BIG PICTURE:** Amends 10 V.S.A. § 493(1), and the allowance for on-premises signs, to measure the distance from the on-premises sign to a main entrance based on a straight line, and not a line measured along the centerline of the highway, if the change in elevation from the sign to the main entrance is more than 100 feet.
- NOTE: This basically just says that if a business is at the top of or bottom of a really steep hill with a windy road that there can be an on-premises sign at the turn off, example being National Life.
- Effective: July 1, 2022.

Sec. 37. Right-of-Way (1111) Permit Fees (19 V.S.A. § 1112)

- **BIG PICTURE:** Amends law to only assess the 1111 permit fee for stormwater utility connections that are subsurface, and only for the collective-direct connection to the State highway subsurface stormwater system and not each direct connection individually. This change will make statute align with what VTrans says current practice is.
- NOTE: The stormwater system definition that is being incorporated includes: “the storm sewers; outfall sewers; surface drains; manmade wetlands; channels; ditches; wet and dry bottom basins; rain gardens; and other control equipment necessary and appurtenant to the collection, transportation, conveyance, pumping, treatment, disposal, and discharge of regulated stormwater runoff.”
- NOTE: Addressed in [Fiscal Note](#).
- Effective: July 1, 2022.

Sec. 38. Site Plan Review (24 V.S.A. § 4416(b))

- **BIG PICTURE:** Changes “shall” (mandatory) to “may” (permissive) and strikes “any” based on the Agency’s concerns, after a period of implementation of changes made in the last T. Bill, surrounding needing

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to include all permit conditions in the letter, even ones that are standard and dealt with in the permit itself or only possible.

- Effective: July 1, 2022.

Sec. 39. Smugglers' Notch Restrictions (23 V.S.A. § 1006b)

- **BIG PICTURE: Makes some changes to existing law to increase the civil penalties for certain vehicles going through Smugglers' Notch on Route 108; changes the vehicle prohibition to be based on length and not type of vehicle; and has the civil penalty apply to both the operator and the operator's employer (if they are not the same).**
- Amendments to subsec. (a): Adds a subsection heading.
- Amendments to subsec. (b): Adds a subsection heading; deletes the (no longer necessary) definition of "commercial motor vehicle"; bases the prohibition on length (40 feet for single unit and 45 feet in total length for combination vehicles); expands violation applicability to operator and the operator's employer (if not the same); increases civil penalty to \$1,500 for a first offense and \$3,000 for a first offense that substantially impedes the flow of traffic (maintains the doubling for a second or subsequent violation within a three-year period); and adds an exemption for certain law enforcement/rescue vehicles.
- Amendments to subsec. (c): Adds a subsection heading.
- NOTE: Addressed in [Fiscal Note](#).
- Effective: July 1, 2022.

Sec. 40. Repeal of Authority to Restrict the Use of Covered Bridges (19 V.S.A. § 313)

- **BIG PICTURE: Repeals municipal authority to restrict the use of covered bridges, but added back (in updated form) as 23 V.S.A. § 1397a (Sec. 44).**
- Effective: July 1, 2022.

Sec. 41. Repeal of Penalties for Violating Covered Bridges Restrictions (19 V.S.A. § 315)

- **BIG PICTURE: Repeals fines but added back (in updated form and as civil penalties) as 23 V.S.A. § 1434(c) (Sec. 48).**
- Effective: July 1, 2022.

Secs. 42–43. Redesignating Section Headings for Specificity (23 V.S.A. §§ 1396 and 1397)

- **BIG PICTURE: Adds "weight" or "weight limits" to the section headings for statutes on weight limits and weight limit signs.**
- Effective: July 1, 2022.

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Sec. 44. Municipal Authority to Set Limits for Covered Bridges (23 V.S.A. § 1397a)

- **BIG PICTURE: Recodification of language to allow a municipality (or municipalities jointly where the covered bridge connects multiple municipalities), in consultation with VTrans, to establish one or more of the following: weight, height, or width limits on covered bridges. Requires that any limits be permanently posted with signs that conform to the Manual on Uniform Traffic Control Devices (MUTCD), what is referenced in 23 V.S.A. § 1025, in specified locations.**
- Effective: July 1, 2022.

Sec. 45. Certified Statement (23 V.S.A. § 1398)

- **BIG PICTURE: Makes technical corrections and adds in the requirement that a certified statement of limits for covered bridges also be filed with the clerk in the municipality.**
- Effective: July 1, 2022.

Sec. 46. Weight Limit Restrictions Exclusions (23 V.S.A. § 1399(b))

- **BIG PICTURE: Expands the exclusion for municipal and volunteer fire apparatus that can be operated in excess of weight limitations to also include law enforcement motor vehicles (probably limited applicability).**
- Effective: July 1, 2022.

Sec. 47. Agricultural Services Vehicles (23 V.S.A. § 1400d)

- **BIG PICTURE: Exempts agricultural service vehicles (defined) from prohibition on operating in excess of covered bridges limits.**
- Effective: July 1, 2022.

Sec. 48. Operating in Excess of Limits (23 V.S.A. § 1434)

- **BIG PICTURE: Adds subsection headings and makes technical corrections, but the substantive amendment is the addition of subsection (c), which is what establishes the following civil penalties for operating in violation of posted limits for a covered bridge or general limits for certain types of bridges: \$1,500 for a first violation; \$2,000 for a first violation that substantially impedes the flow of traffic and doubled for a second or subsequent conviction within a three-year period.**
- NOTE: Addressed in [Fiscal Note](#).
- Effective: July 1, 2022.

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Sec. 49. Liability for Damages (23 V.S.A. § 1492)

- **BIG PICTURE:** Updates very outdated internal citations and adds subsection 1434(c) to the list of violations that trigger liability for damages to the public highway or bridge (only substantive change).
- Effective: July 1, 2022.

Sec. 50. Recovery for Expenses for Emergency Services (24 V.S.A. § 2296a)

- **BIG PICTURE:** Allows a municipality that deploys rescue services to aid stranded operators or move disabled vehicles to recover from the operator or operator's employer the costs of providing rescue services.
- Effective: July 1, 2022.

Sec. 51. Extension of Sunset of 32 V.S.A. § 604

- **BIG PICTURE:** Pushes out the sunset of 32 V.S.A. § 604 by three more years, to July 1, 2025.
- NOTE: Addressed in [Fiscal Note](#).
- Effective: On passage.

Sec. 52. Authority for State to Collect Fees for Use of State EVSE (32 V.S.A. § 604)

- **BIG PICTURE:** Makes no changes to existing statutory authority, but requires an annual report from VTrans, in consultation with the Department of Buildings and General Services, by January 15 each year on the State's efforts to collect fees at State owned/controlled EVSE and any significant national trends with regards to the pricing of EVSE. Must include a copy of any applicable fee schedule, as applicable, along with an explanation as to whether or not the fee schedule accounts for expenses associated with the EVSE, including electricity. Report goes to House/Senate Committees on Transportation, House Ways and Means, Senate Finance, House Corrections and Institutions, and Senate Institutions.
- Effective: July 1, 2022.

Sec. 53. Extension of Authority for Sec. of Transportation to Relinquish Route 207 Ext.

- **BIG PICTURE:** Extends the length of time that the Secretary of Transportation has the authority to enter into an agreement with the Town of St. Albans to relinquish a segment of the State highway right-of-

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way for what was to be known as the Vermont Route 207 Extension until
June 30, 2032.

- Effective: On passage.

Sec. 54. Repeal of 19 V.S.A. § 22

- **BIG PICTURE: Repeals the fine applicable for a violation of the since repealed 19 V.S.A. § 21(c).**
- NOTE: Addressed in [Fiscal Note](#).
- Effective: July 1, 2022.

Sec. 55. JTOC Appropriation (TF monies for Dept. of Pub. Safety) (19 V.S.A. § 11a(b))

- **BIG PICTURE: Deletes provisions related to fiscal year 2017.**
- Effective: July 1, 2022.

Sec. 56. Town Road and Bridge Standards (19 V.S.A. § 996(a))

- **BIG PICTURE: Deletes a 2011 reporting requirement.**
- Effective: July 1, 2022.

Sec. 57. Effective Dates