

<u>H. 94 (as introduced)</u>	<u>DR 21-0665 – draft 1.4</u>
Sec. 1. SHORT TITLE	NOT ADDRESSED
Sec. 2. PURPOSE AND INTENT	NOT ADDRESSED
Sec. 3. DEFINITIONS	INCLUDED IN SEC. 1(b)
<p>Sec. 4. NEW PLUG-IN ELECTRIC VEHICLE INCENTIVE PROGRAM; MILEAGESMART; APPROPRIATION</p> <p>(a) <u>New PEV Incentive Program. The sum of \$4,000,000.00 is appropriated from the Transportation Fund to the Agency of Transportation in fiscal year 2022 for the New PEV Incentive Program established in 2019 Acts and Resolves No. 59, Sec. 34, as amended, with up to \$200,000.00 of that \$4,000,000.00 available to continue and expand the Agency of Transportation’s public-private partnership with Drive Electric Vermont to support the expansion of the PEV market in the State. The Agency is authorized to expend this appropriation to provide additional PEV incentives and cover program development costs under the New PEV Incentive Program. Notwithstanding any other provision of law and subject to the approval of the Secretary of Administration, appropriations for the New PEV Incentive Program remaining unexpended on June 30, 2022 shall be carried forward and designated for expenditure on the New PEV Incentive Program in the subsequent fiscal year in addition to any other appropriations for the New PEV Incentive Program.</u></p>	<p>Sec. 7. NEW PEV INCENTIVE PROGRAM</p> <p><u>In fiscal year 2022, the Agency is authorized to spend up to \$2,250,000.00 in one-time Transportation Fund monies on the New PEV Incentive Program established in 2019 Acts and Resolves No. 59, Sec. 34, as amended, with:</u></p> <p><u>(1) up to \$250,000.00 of that \$2,250,000.00 available to continue and expand the Agency’s public-private partnership with Drive Electric Vermont to support the expansion of the PEV market in the State; and</u></p> <p><u>(2) up to 10 percent of the portion of that \$2,250,000.00 not used to expand the Agency’s public-private partnership with Drive Electric Vermont pursuant to subdivision (1) of this section is available for costs associated with the administration of the Program.</u></p> <p><i>LC/JFO NOTE: H.94 had a \$4M appropriation with up to \$200k for Drive Electric Vermont. Proposed T. Bill has a \$2.25M authorization with up to \$250k for Drive Electric</i></p>

<p><u>(b) MileageSmart. The sum of \$600,000.00 is appropriated from the Transportation Fund to the Agency of Transportation in fiscal year 2022 for MileageSmart, which was established in 2019 Acts and Resolves No. 59, Sec. 34, as amended. The Agency is authorized to expend this appropriation to provide additional incentives with up to \$60,000.00 of that \$600,000.00 available for program development costs associated with administering MileageSmart. Notwithstanding any other provision of law and subject to the approval of the Secretary of Administration, appropriations for MileageSmart remaining unexpended on June 30, 2022 shall be carried forward and designated for expenditure on MileageSmart in the subsequent fiscal year in addition to any other appropriations for MileageSmart.</u></p>	<p><i>Vermont and up to 10% of what does not go to Drive Electric available for administrative costs. There is also no carry-forward language in the Proposed T. Bill.</i></p> <p><i>LC/JFO NOTE: H.94 had a \$600k appropriation with up to \$60k for administrative costs. There is nothing on this in the Proposed T. Bill.</i></p>
<p>Sec. 5. REPLACE YOUR RIDE PROGRAM</p> <p><u>(a) Program creation. The Agency of Transportation, in consultation with the Departments of Environmental Conservation and of Public Service, Vermont electric distribution utilities, and the State’s network of community action agencies, shall expand upon the vehicle incentive programs established under 2019 Acts and Resolves No. 59, Sec. 34, as amended, to provide additional incentives for Vermonters with low income through a program to be known as the Replace Your Ride Program.</u></p>	<p>Sec. 8. REPLACE YOUR RIDE PROGRAM</p> <p><u>(a) Program creation. The Agency of Transportation, in consultation with the Departments of Environmental Conservation and of Public Service,</u></p> <p><u>shall expand upon the vehicle incentive programs established under 2019 Acts and Resolves No. 59, Sec. 34, as amended, to provide additional incentives for Vermonters with low income through a program to be known as the Replace Your Ride Program.</u></p>

(b) Incentive amount. The Replace Your Ride Program shall provide a \$3,000.00 incentive, which may be in addition to any other available incentives, including through a program funded by the State, to individuals who qualify based on both income and change in behavior. Only one incentive per household is available under the Replace Your Ride Program and incentives shall be provided on a first-come, first-served basis once the Replace Your Ride Program is operational.

(c) Eligibility. Individuals must qualify through both income and change in behavior.

(1) Income eligibility. The following individuals meet the income eligibility requirement:

(A) an individual domiciled in the State whose federal income tax filing status is single, head of household, or surviving spouse with an adjusted gross income under the laws of the United States at or below \$50,000.00;

(B) a married couple with at least one spouse domiciled in the State whose federal income tax filing status is married filing jointly with an adjusted gross income under the laws of the United States at or below \$50,000.00; or

(C) a married couple with at least one spouse domiciled in the State and at least one spouse whose federal income tax filing status is married filing separately with an

(b) Incentive amount. The Replace Your Ride Program shall provide up to a \$3,000.00 incentive, which may be in addition to any other available incentives, including through a program funded by the State, to individuals who qualify based on both income and the removal of an internal combustion vehicle. Only one incentive per individual or married couple is available under the Replace Your Ride Program and incentives shall be provided on a first-come, first-served basis once the Replace Your Ride Program is operational.

(c) Eligibility. Applicants must qualify through both income and the removal of an eligible vehicle with an internal combustion engine.

(1) Income eligibility. The following applicants meet the income eligibility requirement:

(A) an individual domiciled in the State whose federal income tax filing status is single, head of household, or surviving spouse with an adjusted gross income under the laws of the United States at or below \$50,000.00;

(B) a married couple with at least one spouse domiciled in the State whose federal income tax filing status is married filing jointly with an adjusted gross income under the laws of the United States at or below \$50,000.00; or

(C) a married couple with at least one spouse domiciled in the State and at least one spouse whose federal income tax filing status is married filing separately with an

adjusted gross income under the laws of the United States at or below \$50,000.00.

(2) Behavior eligibility.

(A) In order for an individual to qualify for an incentive under the Replace Your Ride Program, he or she must remove an older low-efficiency vehicle from operation and switch to a mode of transportation that produces fewer greenhouse gas emissions. The entity that administers the Replace Your Ride Program shall establish Program guidelines that specifically provide for how someone can show that the behavior eligibility requirement has been, or will be, met.

(B) For purposes of the Replace Your Ride Program:

(i) An “older low-efficiency vehicle”:

(I) is registered with the Vermont Department of Motor Vehicles;

(II) has vehicle with a gross vehicle weight rating of 10,000 pounds or less;

(III) is model year 2012 or older;

adjusted gross income under the laws of the United States at or below \$50,000.00.

(2) Vehicle removal.

(A) In order for an individual or married couple to qualify for an incentive under the Replace Your Ride Program, the individual or married couple must remove an older low-efficiency vehicle from operation and switch to a mode of transportation that produces fewer greenhouse gas emissions. The entity that administers the Replace Your Ride Program shall establish Program guidelines that specifically provide for how someone can show that the vehicle removal eligibility requirement has been, or will be, met.

(B) For purposes of the Replace Your Ride Program:

(i) An “older low-efficiency vehicle”:

(I) is currently registered, and has been for two years prior to the date of application, with the Vermont Department of Motor Vehicles;

(II) is currently titled in the name of an applicant and has been for at least one year prior to the date of application;

(III) has a gross vehicle weight rating of 10,000 pounds or less;

(IV) is model year 2010 or older;

<p><u>(IV) had a combined city/highway fuel efficiency of less than 25 miles per gallon as rated by the Environmental Protection Agency when the vehicle was new; and</u></p> <p><u>(V) is capable of passing the safety portion of the annual inspection required under 23 V.S.A. § 1222.</u></p> <p><u>(ii) Removing the older low-efficiency vehicle from operation must be done by either donating the vehicle to a nonprofit organization to be used for parts or having the vehicle destroyed.</u></p> <p><u>(iii) The following qualify as a switch to a mode of transportation that produces fewer greenhouse gas emissions:</u></p> <p><u>(I) purchasing or leasing a new or used PEV;</u></p> <p><u>(II) purchasing a new or used bicycle or motorcycle that is fully electric; and</u></p> <p><u>(III) utilizing public transit, shared-mobility services, or privately operated vehicles for hire.</u></p> <p><u>(d) Appropriation. The sum of \$1,000,000.00 is appropriated from the Transportation Fund to the Agency of Transportation in fiscal year 2022 for the Replace Your Ride Program established under this section with up to \$100,000.00 of that \$1,000,000.00 available for Program development costs associated with administering the Replace Your Ride Program. Notwithstanding any other provision of law and subject to the approval of the</u></p>	<p><u>(V) has an internal combustion engine; and</u></p> <p><u>(VI) passed the annual inspection required under 23 V.S.A. § 1222 within the prior year.</u></p> <p><u>(ii) Removing the older low-efficiency vehicle from operation must be done by disabling the vehicle's engine from further use and either donating the vehicle to a nonprofit organization to be used for parts or having the vehicle recycled.</u></p> <p><u>(iii) The following qualify as a switch to a mode of transportation that produces fewer greenhouse gas emissions:</u></p> <p><u>(I) purchasing or leasing a new or used PEV;</u></p> <p><u>(II) purchasing a new or used bicycle or motorcycle that is fully electric; and</u></p> <p><u>(III) utilizing public transit, shared-mobility services, or privately operated vehicles for hire.</u></p> <p><u>(d) Authorization. In fiscal year 2022, the Agency is authorized to spend up to \$1,500,000.00 in one-time Transportation Fund monies on the Replace Your Ride Program established under this section, with up to \$300,000.00 of that \$1,500,000.00 available for costs associated with developing and administering the Replace Your Ride Program.</u></p>
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<p><u>Secretary of Administration, appropriations for the Replace Your Ride Program remaining unexpended on June 30, 2022 shall be carried forward and designated for expenditure on the Replace Your Ride Program in the subsequent fiscal year in addition to any other appropriations for the Replace Your Ride Program.</u></p>	<p>LC/JFO NOTE: H.94 had a \$1M appropriation with up to \$100k for administrative costs. Proposed T. Bill has a \$1.5M authorization with up to \$300k for administrative costs. There is also no carry-forward language in the Proposed T. Bill.</p>
<p>Sec. 6. MOTOR-ASSISTED BICYCLE INCENTIVES</p>	<p>NOT ADDRESSED</p>
<p>NOT ADDRESSED</p>	<p>Sec. 9. PEV DEALERS AND SALES FORCE INCENTIVE AND TRAINING PROGRAM</p> <p>LC/JFO NOTE: The Proposed T. Bill contains a \$250k authorization for this incentive program.</p>
<p style="text-align: center;">* * * Plug-In Electric Buses * * *</p> <p>Sec. 7. 23 V.S.A. § 1283a is added to read:</p> <p><u>§ 1283a. PLUG-IN ELECTRIC VEHICLE SCHOOL BUS</u></p> <p><u>Any Type I or II school bus ordered new on or after January 1, 2022 shall be a plug-in electric vehicle as defined in subdivision 4(85) of this title.</u></p> <p>Sec. 8. 24 V.S.A. § 5095 is added to read:</p> <p><u>§ 5095. FIXED ROUTE PLUG-IN ELECTRIC VEHICLE</u></p>	<p style="text-align: center;">* * * Public Transportation Electrification Plan * * *</p> <p>Sec. 12. PUBLIC TRANSPORTATION ELECTRIFICATION PLAN</p> <p>(a) The Agency of Transportation, in consultation with the State’s public transit providers, shall prepare a long-range plan that outlines the costs, timeline, training, maintenance, and operational actions required to move to a fully electrified public transportation fleet.</p> <p>(b) The Agency shall file the long-range plan required under subsection (a) of this section with the House and Senate Committees on Transportation not later than January 31, 2022.</p>

<p><u>Any vehicle used as part of a fixed route service ordered new on or after January 1, 2022 shall be a plug-in electric vehicle as defined in 23 V.S.A. § 4(85).</u></p>	
<p>Sec. 9. 21 V.S.A. chapter 24 is added to read:</p> <p style="text-align: center;">[LANGUAGE OMITTED]</p> <p><i>LC/JFO NOTE: This is the language that would require certain employers to have one or more level 2 chargers.</i></p>	<p>NOT ADDRESSED</p>
<p>Sec. 10. GRANT PROGRAMS FOR LEVEL 2 CHARGERS</p> <p>(a) <u>Implementation. The Agency of Transportation shall establish and administer, through a memorandum of understanding with the Department of Housing and Community Development, the Downtown and Employer Level 2 Charging Stations Grant Programs and build upon the existing VW EVSE Grant Program that the Department of Housing and Community Development has been administering on behalf of the Department of Environmental Conservation.</u></p> <p>(b) <u>Appropriation. The sum of \$500,000.00 is appropriated from the Transportation Fund to the Agency of Transportation in fiscal year 2022 for the purpose of implementing subsection (a) of this section with \$250,000.00 available for grants under the Designated Downtown Level 2 Charging Stations Grant Program and \$250,000.00 available for grants under the Employer Level 2 Charging Stations Grant Program</u></p>	<p>Sec. 10. GRANT PROGRAMS FOR LEVEL 2 CHARGERS IN MULTI-FAMILY HOUSING</p> <p>(a) <u>The Agency of Transportation shall establish and administer, through a memorandum of understanding with the Department of Housing and Community Development, a program to support the continued buildout of electric vehicle supply equipment in multi-family housing and build upon the existing VW EVSE Grant Program that the Department of Housing and Community Development has been administering on behalf of the Department of Environmental Conservation.</u></p> <p>(b) <u>In fiscal year 2022, the Agency is authorized to spend up to \$1,000,000.00 in one-time Transportation Fund monies on the Program established in this section.</u></p>

(c) Eligibility.

(1) Only municipalities with a portion of the municipality designated pursuant to 24 V.S.A. chapter 76a are eligible to apply for the Downtown Level 2 Charging Stations Grant Program.

(2) Only employers that are required to provide level 2 chargers pursuant to 21 V.S.A. § 1902, as added by Sec. 9 of this act, are eligible to apply for the Employer Level 2 Charging Stations Grant Program.

(d) Fee schedule disclosure. Grant recipients shall disclose a fee schedule to the Department of Housing and Community Development demonstrating a required user fee for electric vehicle charging that accounts for expenses associated with the equipment, including but not limited to electricity costs.

(e) Consultation. The Department of Housing and Community Development shall consult with an interagency team consisting of the Commissioner of Housing and Community Development or designee, the Commissioner of Environmental Conservation or designee, the Commissioner of Health or designee, the Commissioner of Public Service or designee, and the Agency’s Division Director of Policy, Planning, and Intermodal Development or designee on all major decisions regarding the administration of the Downtown and Employer Level 2 Charging Stations Grant Programs.

(c) The Department of Housing and Community Development shall consult with an interagency team consisting of the Commissioner of Housing and Community Development or designee, the Commissioner of Environmental Conservation or designee, the Commissioner of Public Service or designee, and the Agency’s Division Director of Policy, Planning, and Intermodal Development or designee on all major decisions regarding the administration of this Program.

	<i>LC/JFO NOTE: H.94 had a \$500k appropriation for the VW EVSE Grant Program directed (50/50) to certain employers and certain municipalities. Proposed T. Bill has a \$1M authorization for the VW EVSE Grant Program directed to multi-family housing.</i>
NOT ADDRESSED	Sec. 11. PEV ELECTRIC DISTRIBUTION UTILITY RATE DESIGN
Sec. 11. UPDATE TO THE RESIDENTIAL BUILDING ENERGY STANDARDS	NOT ADDRESSED
Sec. 12. 21 V.S.A. chapter 26 is added to read: [LANGUAGE OMITTED] <i>LC/JFO NOTE: This is the language that would require certain employers to have a transportation demand management plan.</i>	NOT ADDRESSED
Sec. 13. FARE-FREE PUBLIC TRANSIT; APPROPRIATION; REPORT	NOT ADDRESSED OUTSIDE OF THE PROPOSED TRANSPORTATION PROGRAM
Sec. 14. MOBILITY AND TRANSPORTATION INNOVATION GRANT PROGRAM; APPROPRIATION; REPORT	NOT ADDRESSED

*** Complete Streets and Sprawl ***	NOT ADDRESSED
*** Improvement of High-Use Corridor Segments ***	NOT ADDRESSED
*** Roundabout Priority ***	NOT ADDRESSED
Sec. 20. MASS TRANSIT AUTHORITIES; REPORT	NOT ADDRESSED