

1 S.280

2 Representative Lanpher of Vergennes moves that the House concur in the  
3 Senate proposal of amendment to the House proposal of amendment with  
4 further proposal of amendment by striking out Secs. 10, 23 V.S.A. § 754; 11,  
5 transportation network companies (TNC) report; 12, 19 V.S.A. § 10b; 13, 19  
6 V.S.A. § 10i; and 14, effective dates, and their corresponding reader assistance  
7 headings in their entirety and inserting in lieu thereof the following:

8 \* \* \* Gross Weight Limits on Highways; Permit Portal; Report \* \* \*

9 Sec. 10. REPORT ON INCREASING GROSS WEIGHT LIMITS ON  
10 HIGHWAYS THROUGH SPECIAL ANNUAL PERMIT AND  
11 STATUS OF PERMIT PORTAL

12 (a) The Secretary of Transportation or designee, in collaboration with the  
13 Commissioner of Forests, Parks and Recreation or designee, the Executive  
14 Director of the Vermont League of Cities and Towns or designee, and the  
15 President of the Vermont Forest Products Association or designee and with the  
16 assistance of the Commissioner of Motor Vehicles or designee, shall examine  
17 adding one or more additional special annual permits to 23 V.S.A. § 1392 to  
18 allow for the operation of motor vehicles at a gross vehicle weight over 99,000  
19 pounds and shall file a written report on the examination and any  
20 recommendations with the House and Senate Committees on Transportation on  
21 or before January 15, 2023.

1        (b) At a minimum, the examination shall address:

2            (1) allowing for a truck trailer combination or truck tractor, semi-trailer  
3        combination transporting cargo of legal dimensions that can be separated into  
4        units of legal weight without affecting the physical integrity of the load to bear  
5        a maximum of 107,000 pounds on six axles or a maximum of 117,000 pounds  
6        on seven axles by special annual permit;

7            (2) limitations for any additional special annual gross vehicle weight  
8        permits based on highway type, including limited access State highway, non-  
9        limited access State highway, class 1 town highway, and class 2 town  
10       highway;

11           (3) limitations for any additional special annual gross vehicle weight  
12        permits based on axle spacing and axle-weight provisions;

13           (4) reciprocity treatment for foreign trucks from a state or province that  
14        recognizes Vermont vehicles permitted at increased gross weights;

15           (5) permit fees for any additional special annual gross vehicle weight  
16        permits;

17           (6) additional penalties, including civil penalties and permit revocation,  
18        for gross vehicle weight violations; and

19           (7) impacts of any additional special annual gross vehicle permits on the  
20        forest economy and on the management and forest cover of Vermont's  
21        landscape.

1       (c) The Secretary of Transportation or designee, in consultation with the  
2       Commissioner of Motor Vehicles or designee, shall also include an update on  
3       the development and implementation of the centralized online permitting  
4       system that the Commissioner of Motor Vehicles was authorized to initiate the  
5       design and development of pursuant to 2021 Acts and Resolves No. 149,  
6       Sec. 26(a) in the report required under subsection (a) of this section.

7                               \* \* \* Distracted Driving; Report \* \* \*

8       Sec. 11. DISTRACTED DRIVING; REPORT

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

10           (1) Distracted driving is any activity that diverts attention from driving,  
11           including talking or texting on a portable electronic device.

12           (2) Sending or reading a text could take an individual's eyes off the road  
13           for five seconds or more. At 55 miles per hour, that is like an operator driving  
14           the length of an entire football field with closed eyes.

15           (3) In 2020, 113 individuals were convicted under 23 V.S.A. § 1095a,  
16           1095b, or 1099 (Vermont statutes that prohibit a non-commercial driver's  
17           license holder from using a portable electronic device or texting while  
18           operating a motor vehicle).

19           (4) In 2020, 3,142 individuals were killed by distracted driving in the  
20           United States.

21       (b) Recommendations.

1           (1) The Vermont State Highway Safety Office, in consultation with the  
2           Departments of Motor Vehicles and of Public Safety, the Vermont Sheriffs’  
3           Association, the Vermont League of Cities and Towns, the Vermont  
4           Department of State’s Attorneys and Sheriffs, the Vermont Association of  
5           Court Diversion and Pretrial Services, and the Vermont Judiciary, shall file  
6           written recommendations on how, if at all, the State should modify its  
7           approach to the education, enforcement, and conviction of the non-commercial  
8           driver’s license distracted driving violations under 23 V.S.A. §§ 1095a, 1095b,  
9           and 1099 with the House and Senate Committees on Judiciary and on  
10           Transportation on or before January 15, 2023.

11           (2) As part of making any recommendations, the Vermont State Highway  
12           Safety Office shall review what is and what is not working to minimize  
13           distracted driving in Vermont and other states, especially amongst operators  
14           under 18 years of age, and examine:

15                   (A) the use of monetary penalties, points, suspensions, revocations,  
16                   and recalls, including escalations based on the number and location of  
17                   distracted driving violations;

18                   (B) the use of diversion programs and other mandated education; and

19                   (C) how to balance education, enforcement, and conviction.

1   \* \* \* Idling; Public Outreach \* \* \*

2       Sec. 12. IDLING; PUBLIC OUTREACH CAMPAIGN

3           (a) The Department of Environmental Conservation, Air Quality and  
4       Climate Division, in consultation with the Departments of Motor Vehicles and  
5       of Public Safety, shall implement a public outreach campaign on idling that, at  
6       a minimum, addresses that:

7                           (1) in most cases, idling violates 23 V.S.A. § 1110;

8                           (2) unnecessary idling harms human health, pollutes the air, wastes fuel  
9       and money, and causes excess engine wear;

10                          (3) based on estimates, if every motor vehicle in Vermont reduced  
11       unnecessary idling by just one minute per day, over the course of a year  
12       Vermonters would save over 1,000,000 gallons of fuel and over \$2,000,000.00  
13       in fuel costs, and Vermont would reduce CO2 emissions by more than 10,000  
14       metric tons; and

15                          (4) while individual actions may be small, the cumulative impacts of  
16       idling are large.

17           (b) The public outreach campaign shall disseminate information on idling  
18       through e-mail; a dedicated web page on idling that is linked through the  
19       websites for the Agency of Natural Resources and the Departments of  
20       Environmental Conservation, of Motor Vehicles, and of Public Safety; social

1 media platforms; community posting websites; radio; television; and printed  
2 written materials.

3 \* \* \* General Statement of Policy; Transportation Planning \* \* \*

4 Sec. 13. 19 V.S.A. § 10b is amended to read:

5 § 10b. STATEMENT OF POLICY; GENERAL

6 (a) The Agency shall be the responsible agency of the State for the  
7 development of transportation policy. It shall develop a mission statement to  
8 reflect:

9 (1) that State transportation policy shall be to encompass, coordinate,  
10 and integrate all modes of transportation and to consider “complete streets”  
11 principles, which are principles of safety and accommodation of all  
12 transportation system users, regardless of age, ability, or modal preference; and

13 (2) the need for transportation projects that will improve the State’s  
14 economic infrastructure, as well as the use of resources in efficient,  
15 coordinated, integrated, cost-effective, and environmentally sound ways, and  
16 that will be consistent with the recommendations of the Comprehensive  
17 Energy Plan (CEP) issued under 30 V.S.A. § 202b, the recommendations of  
18 the Climate Action Plan (CAP) issued under 10 V.S.A. § 592, and any rules  
19 adopted in accordance with 10 V.S.A. § 593;

20 (3) the need for the Agency to lead, assist, and partner in the  
21 transformation of the transportation sector to meet the emissions reduction

1 requirements of the Global Warming Solutions Act, codified at 10 V.S.A.  
2 § 578, and ensure that there is an environmentally clean, efficient, multimodal  
3 system that will have economic, environmental, equity, and public health  
4 benefits for all Vermonters; and

5 (4) the importance of transportation infrastructure resilience and  
6 strategies to construct or retrofit, or both, transportation infrastructure to  
7 prepare for and adapt to changes in the climate, add redundancy and efficiency  
8 to the transportation network, and use maintenance and operational strategies  
9 to address transportation disruptions.

10 (b) The Agency shall coordinate planning and education efforts with those  
11 of the Vermont Climate ~~Change Oversight Committee~~ Council, established  
12 under 10 V.S.A. § 591, and those of local and regional planning entities to:

13 (1) ~~to~~ ensure that the transportation system as a whole is integrated, that  
14 access to the transportation system as a whole is integrated, and that statewide,  
15 local, and regional conservation and efficiency opportunities and practices are  
16 integrated; and

17 (2) ~~to~~ support employer-led or local or regional government-led  
18 conservation, efficiency, rideshare, and bicycle programs and other innovative  
19 transportation advances, especially employer-based incentives.

20 (c) In developing the State’s annual Transportation Program, the Agency  
21 shall, consistent with the planning goals listed in 24 V.S.A. § 4302 ~~as amended~~

1 ~~by 1988 Acts and Resolves No. 200~~ and with appropriate consideration to  
2 local, regional, and State agency plans:

3 (1) Develop or incorporate designs that provide integrated, safe, and  
4 efficient transportation and that are consistent with the recommendations of the  
5 CEP and the CAP.

6 \* \* \*

7 Sec. 14. 19 V.S.A. § 10i is amended to read:

8 § 10i. TRANSPORTATION PLANNING PROCESS

9 (a) Long-range systems plan. The Agency shall establish and implement a  
10 planning process through the adoption of a long-range ~~multi-modal~~ multimodal  
11 systems plan integrating all modes of transportation. The long-range ~~multi-~~  
12 ~~modal~~ multimodal systems plan shall be based upon Agency transportation  
13 policy developed under section 10b of this title; other policies approved by the  
14 General Assembly; Agency goals, mission, and objectives; and demographic  
15 and travel forecasts, design standards, performance criteria, and funding  
16 availability. The long-range systems plan shall be developed with participation  
17 of the public and local and regional governmental entities and pursuant to the  
18 planning goals and processes set forth in 1988 Acts and Resolves No. 200.  
19 The plan shall be consistent with the Comprehensive Energy Plan (CEP) issued  
20 under 30 V.S.A. § 202b and the Climate Action Plan (CAP) issued under  
21 10 V.S.A. § 592.



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(c) Transportation Program. The Transportation Program shall be developed in a fiscally responsible manner to accomplish the following objectives:

(1) managing, maintaining, and improving the State’s existing transportation infrastructure to provide capacity, safety, ~~and~~ flexibility, and resiliency in the most cost-effective and efficient manner;

(2) developing an integrated transportation system that provides Vermonters with transportation choices;

(3) strengthening the economy, protecting the quality of the natural environment, and improving Vermonters’ quality of life; ~~and~~

(4) achieving the recommendations of the CEP and the CAP; and

(5) transforming the transportation sector to meet the State’s emissions reduction requirements and ensure that there is an environmentally clean, efficient, multimodal system that will have economic, environmental, equity, and public health benefits for all Vermonters.

\* \* \*

(f) Emissions modeling.

(1) The Agency of Natural Resources shall coordinate with the Agency of Transportation to consider and incorporate relevant elements of the proposed Transportation Program and the effectiveness of those elements in

1 reducing greenhouse gas emissions when developing and updating the  
2 Tracking and Measuring Progress Tool pursuant to 10 V.S.A. § 591(b)(3).

3 (2) The following shall be included in the reports required pursuant to  
4 section 10g of this chapter:

5 (A) the portion of the Tracking and Measuring Progress Tool related  
6 to the Transportation Program;

7 (B) a qualitative estimation of how effective the relevant elements of  
8 the proposed Transportation Program for the upcoming fiscal year will be in  
9 reducing greenhouse gas emissions and a quantitative estimation, based on the  
10 emission projections published in the Greenhouse Gas Inventory, if available,  
11 of how much more the greenhouse gas emissions from the transportation sector  
12 need to be reduced for the State to achieve its emissions reductions  
13 requirements; and

14 (C) a strategy and plan for how to reduce the greenhouse gas  
15 emissions from the transportation sector to achieve the recommendations in the  
16 CEP and the CAP during fiscal years beyond the upcoming fiscal year, with  
17 the expectation that the strategy and plan shall be used in the Agency of  
18 Transportation’s ongoing planning.

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

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2       Sec. 15. EFFECTIVE DATES

3           (a) This section and Secs. 1 (new motor vehicle arbitration; 9 V.S.A.  
4           § 4173(d), 3 (current Total Abstinence Program participants), and 8 and  
5           9 (abandoned vehicles; 23 V.S.A. §§ 2151 and 2153(a)) shall take effect on  
6           passage.

7           (b) Sec. 2 (Total Abstinence Program; 23 V.S.A. § 1209a) shall take effect  
8           on passage and apply to all individuals participating in or in the process of  
9           applying to participate in the Total Abstinence Program as of the effective date  
10           of this section without regard to when the individual’s license was reinstated  
11           under the Total Abstinence Program.

12           (c) All other sections shall take effect on July 1, 2022.