

1 **[ADDITIONAL AGENCY OF TRANSPORTATION PROPOSAL**

2 **AS MODIFIED BY LEG. COUNSEL]**

3 **ADD to Sec. 1(b) (definitions for the bill) and renumber accordingly**

4 (1a) “Candidate Project” means a project approved by the General  
5 Assembly that is not anticipated to have significant expenditures for  
6 preliminary engineering or right-of-way expenditures, or both during the  
7 budget year and funding for construction is not anticipated within a predictable  
8 time frame.

9 (2a) “Development & Evaluation (D&E) Project” means a project  
10 approved by the General Assembly that is anticipated to have preliminary  
11 engineering expenditures or right-of-way expenditures, or both during the  
12 budget year and that the Agency is committed to delivering to construction on  
13 a timeline driven by priority and available funding.

14 (3a) “Front of Book Project” means a project approved by the General  
15 Assembly that is anticipated to have construction expenditures during the  
16 budget year or the following three years, or both, with expected expenditures  
17 shown over four years.

18 **ADD AS NEW Secs. 4a and 4b (to be 5 and 6) and renumber accordingly**

19 \* \* \* Bridge Formula Program; Off-System Bridges \* \* \*

20 Sec. 4a. BRIDGE FORMULA PROGRAM; OFF-SYSTEM BRIDGES

21 (a) Findings. The General Assembly finds that:

1           (1) the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58  
2           (IIJA) provides Vermont with \$225,000,000.00 in Bridge Formula Program  
3           funding for federal fiscal years 2022 through 2026;

4           (2) the Bridge Formula Program funds are to be used for the  
5           preservation and replacement of bridges;

6           (3) as part of the Bridge Formula Program, states are required to allocate  
7           a minimum of 15 percent of the funding to address off-system bridge needs,  
8           where off-system bridges are those that are located along roadways off the  
9           federal aid system;

10           (4) in Vermont, roadways off the federal aid system are primarily owned  
11           and maintained by municipalities; and

12           (5) under the IIJA, the federal share of funding for municipally owned  
13           off-system bridges is 100 percent.

14           (b) Priority implementation. In order to implement and allocate the Bridge  
15           Formula Program funding, the Agency of Transportation is directed to  
16           simultaneously:

17           (1)(A) Fund at 100 percent federal share the construction phase of all  
18           off-system bridges in the Fiscal Year 2023 Transportation Program for Town  
19           Highway Bridges that

1 (i) were not authorized for federal funds for the construction phase  
2 of the pending project prior to the Fiscal Year 2023 Transportation Program;

3 and

4 (ii) are either listed as a Front of Book Project or Development  
5 and Evaluation (D&E) Project in the Fiscal Year 2023 Transportation Program.

6 (B) The engineering (PE) and right-of-way (ROW) phases of projects  
7 to be funded at 100 percent federal share under subdivision (A) of this  
8 subdivision (1) shall continue to be funded at 80 percent federal, 10 percent  
9 State, and 10 percent municipal.

10 (2)(A) In the fiscal year 2023 through 2029 Transportation Programs,  
11 fund the construction phase of off-system covered bridges and off-system  
12 historic truss bridges within the Transportation Programs for Town Highway  
13 Bridges based on the prioritization of covered bridges and historic truss bridges  
14 under the prioritization process outlined in 19 V.S.A. § 10g(1) at 100 percent  
15 federal share.

16 (B) The engineering (PE) and right-of-way (ROW) phases of projects  
17 to be funded at 100 percent federal share under subdivision (A) of this  
18 subdivision (2) shall continue to be funded at 80 percent federal, 10 percent  
19 State, and 10 percent municipal.

20 (c) Secondary implementation. Should funding through the federal Bridge  
21 Formula Program remain available following the implementation delineated

1 under subsection (b) of this section, town highway bridges shall be advanced  
2 based on the prioritization process outlined in 19 V.S.A. § 10g(1).  
3 Sec. 4b. REPEAL  
4 Sec. 4a (Bridge Formula Program; off-system bridges) of this act is  
5 repealed on October 1, 2029, at the conclusion of the authorized  
6 implementation period for the IIIA.