

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Transportation to which was referred Senate Bill
3 No. 280 entitled “An act relating to miscellaneous changes to laws related to
4 vehicles” respectfully reports that it has considered the same and recommends
5 that the House propose to the Senate that the bill be amended as follows:

6 First: In Sec. 2, 23 V.S.A. § 1209a, in subdivision (b)(1)(A)(ii), by
7 inserting “or a regulated drug” following “other than alcohol”

8 Second: By striking out Sec. 10, effective dates, and its corresponding
9 reader assistance heading in their entireties and inserting in lieu thereof the
10 following:

11 * * * Transportation Network Companies (TNC);
12 Preemption; Sunset Extension; Report * * *

13 Sec. 10. 23 V.S.A. § 754 is amended to read:

14 § 754. PREEMPTION; SAVINGS CLAUSE

15 (a) Municipal ordinances, resolutions, or bylaws regulating transportation
16 network companies are preempted to the extent they are inconsistent with the
17 provisions of this chapter.

18 (b) Subsection (a) of this section shall not apply to a municipal ordinance,
19 resolution, or bylaw regulating transportation network companies adopted by a
20 municipality with a population of more than 35,000 residents based on the

1 2010 census and in effect on July 1, 2017. This subsection shall be repealed on
2 July 1, ~~2022~~ 2025.

3 Sec. 11. TRANSPORTATION NETWORK COMPANIES (TNC) REPORT

4 (a) The Commissioner of Motor Vehicles, in consultation with the City of
5 Burlington; the Vermont League of Cities and Towns; and transportation
6 network companies (TNCs), as defined in 23 V.S.A. § 750(a)(4), doing
7 business in Vermont, shall file a written report with recommendations on how,
8 if at all, to amend 23 V.S.A. § 754 and, as applicable, 23 V.S.A. chapter 10
9 with the House Committees on Commerce and Economic Development, on
10 Judiciary, and on Transportation and the Senate Committees on Finance, on
11 Judiciary, and on Transportation on or before March 15, 2024.

12 (b) In preparing the report, the Commissioner of Motor Vehicles shall
13 review the following related to TNCs:

14 (1) changes in ridership and consumer practices for calendar years 2018
15 to 2023, including market penetration across the State;

16 (2) the results of and process for audits conducted on a State or
17 municipal level;

18 (3) an analysis prepared by the City of Burlington and TNCs of the
19 differences between the State's regulatory scheme and the City of Burlington's
20 regulatory scheme, including whether allowing those inconsistencies is or will

1 be detrimental or beneficial to any of the following: the State, the traveling
2 public, TNCs, the City of Burlington, or other municipalities; and

3 (4) significant regulatory changes on a national level.

4 * * * Gross Weight Limits on Highways; Permit Portal; Report * * *

5 Sec. 12. REPORT ON INCREASING GROSS WEIGHT LIMITS ON
6 HIGHWAYS THROUGH SPECIAL ANNUAL PERMIT AND
7 STATUS OF PERMIT PORTAL

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

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

19 (1) allowing for a truck trailer combination or truck tractor, semi-trailer
20 combination transporting cargo of legal dimensions that can be separated into
21 units of legal weight without affecting the physical integrity of the load to bear

1 a maximum of 107,000 pounds on six axles or a maximum of 117,000 pounds
2 on seven axles by special annual permit;

3 (2) limitations for any additional special annual gross vehicle weight
4 permits based on highway type, including limited access State highway, non-
5 limited access State highway, class 1 town highway, and class 2 town
6 highway;

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

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

11 (5) permit fees for any additional special annual gross vehicle weight
12 permits; and

13 (6) additional penalties, including civil penalties and permit revocation,
14 for gross vehicle weight violations.

15 (b) The Secretary of Transportation or designee, in consultation with the
16 Commissioner of Motor Vehicles or designee, shall also include an update on
17 the development and implementation of the centralized online permitting
18 system that the Commissioner of Motor Vehicles was authorized to initiate the
19 design and development of pursuant to 2021 Acts and Resolves No. 149,
20 Sec. 26(a) in the report required under subsection (a) of this section.

1 approach to the education, enforcement, and conviction of the non-commercial
2 driver’s license distracted driving violations under 23 V.S.A. §§ 1095a, 1095b,
3 and 1099 with the House and Senate Committees on Judiciary and on
4 Transportation on or before January 15, 2023.

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

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

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

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

14 * * * Idling; Public Outreach * * *

15 Sec. 14. IDLING; PUBLIC OUTREACH CAMPAIGN

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

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

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

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

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

10 (b) The public outreach campaign shall disseminate information on idling
11 through e-mail; a dedicated web page on idling that is linked through the
12 websites for the Agency of Natural Resources and the Departments of
13 Environmental Conservation, of Motor Vehicles, and of Public Safety; social
14 media platforms; community posting websites; radio; television; and printed
15 written materials.

16 * * * General Statement of Policy; Transportation Planning * * *

17 Sec. 15. 19 V.S.A. § 10b is amended to read:

18 § 10b. STATEMENT OF POLICY; GENERAL

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

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

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

12 (3) the need for the Agency to lead, assist, and partner in the
13 transformation of the transportation sector to meet the emissions reduction
14 requirements of the Global Warming Solutions Act, codified at 10 V.S.A.
15 § 578, and ensure that there is an environmentally clean, efficient, multimodal
16 system that will have economic, environmental, equity, and public health
17 benefits for all Vermonters; and

18 (4) the importance of transportation infrastructure resilience and
19 strategies to construct or retrofit, or both, transportation infrastructure to
20 prepare for and adapt to changes in the climate, add redundancy and efficiency

1 to the transportation network, and use maintenance and operational strategies
2 to address transportation disruptions.

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

6 (1) ~~to~~ ensure that the transportation system as a whole is integrated, that
7 access to the transportation system as a whole is integrated, and that statewide,
8 local, and regional conservation and efficiency opportunities and practices are
9 integrated; and

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

13 (c) In developing the State’s annual Transportation Program, the Agency
14 shall, consistent with the planning goals listed in 24 V.S.A. § 4302 ~~as amended~~
15 ~~by 1988 Acts and Resolves No. 200~~ and with appropriate consideration to
16 local, regional, and State agency plans:

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

20 * * *

1 Sec. 16. 19 V.S.A. § 10i is amended to read:

2 § 10i. TRANSPORTATION PLANNING PROCESS

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

16 * * *

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

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

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

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

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

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

13 * * *

14 (f) Emissions modeling.

15 (1) The Agency of Natural Resources shall coordinate with the Agency
16 of Transportation to consider and incorporate relevant elements of the
17 proposed Transportation Program and the effectiveness of those elements in
18 reducing greenhouse gas emissions when developing and updating the
19 Tracking and Measuring Progress Tool pursuant to 10 V.S.A. § 591(b)(3).

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

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

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

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

15 * * * Effective Dates * * *

16 Sec. 17. EFFECTIVE DATES

17 (a) This section and Secs. 1 (new motor vehicle arbitration; 9 V.S.A.
18 § 4173(d)), 3 (current Total Abstinence Program participants), 8 and
19 9 (abandoned vehicles; 23 V.S.A. §§ 2151 and 2153(a)), and 10 (transportation
20 network companies regulation preemption; 23 V.S.A. § 754(b)) shall take
21 effect on passage.

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

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

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11 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE