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[LEG. COUNSEL PROPOSAL]

[AGENCY OF TRANSPORTATION PROPOSAL]

[REPEAL OF U.S. ROUTE 4 PERMIT]

[INCENTIVE PROGRAM FOR NEW PEVs NAME CHANGE]

[SEN. PERCHLIK PROPOSAL]

* * * Transportation Program Adopted as Amended; Definitions * * *

Sec. 1. TRANSPORTATION PROGRAM ADOPTED; DEFINITIONS

(a) The Agency of Transportation’s Proposed Fiscal Year 2022

Transportation Program appended to the Agency of Transportation’s proposed fiscal year 2022 budget, as amended by this act, is adopted to the extent federal, State, and local funds are available.

(b) As used in this act, unless otherwise indicated:

(1) “Agency” means the Agency of Transportation.

(2) “Electric bicycle” means a bicycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of less than 750 watts.

(3) “Electric vehicle supply equipment (EVSE)” has the same meaning as in 30 V.S.A. § 201.

(4) “Plug-in electric vehicle (PEV),” “plug-in hybrid electric vehicle (PHEV),” and “battery electric vehicle (BEV)” have the same meanings as in 23 V.S.A. § 4(85).

1 (5) “Secretary” means the Secretary of Transportation.

2 (6) “TIB funds” means monies deposited in the Transportation

3 Infrastructure Bond Fund in accordance with 19 V.S.A. § 11f.

4 (7) The table heading “As Proposed” means the Proposed

5 Transportation Program referenced in subsection (a) of this section; the table

6 heading “As Amended” means the amendments as made by this act; the table

7 heading “Change” means the difference obtained by subtracting the “As

8 Proposed” figure from the “As Amended” figure; and the terms “change” or

9 “changes” in the text refer to the project- and program-specific amendments,

10 the aggregate sum of which equals the net “Change” in the applicable table

11 heading.

12 (c) In the Agency of Transportation’s Proposed Fiscal Year 2022

13 Transportation Program for Town Highway Aid, the value “\$26,017,744” is

14 struck and “\$27,105,769” is inserted in lieu thereof to correct a typographic

15 error.

16 ***[NO PROPOSED CHANGES TO SECS. 2 & 3]***

17 *** Bridge 61; Program Development; Town Highway Bridges ***

18 **Sec. 3a. BRIDGE 61 IN SPRINGFIELD, VT**

19 (a) Within the Agency of Transportation’s Proposed Fiscal Year 2022

20 Transportation Program, the following project is moved from Program

21 Development to Town Highway Bridges: Springfield BF 1034(49).

1 (b) Authorized spending for Springfield BF 1034(49) is not modified in
2 any way.

3 * * * Repeal of U.S. Route 4 Permit * * *

4 Sec. 3b. LEGISLATIVE INTENT

5 (a) It is the intent of the General Assembly not to repeal 23 V.S.A.
6 § 1432(c), pursuant to Secs. 3c and 29(b) of this act, until the Agency of
7 Transportation:

8 (1) works with the Town of Woodstock to identify safety concerns
9 related to tractor trailers traveling through the Town on U.S. Route 4; and

10 (2) incorporates improvements it determines, in its sole authority, are
11 feasible within the town highway right-of-way and scope of work for
12 Woodstock NH PC21(5) within the Agency’s proposed Fiscal Year 2022
13 Transportation Program for Program Development—Paving.

14 (b) The project identified as Woodstock NH PC21(5) is expected to be
15 completed during the summer 2021 construction season and there is no
16 projected fiscal year 2023 funding for the project included in the proposed
17 Fiscal Year 2022 Transportation Program, so having the repeal of 23 V.S.A.
18 § 1432(c) be effective on July 1, 2022 should provide sufficient time for the
19 Agency to work with the Town to design and complete the project identified as
20 Woodstock NH PC21(5) and the Town to make any additional improvements
21 that it deems necessary.

1 **Sec. 3c. 23 V.S.A. § 1432(c) is amended to read:**

2 **(c) Operation on U.S. Route 4. Notwithstanding any other law to the**
3 **contrary, vehicles with a trailer or semitrailer that are longer than 68 feet but**
4 **not longer than 75 feet may be operated with a single or multiple trip**
5 **overlength permit issued at no cost by the Department of Motor Vehicles or,**
6 **for a fee, by an entity authorized in subsection 1400(d) of this title on U.S.**
7 **Route 4 from the New Hampshire state line to the junction of VT Route 100**
8 **south, provided the distance from the kingpin of the semitrailer to the center of**
9 **the rearmost axle group is not greater than 41 feet. [Repealed.]**

10 *[NO PROPOSED CHANGES TO SECS. 4-7]*

11 * * * One-Time Transportation Fund Monies Authorizations for
12 Electrification of the Transportation Sector * * *

13 * * * Incentive Program **for New PEVs**; Partnership with Drive Electric * * *
14 Sec. 8. INCENTIVE PROGRAM **FOR NEW PEVS**; PARTNERSHIP WITH
15 DRIVE ELECTRIC VERMONT

16 (a) In fiscal year 2022, the Agency is authorized to spend up to
17 \$3,250,000.00 in one-time Transportation Fund monies on the Incentive
18 Program **for New PEVs** established in 2019 Acts and Resolves No. 59, Sec.
19 34, as amended, and its partnership with Drive Electric Vermont with:
20 (1) Up to \$250,000.00 of that \$3,250,000.00 available to continue and
21 expand the Agency’s public-private partnership with Drive Electric Vermont to

1 support the expansion of the PEV market in the State.

2 (2) At least \$3,000,000.00 of that \$3,250,000.00 for PEV purchase and
3 lease incentives and administrative costs as allowed under subsection (b) of
4 this section. If less than \$250,000.00 is expended on the public-private
5 partnership with Drive Electric Vermont under subdivision (1) of this
6 subsection, then the balance of that \$250,000.00 shall only be authorized for
7 additional PEV purchase and lease incentives and administrative costs as
8 allowed under subsection (b) of this section.

9 (b) The Agency may use not more than 10 percent of the authorization
10 under subdivision (a)(2) of this section for costs associated with the
11 administration of the Program.

12 Sec. 9. 2019 Acts and Resolves No. 59, Sec. 34(a)(4), as amended by 2020
13 Acts and Resolves No. 121, Sec. 14, 2020 Acts and Resolves No. 154, Sec.
14 G.112, and 2021 Acts and Resolves No. 3, Sec. 56, is further amended to read:

15 ~~(4) The Agency shall administer the program described in subsection (b)~~
16 ~~of this section through no cost contracts with the State's electric distribution~~
17 ~~utilities. [Repealed.]~~

18 Sec. 10. 2019 Acts and Resolves No. 59, Sec. 34(b), as amended by 2020 Acts
19 and Resolves No. 121, Sec. 14, 2020 Acts and Resolves No. 154, Sec. G.112,
20 and 2021 Acts and Resolves No. 3, Sec. 56, is further amended to read:

21 (b) Electric vehicle incentive program. **A new PEV purchase and lease An**

1 incentive program for Vermont residents **to purchase and lease new PEVs** shall
2 structure PEV purchase and lease incentive payments by income to help
3 Vermonters benefit from electric driving, including Vermont’s most
4 vulnerable. The program shall be known as the **New PEV** Incentive Program
5 **for New PEVs**. Specifically, the **New PEV** Incentive Program **for New PEVs**
6 shall:

7 * * *

8 (2) provide not more than one incentive of \$1,500.00 for a PHEV or
9 \$2,500.00 for a BEV, **per individual per year**, to:

10 (A) an individual domiciled in the State whose federal income tax
11 filing status is single or head of household with an adjusted gross income
12 under the laws of the United States greater than \$50,000.00 and at or below
13 \$100,000.00;

14 (B) an individual domiciled in the State whose federal income tax
15 filing status is surviving spouse with an adjusted gross income under the laws
16 of the United States greater than ~~\$50,000.00~~ \$75,000.00 and at or below
17 \$125,000.00;

18 (C) **an individual who is part of** a married couple with at least one
19 spouse domiciled in the State whose federal income tax filing status is married
20 filing jointly with an adjusted gross income under the laws of the United States
21 greater than ~~\$50,000.00~~ \$75,000.00 and at or below \$125,000.00; or

1 (D) an individual who is part of a married couple with at least one
2 spouse domiciled in the State and at least one spouse whose federal income tax
3 filing status is married filing separately with an adjusted gross income under
4 the laws of the United States greater than \$50,000.00 and at or below
5 \$100,000.00;

6 (3) provide not more than one incentive of \$3,000.00 for a PHEV or
7 \$4,000.00 for a BEV, per individual per year, to:

8 (A) an individual domiciled in the State whose federal income tax
9 filing status is single; or head of household; ~~or surviving spouse~~ with an
10 adjusted gross income under the laws of the United States at or below
11 \$50,000.00;

12 (B) an individual domiciled in the State whose federal income tax
13 filing status is surviving spouse with an adjusted gross income under the laws
14 of the United States at or below \$75,000.00;

15 ~~(B)~~(C) an individual who is part of a married couple with at least one
16 spouse domiciled in the State whose federal income tax filing status is married
17 filing jointly with an adjusted gross income under the laws of the United States
18 at or below ~~\$50,000.00~~ \$75,000.00; or

19 ~~(C)~~(D) an individual who is part of a married couple with at least one
20 spouse domiciled in the State and at least one spouse whose federal income tax
21 filing status is married filing separately with an adjusted gross income under

1 the laws of the United States at or below \$50,000.00;

2 (4) provide not more than five incentives of either \$3,000.00 for a
3 PHEV or \$4,000.00 for a BEV, or a combination thereof, to a tax-exempt
4 organization incorporated in the State for the purpose of providing Vermonters
5 with transportation alternatives to personal vehicle ownership; and

6 (4)(5) apply to manufactured PEVs with a Base Manufacturer's
7 Suggested Retail Price (MSRP) of \$40,000.00 or less; and

8 (5) provide not less than \$1,100,000.00, of the initial \$2,000,000.00
9 authorization, and up to an additional \$2,050,000.00 in fiscal year 2021 in PEV
10 purchase and lease incentives.

11 * * * MileageSmart * * *

12 Sec. 11. MILEAGESMART

13 In fiscal year 2022, the Agency is authorized to spend up to \$600,000.00 in
14 one-time Transportation Fund monies on MileageSmart, which was established
15 in 2019 Acts and Resolves No. 59, Sec. 34, as amended, with up to 10 percent
16 of the total amount that is distributed in incentives in fiscal year 2022,
17 including incentive funding authorized by this section and incentive funding
18 carried over from prior fiscal years pursuant to 2019 Acts and Resolves No. 59,
19 Sec. 34, as amended, available for costs associated with administering
20 MileageSmart.

21 Sec. 11a. 2019 Acts and Resolves No. 59, Sec. 34(c)(1), as amended by 2020

1 Acts and Resolves No. 121, Sec. 14, 2020 Acts and Resolves No. 154, Sec.
2 G.112, and 2021 Acts and Resolves No. 3, Sec. 56, is further amended to read:

3 (1) The high fuel efficiency vehicle incentive program shall be known as
4 MileageSmart and shall:

5 * * *

6 (B) provide point-of-sale vouchers through the State's network of
7 community action agencies and ~~base set income~~ eligibility for the voucher ~~on~~
8 ~~the same criteria used for income qualification for weatherization services~~
9 ~~through the Weatherization Program~~ at 80 percent of the State median income;
10 and

11 * * *

12 *[NO PROPOSED CHANGES TO SECS. 12–15]*

13 * * * Replace Your Ride Program * * *

14 Sec. 16. REPLACE YOUR RIDE PROGRAM

15 (a) Program creation. The Agency of Transportation, in consultation with
16 the Departments of Environmental Conservation and of Public Service, shall
17 expand upon the vehicle incentive programs established under 2019 Acts and
18 Resolves No. 59, Sec. 34, as amended, to provide additional incentives for
19 Vermonters with low income through a program to be known as the Replace
20 Your Ride Program.

21 (b) Incentive amount. The Replace Your Ride Program shall provide up to

1 a \$3,000.00 incentive, which may be in addition to any other available
2 incentives, including through a program funded by the State, to individuals
3 who qualify based on both income and the removal of an internal combustion
4 vehicle. Only one incentive per individual is available under the Replace Your
5 Ride Program and incentives shall be provided on a first-come, first-served
6 basis once the Replace Your Ride Program is operational.

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

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

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

14 (B) an individual domiciled in the State whose federal income tax
15 filing status is surviving spouse with an adjusted gross income under the laws
16 of the United States at or below \$75,000.00;

17 (C) an individual who is part of a married couple with at least one
18 spouse domiciled in the State whose federal income tax filing status is married
19 filing jointly with an adjusted gross income under the laws of the United States
20 at or below \$75,000.00;

21 (D) an individual who is part of a married couple with at least one

1 spouse domiciled in the State and at least one spouse whose federal income tax
2 filing status is married filing separately with an adjusted gross income under
3 the laws of the United States at or below \$50,000.00; or

4 (E) an individual who qualifies for an incentive under MileageSmart,
5 which is set at 80 percent of the State median income.

6 (2) Vehicle removal.

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

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

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

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

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

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

1 (IV) is at least 10 model years old;
2 (V) has an internal combustion engine; and
3 (VI) passed the annual inspection required under 23 V.S.A.
4 § 1222 within the prior year.

5 (ii) Removing the older low-efficiency vehicle from operation
6 must be done by disabling the vehicle’s engine from further use and fully
7 dismantling the vehicle for either donation to a nonprofit organization to be
8 used for parts or destruction.

9 (iii) The following qualify as a switch to a mode of transportation
10 that produces fewer greenhouse gas emissions:

11 (I) purchasing or leasing a new or used PEV;

12 (II) purchasing a new or used bicycle, electric bicycle, or
13 motorcycle that is fully electric, and the necessary safety equipment; and

14 (III) utilizing shared-mobility services or privately operated
15 vehicles for hire.

16 (d) Authorization. In fiscal year 2022, the Agency is authorized to spend
17 up to \$1,500,000.00 in one-time Transportation Fund monies on the Replace
18 Your Ride Program established under this section, with up to \$300,000.00 of
19 that \$1,500,000.00 available for startup costs, outreach education, and costs
20 associated with developing and administering the Replace Your Ride Program.

21 * * * Electric Bicycle Incentives * * *

1 Sec. 17. ELECTRIC BICYCLE INCENTIVES

2 (a) Implementation. The Agency of Transportation, in consultation with
3 Vermont electric distribution utilities, shall expand upon the vehicle incentive
4 programs established under 2019 Acts and Resolves No. 59, Sec. 34, as
5 amended, to provide a \$200.00 incentive to 250 individuals who purchase a
6 new electric bicycle. Specifically, the Program shall:

7 (1) distribute \$200.00 incentives on a first-come, first-served basis after
8 the Agency announces that incentives are available;

9 (2) apply to new electric bicycles with any Manufacturer’s Suggested
10 Retail Price (MSRP); and

11 (3) be available to all Vermonters who self-certify as to meeting any
12 incentive tier under the income eligibility criteria for the Incentive Program for
13 New PEVs.

14 (b) Authorization. In fiscal year 2022, the Agency is authorized to spend
15 up to \$50,000.00 in one-time Transportation Fund monies on the electric
16 bicycle incentives.

17 * * * EVSE Grant Program * * *

18 Sec. 18. GRANT PROGRAMS FOR LEVEL 2 CHARGERS IN MULTI-
19 UNIT DWELLINGS; REPORT

20 (a) As used in this section:

21 (1) “Area median income” means the county or Metropolitan Statistical

1 Area median income published by the federal Department of Housing and
2 Urban Development.

3 (2) “Multi-unit affordable housing” means a housing project, such as
4 cooperatives, condominiums, dwellings, or mobile home parks, with 10 or
5 more units constructed or maintained on a tract or tracts of land where:

6 (A) at least 50 percent of the units are or will be occupied by
7 households whose income does not exceed 100 percent of the greater of the
8 State or area median income; or

9 (B) all units are affordable to households earning between 60 and 120
10 percent of area median income.

11 (3) “Multi-unit dwellings owned by a nonprofit” means a housing
12 project, such as cooperatives, condominiums, dwellings, or mobile home
13 parks, with 10 or more units constructed or maintained on a tract or tracts of
14 land owned by a person that has nonprofit status under Section 501(c)(3) of the
15 U.S. Internal Revenue Code, as amended, and is registered as a nonprofit
16 corporation with the Office of the Secretary of State.

17 (b) The Agency of Transportation shall establish and administer, through a
18 memorandum of understanding with the Department of Housing and
19 Community Development, a pilot program to support the continued buildout of
20 electric vehicle supply equipment at multi-unit affordable housing and multi-
21 unit dwellings owned by a nonprofit and build upon the existing VW EVSE

1 Grant Program that the Department of Housing and Community Development
2 has been administering on behalf of the Department of Environmental
3 Conservation.

4 (c) In fiscal year 2022, the Agency is authorized to spend up to
5 \$1,000,000.00 in one-time Transportation Fund monies on the pilot program
6 established in this section.

7 (d) Pilot program funding shall be awarded with consideration of broad
8 geographic distribution as well as service models ranging from restricted
9 private parking to publicly accessible parking so as to examine multiple
10 strategies to increase access to EVSE.

11 (e) The Department of Housing and Community Development shall consult
12 with an interagency team consisting of the Commissioner of Housing and
13 Community Development or designee, the Commissioner of Environmental
14 Conservation or designee, the Commissioner of Public Service or designee,
15 and the Agency's Division Director of Policy, Planning, and Intermodal
16 Development or designee regarding the design, award of funding, and
17 administration of this pilot program.

18 (f) The Department of Housing and Community Development shall file a
19 written report on the outcomes of the pilot program with the House and Senate
20 Committees on Transportation not later than January 15, 2022.

21 * * * EVSE Network in Vermont * * *

1 Sec. 18a. EVSE NETWORK IN VERMONT; REPORT OF ANNUAL MAP

2 (a) It shall be the goal of the State to have, as practicable, a level 3 EVSE
3 charging port available to the public within:

4 (1) five miles of every exit of the Dwight D. Eisenhower National
5 System of Interstate and Defense Highways within the State; and

6 (2) 50 miles of another level 3 EVSE charging port available to the
7 public along a State highway, as defined in 19 V.S.A. § 1(20).

8 (b) Notwithstanding 2 V.S.A. § 20(d), the Agency of Transportation shall
9 file an up-to-date map showing the locations of all level 3 EVSE available to
10 the public within the State with the House and Senate Committees on
11 Transportation not later than January 15 each year until the goal identified in
12 subsection (a) of this section is met.

13 * * * Zero-Fare Public Transit in Fiscal Year 2022 * * *

14 Sec. 19. ZERO-FARE PUBLIC TRANSIT IN FISCAL YEAR 2022

15 (a) Urban public transit. It is the intent of the General Assembly that
16 public transit operated by transit agencies that are eligible to receive grant
17 funds pursuant to 49 U.S.C. § 5307 in the State shall be operated on a zero-fare
18 basis with monies for public transit from the Coronavirus Aid, Relief, and
19 Economic Security Act, Pub. L. No. 116-136 (CARES Act), the Consolidated
20 Appropriations Act, 2021, Pub. L. No. 116-260, and the American Rescue Plan
21 Act of 2021, Pub. L. No. 117-2, as practicable and provided that such use is

1 first approved by the governing body of the transit agency, during fiscal year
2 2022.

3 (b) Rural public transit. It is the intent of the General Assembly that public
4 transit operated by transit agencies that are eligible to receive grant funds
5 pursuant to 49 U.S.C. § 5311 in the State shall be operated on a zero-fare basis
6 with monies for public transit from the Coronavirus Aid, Relief, and Economic
7 Security Act, Pub. L. No. 116-136 (CARES Act) and the Consolidated
8 Appropriations Act, 2021, Pub. L. No. 116-260, as practicable, during fiscal
9 year 2022.

10 ***[NO PROPOSED CHANGES TO SECS. 20–22]***

11 * * * Airport and Rail Signs; **Banners** * * *

12 Sec. 23. 10 V.S.A. § 494 is amended to read:

13 § 494. EXEMPT SIGNS

14 The following signs are exempt from the requirements of this chapter
15 except as indicated in section 495 of this title:

16 * * *

17 (6)(A) Official traffic control signs, including signs on limited access
18 highways, consistent with the Manual on Uniform Traffic Control Devices
19 (MUTCD) adopted under 23 V.S.A. § 1025, directing ~~people~~ persons to:

20 (i) other towns;

21 (ii) international airports;

- 1 (iii) postsecondary educational institutions;
- 2 (iv) cultural and recreational destination areas;
- 3 (v) nonprofit diploma-granting educational institutions for ~~people~~
4 persons with disabilities; and
- 5 (vi) official State visitor information centers.

6 (B) After having considered the six priority categories in subdivision
7 (A) of this subdivision (6), the Travel Information Council may approve
8 installation of a sign for any of the following provided the location is open a
9 minimum of 120 days each year and is located within 15 miles of an interstate
10 highway exit:

- 11 (i) nonprofit museums;
- 12 (ii) cultural and recreational attractions owned by the State or
13 federal government;
- 14 (iii) officially designated scenic byways;
- 15 (iv) park and ride or multimodal centers; and
- 16 (v) fairgrounds or exposition sites.

17 (C) The Agency of Transportation may approve and erect signs,
18 including signs on limited access highways, consistent with the MUTCD,
19 directing persons to State-owned airports and intercity passenger rail stations
20 located within 25 miles of a limited access highway exit.

21 (D) Notwithstanding the limitations of this subdivision (6),

1 supplemental guide signs consistent with the MUTCD for the President Calvin
2 Coolidge State Historic Site may be installed at the following highway
3 interchanges:

4 * * *

5 ~~(D)~~(E) Signs erected under this subdivision (6) shall not exceed a
6 maximum allowable size of 80 square feet.

7 * * *

8 (18)(A) A sign that is a banner erected over a highway right-of-way for
9 not more than 21 days if the bottom of the banner is not less than 16 feet 6
10 inches above the surface of the highway and is securely fastened with
11 breakaway fasteners and the proposed banner has been authorized by the
12 legislative body of the municipality in which it is located.

13 (B) As used in this subdivision (18), “banner” means a sign that is
14 constructed of soft cloth or fabric or flexible material such as vinyl or plastic
15 cardboard.

16 *[NO PROPOSED CHANGES TO SECS. 24–28]*

17 *[NEW LANGUAGE PROPOSALS]*

18 * * * Act 250 Transportation Projects * * *

19 Sec. 28a. 10 V.S.A. § 6001(3)(A) is amended to read:

20 (3)(A) “Development” means each of the following:

21 * * *

1 (v) The construction of improvements on a tract of land involving
2 more than 10 acres that is to be used for municipal, county, or State purposes.

3 In computing the amount of land involved,:

4 (I) ~~land~~ Land shall be included that is incident to the use, such
5 as lawns, parking areas, roadways, leaching fields, and accessory buildings.

6 (II) Land that was previously disturbed as the result of
7 construction of a transportation facility shall be excluded from computing the
8 amount of land involved, provided that the project subject to this exclusion is a
9 transportation project that is funded in whole or in part by federal aid. This
10 exclusion shall not apply to the creation of new or additional points of access
11 to, or exit from, the Dwight D. Eisenhower National System of Interstate and
12 Defense Highways. As used in this subdivision (II), “previously disturbed”
13 means land that has been changed by previous installation of transportation
14 facilities, including roads, railroads, runways, trails, sidewalks, ditching,
15 drainage features, ledge removal, utility work, clear zones, or other similar
16 features associated with such facilities.

17 * * *

18 Sec. 28b. 10 V.S.A. § 6001 is amended to read:

19 § 6001. DEFINITIONS

20 * * *

21 (38) “Transportation facility” means highways, sidewalks, and bicycle

1 paths, as defined under 19 V.S.A. § 2301; State-owned railroad or railbanked
2 lines; and runways at State- and municipally owned airports.

3 * * * Transportation Equity Framework * * *

4 Sec. 28c. TRANSPORTATION EQUITY FRAMEWORK; REPORT

5 (a) The Agency of Transportation, in consultation with the State's 11
6 Regional Planning Commissions (RPCs), shall undertake a comprehensive
7 analysis of the State's existing transportation programs and develop a
8 recommendation on a transportation equity framework through which the
9 annual Transportation Program, and the Agency's Annual Project Prioritization
10 Process, can be evaluated so as to advance mobility equity, which is a
11 transportation system that increases access to mobility options, reduces air
12 pollution, and enhances economic opportunity for Vermonters in communities
13 that have been underserved by the State's transportation system.

14 (b) In conducting the analysis required under subsection (a) of this section,
15 the Agency, in coordination with the State's 11 RPCs, shall seek input from
16 individuals who are underserved by the State's current transportation system or
17 who may not have previously been consulted as part of the Agency's planning
18 processes.

19 (c) In order to aid the Agency in conducting the analysis required under
20 subsection (a) of this section, the State's 11 RPCs shall convene regional
21 equity committees to provide input to this process and ongoing input in the

1 transportation planning efforts required under 19 V.S.A. § 10I.

2 (d) The Agency shall file a written report with its analysis and a
3 recommendation on a transportation equity framework as required under
4 subsection (a) of this section with the House and Senate Committees on
5 Transportation not later than January 15, 2022.

6 * * * Space Heating Systems * * *

7 *[FINDINGS FOR INFORMATIONAL PURPOSES FOR SEN.*

8 *TRANSPORTATION:*

9 *(1) The Agency of Transportation has options to use non-fossil fuel*
10 *space heating for buildings that are owned or controlled by the Agency that*
11 *provide an equivalent or better heating and cooling source.*

12 *(2) In the State of Vermont, there are non-fossil fuel space heating*
13 *options that use local fuel, including wood fuels such as cord wood, wood*
14 *chips, and wood pellets.*

15 *(3) With 80 percent of funds spent on wood heating coming from the*
16 *local Vermont economy as compared to only 20 percent when heating oil is*
17 *used, the use of advanced wood heating systems supports the State's economy*
18 *at large and specifically the forest products industry.*

19 *(4) Support for the State's forest products industry is particularly*
20 *needed due to the slump in the demand for low-grade wood in the Northeast.*

21 *(5) The installation of wood heating systems will help to build an*

1 advanced wood heating industry sector in Vermont and the Northeast.

2 (6) The installation of non-fossil fuel space heating systems will likely
3 save the State money on heating costs as compared to fossil fuels.

4 (7) The installation of non-fossil fuel space heating systems will help to
5 meet the State’s renewable energy goals and greenhouse gas reduction
6 requirements, as required by 10 V.S.A. § 578 and 30 V.S.A. § 202b.]

7 Sec. 28d. FISCAL YEAR 2023; AGENCY OF TRANSPORTATION;

8 SPACE HEATING SYSTEMS; NON-FOSSIL FUELS;

9 REPLACEMENT SCHEDULE; BACKUP HEATING

10 (a) Replacement system. Except as provided in subsection (b) of this
11 section, beginning in fiscal year 2023, the Agency of Transportation shall only
12 install non-fossil fuel space heating systems as the primary heating source in
13 buildings owned or controlled by the Agency.

14 (b) Exemption. The Secretary may provide a written exemption to the
15 replacement required in subsection (a) of this section if the Secretary
16 determines that it is financially impracticable to install a non-fossil fuel heating
17 system as a primary heating source. As used in this section, “financially
18 impracticable” means a cost that is excessive as compared to a fossil fuel
19 heating system, taking into account cost-effectiveness over a life-cycle basis.

20 (c) Backup systems. Notwithstanding subsection (a) of this section, after a
21 non-fossil fuel space heating system is installed as a primary heating source, if

1 a non-fossil fuel backup space heating system is not available, the Agency may
2 continue to use fossil fuel systems as back-up heating or as supplemental
3 heating during peak heating periods in buildings owned or controlled by the
4 Agency.

5 (d) Report. On or before January 15 each year, the Secretary shall submit a
6 report to the House and Senate Committees on Transportation with a list of any
7 exemptions provided pursuant to subsection (b) of this section, and any fossil
8 fuel heating systems installed, in the previous calendar year. The provisions of
9 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to
10 be made under this subsection.

11 * * * Effective Dates * * *

12 Sec. 29. EFFECTIVE DATES

13 (a) Sec. 2 (19 V.S.A. § 10g(p); Lamoille Valley Rail Trail maintenance)
14 shall take effect on July 1, 2021 and apply to Transportation Programs
15 commencing with fiscal year 2023.

16 (b) Sec. 3c (repeal of 23 V.S.A. § 1432(c)) shall take effect on July 1,
17 2022.

18 (c) All other sections shall take effect on July 1, 2021.