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[AGENCY OF TRANSPORTATION PROPOSAL]

[LEG. COUNSEL MODIFICATION]

[NO PROPOSED CHANGES TO SECS. 1–8]

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

(b) Electric vehicle incentive program. A new PEV purchase and lease incentive program for Vermont residents shall structure PEV purchase and lease incentive payments by income to help Vermonters benefit from electric driving, including Vermont’s most vulnerable. The program shall be known as the New PEV Incentive Program. Specifically, the New PEV Incentive Program shall:

* * *

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

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

(B) an individual domiciled in the State whose federal income tax filing status is surviving spouse with an adjusted gross income under the laws

1 of the United States greater than ~~\$50,000.00~~ \$75,000.00 and at or below
2 \$125,000.00;

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

7 (D) an individual who is part of a married couple with at least one
8 spouse domiciled in the State and at least one spouse whose federal income tax
9 filing status is married filing separately with an adjusted gross income under
10 the laws of the United States greater than \$50,000.00 and at or below
11 \$100,000.00;

12 (3) provide not more than one incentive of \$3,000.00 for a PHEV or
13 \$4,000.00 for a BEV, per individual per year, to:

14 (A) an individual domiciled in the State whose federal income tax
15 filing status is single; or head of household; ~~or surviving spouse~~ with an
16 adjusted gross income under the laws of the United States at or below
17 \$50,000.00;

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

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

5 ~~(C)~~(D) an individual who is part of a married couple with at least one
6 spouse domiciled in the State and at least one spouse whose federal income tax
7 filing status is married filing separately with an adjusted gross income under
8 the laws of the United States at or below ~~\$50,000.00~~ \$75,000.00;

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

13 ~~(4)~~(5) apply to manufactured PEVs with a Base Manufacturer’s
14 Suggested Retail Price (MSRP) of \$40,000.00 or less; and

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

18 ***[NO PROPOSED CHANGES TO SECS. 10–15]***

19 Sec. 16. REPLACE YOUR RIDE PROGRAM

20 (a) Program creation. The Agency of Transportation, in consultation with
21 the Departments of Environmental Conservation and of Public Service, shall

1 expand upon the vehicle incentive programs established under 2019 Acts and
2 Resolves No. 59, Sec. 34, as amended, to provide additional incentives for
3 Vermonters with low income through a program to be known as the Replace
4 Your Ride Program.

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

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

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

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

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

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

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

9 (E) an individual who qualifies for an incentive under MileageSmart,
10 which is based on the same criteria used for income qualification for
11 weatherization services through the Weatherization Program.

12 (2) Vehicle removal.

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

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

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

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

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

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

7 (IV) is at least 10 model years old;

8 (V) has an internal combustion engine; and

9 (VI) passed the annual inspection required under 23 V.S.A.
10 § 1222 within the prior year.

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

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

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

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

20 (III) utilizing shared-mobility services or privately operated
21 vehicles for hire.

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

6 ***[NO PROPOSED CHANGES TO SECS. 17 & 18]***

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

8 (a) Urban public transit. It is the intent of the General Assembly that
9 public transit operated by transit agencies that are eligible to receive grant
10 funds pursuant to 49 U.S.C. § 5307 in the State shall be operated on a zero-fare
11 basis with monies for public transit from the Coronavirus Aid, Relief, and
12 Economic Security Act, Pub. L. No. 116-136 (CARES Act), the Consolidated
13 Appropriations Act, 2021, Pub. L. No. 116-260, and the American Rescue Plan
14 Act of 2021, Pub. L. No. 117-2, as practicable and provided that such use is
15 first approved by the governing body of the transit agency, during fiscal year
16 2022.

17 (b) Rural public transit. It is the intent of the General Assembly that public
18 transit operated by transit agencies that are eligible to receive grant funds
19 pursuant to 49 U.S.C. § 5311 in the State shall be operated on a zero-fare basis
20 with monies for public transit from the Coronavirus Aid, Relief, and Economic
21 Security Act, Pub. L. No. 116-136 (CARES Act) and the Consolidated

1 Appropriations Act, 2021, Pub. L. No. 116-260, as practicable, during fiscal
2 year 2022.

3 *[NO PROPOSED CHANGES TO SECS. 20–29]*

4 *[NEW LANGUAGE PROPOSALS]*

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

6 Sec. 3a. BRIDGE 61 IN SPRINGFIELD, VT

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

8 Transportation Program, the following project is moved from Program

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

10 (b) Authorized spending for Springfield BF 1034(49) is not modified in

11 any way.

12 * * * Act 250 Transportation Projects * * *

13 Sec. X. 10 V.S.A. § 6001(3)(A) is amended to read:

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

15 * * *

16 (v) The construction of improvements on a tract of land involving

17 more than 10 acres that is to be used for municipal, county, or State purposes.

18 In computing the amount of land involved,;

19 (I) ~~land~~ Land shall be included that is incident to the use, such

20 as lawns, parking areas, roadways, leaching fields, and accessory buildings.

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

12 * * *

13 Sec. Y. 10 V.S.A. § 6001 is amended to read:

14 § 6001. DEFINITIONS

15 * * *

16 (38) “Transportation facility” means highways, sidewalks, and bicycle
17 paths, as defined under 19 V.S.A. § 2301; State-owned railroad or railbanked
18 lines; and runways at State- and municipally owned airports.

19 * * * Transportation Equity Framework * * *

20 Sec. A. TRANSPORTATION EQUITY FRAMEWORK; REPORT

1 (a) The Agency of Transportation, in consultation with the State’s 11
2 Regional Planning Commissions (RPCs), shall undertake a comprehensive
3 analysis of the State’s existing transportation programs and develop a
4 recommendation on a transportation equity framework through which the
5 annual Transportation Program can be evaluated so as to achieve mobility
6 equity, which is a transportation system that increases access to high-quality
7 mobility options, reduces air pollution, and enhances economic opportunity for
8 Vermonters in communities that have been underserved by the State’s
9 transportation system.

10 (b) In conducting the analysis required under subsection (a) of this section,
11 the Agency shall seek input from individuals who are underserved by the
12 State’s current transportation system or who may not have previously been
13 consulted as part of the Agency’s planning for its annual proposed
14 Transportation Program.

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