

1

H.868

2 An act relating to the fiscal year 2025 Transportation Program and
3 miscellaneous changes to laws related to transportation

4 The Senate proposes to the House to amend the bill by striking out all after
5 the enacting clause and inserting in lieu thereof the following:

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

7 Sec. 1. TRANSPORTATION PROGRAM ADOPTED; DEFINITIONS

8 (a) Adoption. The Agency of Transportation’s Proposed Fiscal Year 2025
9 Transportation Program appended to the Agency of Transportation’s proposed
10 fiscal year 2025 budget (revised February 15, 2024), as amended by this act, is
11 adopted to the extent federal, State, and local funds are available.

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

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

14 (2) “Candidate project” means a project approved by the General
15 Assembly that is not anticipated to have significant expenditures for
16 preliminary engineering or right-of-way expenditures, or both, during the
17 budget year and funding for construction is not anticipated within a predictable
18 time frame.

19 (3) “Development and evaluation (D&E) project” means a project
20 approved by the General Assembly that is anticipated to have preliminary
21 engineering expenditures or right-of-way expenditures, or both, during the

1 budget year and that the Agency is committed to delivering to construction on
2 a timeline driven by priority and available funding.

3 (4) “Electric vehicle supply equipment (EVSE)” and “electric vehicle
4 supply equipment available to the public” have the same meanings as in
5 30 V.S.A. § 201.

6 (5) “Front-of-book project” means a project approved by the General
7 Assembly that is anticipated to have construction expenditures during the
8 budget year or the following three years, or both, with expected expenditures
9 shown over four years.

10 (6) “Mileage-based user fee” or “MBUF” means a fee for vehicle use of
11 the public road system with distance, stated in miles, as the measure of use.

12 (7) “Secretary” means the Secretary of Transportation.

13 (8) “TIB funds” means monies deposited in the Transportation
14 Infrastructure Bond Fund in accordance with 19 V.S.A. § 11f.

15 (9) The table heading “As Proposed” means the Proposed
16 Transportation Program referenced in subsection (a) of this section; the table
17 heading “As Amended” means the amendments as made by this act; the table
18 heading “Change” means the difference obtained by subtracting the “As
19 Proposed” figure from the “As Amended” figure; the terms “change” or
20 “changes” in the text refer to the project- and program-specific amendments,
21 the aggregate sum of which equals the net “Change” in the applicable table

1 heading; and “State” in any tables amending authorizations indicates that the
2 source of funds is State monies in the Transportation Fund, unless otherwise
3 specified.

4 * * * Summary of Transportation Investments * * *

5 Sec. 2. FISCAL YEAR 2025 TRANSPORTATION INVESTMENTS

6 INTENDED TO REDUCE TRANSPORTATION-RELATED

7 GREENHOUSE GAS EMISSIONS, REDUCE FOSSIL FUEL

8 USE, AND SAVE VERMONT HOUSEHOLDS MONEY

9 This act includes the State’s fiscal year 2025 transportation investments
10 intended to reduce transportation-related greenhouse gas emissions, reduce
11 fossil fuel use, and save Vermont households money in furtherance of the
12 policies articulated in 19 V.S.A. § 10b and the goals of the Comprehensive
13 Energy Plan and the Vermont Climate Action Plan and to satisfy the Executive
14 and Legislative Branches’ commitments to the Paris Agreement climate goals.
15 In fiscal year 2025, these efforts will include the following:

16 (1) Park and Ride Program. This act provides for a fiscal year
17 expenditure of \$1,464,833.00, which will fund one construction project to
18 create a new park-and-ride facility; the design and construction of
19 improvements to one existing park-and-ride facility; funding for a municipal
20 park-and-ride grant program; and paving projects for existing park-and-ride

1 facilities. This year’s Park and Ride Program will create 60 new State-owned
2 spaces. Specific additions and improvements include:

3 (A) Manchester—construction of 50 new spaces; and

4 (B) Sharon—design and construction of 10 new spaces.

5 (2) Bike and Pedestrian Facilities Program. This act provides for a
6 fiscal year expenditure, including local match, of \$11,648,752.00, which will
7 fund 28 bike and pedestrian construction projects; 21 bike and pedestrian
8 design, right-of-way, or design and right-of way projects for construction in
9 future fiscal years; and eight scoping studies. The construction projects
10 include the creation, improvement, or rehabilitation of walkways, sidewalks,
11 shared-use paths, bike paths, and cycling lanes. Projects are funded in
12 Arlington, Bennington, Bethel, Brattleboro, Burke, Burlington, Castleton,
13 Chester, Enosburg Falls, Fair Haven, Fairfax, Hartford, Hyde Park, Jericho,
14 Manchester, Middlebury, Montpelier, Moretown, Newport City, Northfield,
15 Pawlet, Richford, Royalton, Rutland City, Rutland Town, Shaftsbury,
16 Shelburne, Sheldon, South Burlington, Springfield, St. Albans City, St. Albans
17 Town, Sunderland, Swanton, Tunbridge, Vergennes, Wallingford, Waterbury,
18 and West Rutland. This act also provides funding for:

19 (A) some of Local Motion’s operation costs to run the bike ferry on
20 the Colchester Causeway, which is part of the Island Line Trail;

1 (B) a small-scale municipal bicycle and pedestrian grant program for
2 projects to be selected during the fiscal year;

3 (C) projects funded through the Safe Routes to School Program; and

4 (D) community grants along the Lamoille Valley Rail Trail (LVRT).

5 (3) Transportation Alternatives Program. This act provides for a fiscal
6 year expenditure of \$5,416,614.00, including local funds, which will fund 28
7 transportation alternatives construction projects; 28 transportation alternatives
8 design, right-of-way, or design and right-of-way projects; and three studies,
9 including scoping, historic preservation, and connectivity. Of these 59
10 projects, 21 involve environmental mitigation related to clean water or
11 stormwater concerns, or both clean water and stormwater concerns, and 38
12 involve bicycle and pedestrian facilities. Projects are funded in Athens, Barre
13 City, Brandon, Bridgewater, Bristol, Burke, Burlington, Cambridge, Castleton,
14 Colchester, Derby, Enosburg Falls, Fair Haven, Fairfax, Franklin, Hartford,
15 Hinesburg, Hyde Park, Jericho, Londonderry, Lyndon, Mendon, Middlebury,
16 Montgomery, Newark, Newfane, Proctor, Richford, Richmond, Rockingham,
17 Rutland City, Sharon, Shelburne, South Burlington, Springfield, St. Albans
18 Town, Swanton, Tinmouth, Vergennes, Wardsboro, Warren, Weston,
19 Williston, Wilmington, and Winooski.

1 (4) Public Transit Program. This act provides for a fiscal year
2 expenditure of \$54,940,225.00 for public transit uses throughout the State.

3 Included in the authorization are:

4 (A) Go! Vermont, with an authorization of \$405,000.00. This
5 authorization supports transportation demand management (TDM) strategies,
6 including the State’s Trip Planner and commuter services, to promote the use
7 of carpools and vanpools.

8 (B) Mobility and Transportation Innovations (MTI) Grant Program,
9 with an authorization of \$3,500,000.00, which includes \$3,000,000.00 in
10 federal Carbon Reduction Funds. This authorization continues to support
11 projects that improve both mobility and access to services for transit-dependent
12 Vermonters, reduce the use of single-occupancy vehicles, and reduce
13 greenhouse gas emissions.

14 (5) Rail Program. This act provides for a fiscal year expenditure of
15 \$48,746,831.00, including local funds, for intercity passenger rail service,
16 including funding for the Ethan Allen Express and Vermonter Amtrak services,
17 and rail infrastructure that supports freight rail as well. Moving freight by rail
18 instead of trucks lowers greenhouse gas emissions by up to 75 percent, on
19 average.

20 (6) Transformation of the State Vehicle Fleet. The Department of
21 Buildings and General Services, which manages the State Vehicle Fleet,

1 currently has 14 plug-in hybrid electric vehicles and 15 battery electric
2 vehicles in the State Vehicle Fleet. In fiscal year 2025, the Commissioner of
3 Buildings and General Services will continue to purchase and lease vehicles
4 for State use in accordance with 29 V.S.A. § 903(g), which requires, to the
5 maximum extent practicable, that the Commissioner purchase or lease hybrid
6 or plug-in electric vehicles (PEVs), as defined in 23 V.S.A. § 4(85), with not
7 less than 75 percent of the vehicles purchased or leased being hybrid or PEVs.

8 (7) Electric vehicle supply equipment (EVSE). This act provides for a
9 fiscal year expenditure of \$4,833,828.00 to increase the presence of EVSE in
10 Vermont in accordance with the State’s federally approved National Electric
11 Vehicle Infrastructure (NEVI) Plan, which will lead to the installation of
12 Direct Current Fast Charging (DC/FC) along designated alternative fuel
13 corridors.

14 (8) Vehicle incentive programs and expansion of the PEV market.
15 Incentive Program for New PEVs, MileageSmart, Replace Your Ride, and
16 Electrify Your Fleet. No additional monies are authorized for the State’s
17 vehicle incentive programs in this act, but it is estimated that prior
18 appropriations of approximately the following amounts will be available in
19 fiscal year 2025:

20 (A) \$2,600,000.00 for the Incentive Program for New PEVs;
21 (B) \$200,000.00 for MileageSmart; and

1 (C) \$900,000.00 for the Replace Your Ride Program.

2 (9) Promoting Resilient Operations for Transformative, Efficient, and
3 Cost-Saving Transportation (PROTECT) Formula Program. This act provides
4 for a fiscal year expenditure of \$3,871,435.00 under the PROTECT Formula
5 Program. This year's PROTECT Formula Program funds will support
6 increased resiliency at three bridge sites (Coventry, Wilmington, and
7 Shaftsbury) in alignment with the VTrans Resilience Improvement Plan.

8 * * * Heating Systems in Agency of Transportation Buildings * * *

9 Sec. 2a. 19 V.S.A. § 45 is added to read:

10 § 45. HEATING SYSTEMS

11 (a) In accordance with the renewable energy goals set forth in the State
12 Comprehensive Energy Plan, the Agency of Transportation shall strive to meet
13 not less than 35 percent of its thermal energy needs from non-fossil fuel
14 sources by 2025 and 45 percent by 2035.

15 (1) In order to meet these goals, the Agency will need to use more
16 renewable fuels, such as local wood fuels, to heat its buildings and continue to
17 increase its use of electricity that is generated from renewable sources.

18 (2) When building new State facilities or replacing heating equipment
19 that has reached the end of its useful lifespan, the Agency shall prioritize
20 switching to high-efficiency, advanced wood heating systems that rely on
21 woody biomass.

1 (b) Restoring the fiscal year 2025 Maintenance Program appropriation and
2 authorization to the level included in the Agency of Transportation’s Proposed
3 Fiscal Year 2025 Transportation Program shall be the top fiscal priority of the
4 Agency.

5 (1) If there are unexpended State fiscal year 2024 appropriations of
6 Transportation Fund monies, then, at the close of State fiscal year 2024, an
7 amount up to \$1,860,000.00 of any unencumbered Transportation Fund monies
8 appropriated in 2023 Acts and Resolves No. 78, Secs. B.900–B.922, which
9 would otherwise be authorized to carry forward, is reappropriated for the
10 Agency of Transportation’s Proposed Fiscal Year 2025 Transportation
11 Program for Maintenance 30 days after the Agency sends written notification
12 of the request for the unencumbered Transportation Fund monies to be
13 reappropriated to the Joint Transportation Oversight Committee, provided that
14 the Joint Transportation Oversight Committee does not send written objection
15 to the Agency.

16 (2) If the Agency utilizes available federal monies in lieu of one-time
17 Transportation Fund monies for Green Mountain Transit pursuant to Sec. 5(c)
18 of this act, then the one-time Transportation Fund monies authorized for
19 expenditure pursuant to Sec. 5(b) of this act that are not required for public
20 transit may instead go towards restoring the Highway Maintenance budget.

1 * * * One-Time Public Transit Monies * * *

2 Sec. 5. ONE-TIME PUBLIC TRANSIT MONIES; GREEN MOUNTAIN
3 TRANSIT; FARE COLLECTION, EVALUATION, AND
4 REORGANIZATION; REPORT

5 (a) Project addition. The following project is added to the Agency of
6 Transportation’s Proposed Fiscal Year 2025 Transportation Program:
7 Increased One-Time Monies for Public Transit for Fiscal Year 2025.

8 (b) Authorization. Spending authority for Increased One-Time Monies for
9 Public Transit for Fiscal Year 2025 is authorized as follows:

10 <u>FY25</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
11 Other	0	1,000,000	1,000,000
12 Total	0	1,000,000	1,000,000
13 <u>Sources of funds</u>			
14 State	0	1,000,000	1,000,000
15 Total	0	1,000,000	1,000,000

16 (c) Federal monies. The Agency shall utilize available federal monies in
17 lieu of the authorization in subsection (b) of this section to the greatest extent
18 practicable, provided that there is no negative impact on any local public
19 transit providers.

20 (d) Implementation. The Agency shall distribute the authorization in
21 subsection (b) of this section to Green Mountain Transit as one-time bridge

1 funding for fiscal year 2025 while Green Mountain Transit stabilizes its
2 finances, adjusts its service levels, and transitions to a sustainable funding
3 model.

4 (e) Conditions; report. As a condition of receiving the grant funding,
5 Green Mountain Transit shall do all of the following:

6 (1) begin collecting fares for urban and commuter transit service not
7 later than June 1, 2024;

8 (2) in coordination with the Agency of Transportation, Special Service
9 Transportation Agency, Rural Community Transportation, and Tri-Valley
10 Transit, evaluate alternative options for delivering cost-effective urban fixed-
11 route transit service, rural transit service, commuter service, and any other
12 specialized services currently provided, and prepare a proposed
13 implementation plan, including a three-year cost and revenue plan, for
14 recommended service transitions; and

15 (3) submit to the House and Senate Committees on Transportation an
16 interim report on or before November 15, 2024 and a final report on or before
17 February 1, 2025, detailing the findings, recommendations, and
18 implementation plan as described in subdivision (2) of this subsection.

19 * * * Agency of Transportation Duties; Bonding * * *

20 Sec. 6. 19 V.S.A. § 10 is amended to read:

21 § 10. DUTIES

1 The Agency shall, except where otherwise specifically provided by law:

2 * * *

3 (9) Require any contractor or contractors employed in any project of the
4 Agency for construction of a transportation improvement to file an additional
5 surety bond to the Secretary and the Secretary's successor in office, for the
6 benefit of labor, materialmen, and others, executed by a surety company
7 authorized to transact business in this State. The surety bond shall be in such
8 sum as the Agency shall direct, conditioned for the payment, settlement,
9 liquidation, and discharge of the claims of all creditors for material,
10 merchandise, labor, rent, hire of vehicles, power shovels, rollers, concrete
11 mixers, tools, and other appliances, professional services, premiums, and other
12 services used or employed in carrying out the terms of the contract between the
13 contractor and the State and further conditioned for the following accruing
14 during the term of performance of the contract: the payment of taxes, both
15 State and municipal, and contributions to the Vermont Commissioner of Labor,
16 ~~accruing during the term of performance of the contract. However, provided,~~
17 however, in order to obtain the benefit of the security, the claimant shall file
18 with the Secretary a sworn statement of the claimant's claim, within 90 days
19 after the final acceptance of the project by the State or within 90 days from the
20 time the taxes or contributions to the Vermont Commissioner of Labor are due
21 and payable, and, within one year after the filing of the claim, shall bring a

1 petition in the Superior Court in the name of the Secretary, with notice and
2 summons to the principal, surety, and the Secretary, to enforce the claim or
3 intervene in a petition already filed. The Secretary may, if the Secretary
4 determines that it is in the best interests of the State, accept other good and
5 sufficient surety in lieu of a bond and, in cases involving contracts for
6 \$100,000.00 or less, may waive the requirement of a surety bond.

7 * * *

8 * * * Delays; Transportation Program Statute;

9 Increased Estimated Costs; Technical Corrections * * *

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

11 § 10g. ANNUAL REPORT; TRANSPORTATION PROGRAM;

12 ADVANCEMENTS, CANCELLATIONS, AND DELAYS

13 (a) Proposed Transportation Program. The Agency of Transportation shall
14 annually present to the General Assembly for adoption a multiyear
15 Transportation Program covering the same number of years as the Statewide
16 Transportation Improvement Program (STIP), consisting of the recommended
17 budget for all Agency activities for the ensuing fiscal year and projected
18 spending levels for all Agency activities for the following fiscal years. The
19 Program shall include a description and year-by-year breakdown of
20 recommended and projected funding of all projects proposed to be funded
21 within the time period of the STIP and, in addition, a description of all projects

1 that are not recommended for funding in the first fiscal year of the proposed
2 Program but that are scheduled for construction during the time period covered
3 by the STIP. The Program shall be consistent with the planning process
4 established by 1988 Acts and Resolves No. 200, as codified in 3 V.S.A.
5 chapter 67 and 24 V.S.A. chapter 117, the statements of policy set forth in
6 sections 10b–10f of this title, and the long-range systems plan, corridor studies,
7 and project priorities developed through the capital planning process under
8 section 10i of this title.

9 (b) Projected spending. Projected spending in future fiscal years shall be
10 based on revenue estimates as follows:

11 * * *

12 (c) Systemwide performance measures. The Program proposed by the
13 Agency shall include systemwide performance measures developed by the
14 Agency to describe the condition of the Vermont transportation network. The
15 Program shall discuss the background and utility of the performance measures,
16 track the performance measures over time, and, where appropriate, recommend
17 the setting of targets for the performance measures.

18 (d) [Repealed.]

19 (e) Prior expenditures and appropriations carried forward.

20 * * *

1 (f) Adopted Transportation Program. Each year following ~~enactment~~
2 adoption of a Transportation Program under this section, the Agency shall
3 prepare and make available to the public the Transportation Program
4 ~~established~~ adopted by the General Assembly. The resulting document shall
5 be entered in the permanent records of the Agency ~~and of the Board~~, and shall
6 constitute the State's official Transportation Program.

7 (g) Project updates. The Agency's annual proposed Transportation
8 Program shall include project updates referencing this section and listing the
9 following:

10 (1) all proposed projects in the Program that would be new to the State
11 Transportation Program ~~if adopted~~;

12 (2) all projects for which total estimated costs have increased by more
13 than ~~\$8,000,000.00~~ \$5,000,000.00 from the estimate in the adopted
14 Transportation Program for the prior fiscal year or by more than ~~100~~
15 75 percent from the estimate in the ~~prior fiscal year's approved~~ adopted
16 Transportation Program for the prior fiscal year; ~~and~~

17 (3) all projects for which the total estimated costs have, for the first
18 time, increased by more than \$10,000,000.00 from the Preliminary Plan
19 estimate or by more than 100 percent from the Preliminary Plan estimate; and

20 (4) all projects funded for construction in the prior fiscal year's
21 ~~approved~~ adopted Transportation Program that are no longer funded in the

1 proposed Transportation Program submitted to the General Assembly, the
2 projected costs for such projects in the prior fiscal year's ~~approved~~ adopted
3 Transportation Program, and the total costs incurred over the life of each such
4 project.

5 (h) ~~Should~~ Project delays; emergency and safety issues; additional funding;
6 cancellations.

7 (1) If capital projects in the Transportation Program ~~be~~ are delayed
8 because of unanticipated problems with permitting, right-of-way acquisition,
9 construction, local concern, or availability of federal or State funds, the
10 Secretary is authorized to advance other projects in the ~~approved~~ adopted
11 Transportation Program for the current fiscal year.

12 (2) The Secretary is further authorized to undertake projects to resolve
13 emergency or safety issues that are not included in the adopted Transportation
14 Program for the current fiscal year. Upon authorizing a project to resolve an
15 emergency or safety issue, the Secretary shall give prompt notice of the
16 decision and action taken to the Joint Fiscal Office and to the House and
17 Senate Committees on Transportation when the General Assembly is in
18 session, and ~~when the General Assembly is not in session,~~ to the Joint
19 Transportation Oversight Committee, the Joint Fiscal Office, and the Joint
20 Fiscal Committee when the General Assembly is not in session. ~~Should an~~
21 ~~approved~~

1 (3) If a project in the ~~current~~ adopted Transportation Program ~~require~~ for
2 the current fiscal year requires additional funding to maintain the ~~approved~~
3 schedule in the adopted Transportation Program for the current fiscal year, the
4 Agency is authorized to allocate the necessary resources. However, the
5 Secretary shall not delay or suspend work on ~~approved~~ projects in the adopted
6 Transportation Program for the current fiscal year to reallocate funding for
7 other projects except when other funding options are not available. In such
8 case, the Secretary shall notify the Joint Transportation Oversight Committee,
9 the Joint Fiscal Office, and the Joint Fiscal Committee when the General
10 Assembly is not in session and the House and Senate Committees on
11 Transportation and the Joint Fiscal Office when the General Assembly is in
12 session. With respect to projects in the approved Transportation Program, the
13 Secretary shall notify, ~~in the district affected~~, the regional planning
14 commission for the district where the affected project is located, the
15 municipality where the affected project is located, the legislators for the district
16 where the affected project is located, the House and Senate Committees on
17 Transportation, and the Joint Fiscal Office of any change that likely will affect
18 the fiscal year in which the project is planned to go to construction.

19 (4) No project shall be canceled without the approval of the General
20 Assembly, except that the Agency may cancel a municipal project upon the
21 request or concurrence of the municipality, provided that notice of the

1 cancellation is included in the Agency’s annual proposed Transportation
2 Program.

3 (i) Economic development proposals. For the purpose of enabling the
4 State, without delay, to take advantage of economic development proposals
5 that increase jobs for Vermonters, a transportation project certified by the
6 Governor as essential to the economic infrastructure of the State economy, or a
7 local economy, may, if approval is required by law, be approved for
8 construction by a committee comprising the Joint Fiscal Committee meeting
9 with the ~~Chairs~~ chairs of the ~~Transportation~~ House and Senate Committees on
10 Transportation or their designees without explicit project authorization through
11 an ~~enacted~~ adopted Transportation Program, ~~in the event that such~~
12 ~~authorization is otherwise required by law.~~

13 (j) Plan for advancing projects. The Agency of Transportation, in
14 coordination with the Agency of Natural Resources and the Division for
15 Historic Preservation, shall prepare and implement a plan for advancing
16 ~~approved~~ projects contained in the ~~approved~~ adopted Transportation Program
17 for the current fiscal year. The plan shall include the assignment of a project
18 manager from the Agency of Transportation for each project. The Agency of
19 Transportation, the Agency of Natural Resources, and the Division for Historic
20 Preservation shall set forth provisions for expediting the permitting process
21 and establishing a means for evaluating each project during concept design

1 planning if more than one agency is involved to determine whether it should be
2 advanced or deleted from the Program.

3 (k) ~~For purposes of Definition.~~ As used in subsection (h) of this section,
4 “emergency or safety issues” ~~shall mean~~ means:

5 (1) serious damage to a transportation facility caused by a natural
6 disaster over a wide area, such as a flood, hurricane, earthquake, severe storm,
7 or landslide; ~~or~~

8 (2) catastrophic or imminent catastrophic failure of a transportation
9 facility from any cause; ~~or~~

10 (3) any condition identified by the Secretary as hazardous to the
11 traveling public; or

12 (4) any condition evidenced by fatalities or a high incidence of crashes.

13 (l) Numerical grading system; priority rating. The Agency shall develop a
14 numerical grading system to assign a priority rating to all Program
15 Development Paving, Program Development Roadway, Program Development
16 Safety and Traffic Operations, Program Development State and Interstate
17 Bridge, Town Highway Bridge, and Bridge Maintenance projects. The rating
18 system shall consist of two separate, additive components as follows:

19 (1) One component shall be limited to asset management- and
20 performance-based factors that are objective and quantifiable and shall
21 consider, ~~without limitation,~~ the following:

1 * * *

2 (2) The second component of the priority rating system shall consider;
3 ~~without limitation~~, the following factors:

4 * * *

5 (m) Inclusion of priority rating. The annual proposed Transportation
6 Program shall include an individual priority rating pursuant to subsection (l) of
7 this section for each highway paving, roadway, safety and traffic operations,
8 and bridge project in the ~~program~~ Program along with a description of the
9 system and methodology used to assign the ratings.

10 (n) Development and evaluation projects; delays. The Agency's annual
11 proposed Transportation Program shall include a project-by-project description
12 in each program of all proposed spending of funds for the development and
13 evaluation of projects. ~~In the approved annual Transportation Program, these~~
14 These funds shall be reserved to the identified projects subject to the discretion
15 of the Secretary to reallocate funds to other projects within the program when
16 it is determined that the scheduled expenditure of the identified funds will be
17 delayed due to permitting, local decision making, the availability of federal or
18 State funds, or other unanticipated problems.

19 (o) Year of first inclusion. For projects initially ~~approved by the General~~
20 ~~Assembly for inclusion in the State~~ included in a Transportation Program
21 adopted after January 1, 2006, the Agency's proposed Transportation Program

1 prepared pursuant to subsection (a) of this section and the ~~official~~ adopted
2 Transportation Program prepared pursuant to subsection (f) of this section shall
3 include the year in which ~~such~~ the projects were first ~~approved by the General~~
4 ~~Assembly~~ included in an adopted Transportation Program.

5 (p) Lamoille Valley Rail Trail. The Agency shall include the annual
6 maintenance required for the Lamoille Valley Rail Trail (LVRT), running from
7 Swanton to St. Johnsbury, in the Transportation Program it presents to the
8 General Assembly under subsection (a) of this section. The proposed
9 authorization for the maintenance of the LVRT shall be sufficient to cover:

10 * * *

11 * * * Appropriation Calculations * * *

12 * * * Central Garage Fund * * *

13 Sec. 8. 19 V.S.A. § 13(c) is amended to read:

14 (c)(1) For the purpose specified in subsection (b) of this section, the
15 following amount, at a minimum, shall be transferred from the Transportation
16 Fund to the Central Garage Fund:

17 (A) ~~in fiscal year 2021, \$1,355,358.00; and~~

18 ~~(B) in subsequent fiscal years, at a minimum, the amount specified in~~
19 ~~subdivision (A) of this subdivision (1) as adjusted annually by increasing~~
20 transferred for the previous fiscal year's amount by the percentage increase in
21 the year increased by the percentage change in the Bureau of Labor Statistics

1 Consumer Price Index for All Urban Consumers (CPI-U) ~~during the two most~~
2 ~~recently closed State fiscal years~~ if the percentage change is positive; or

3 (B) the amount transferred for the previous fiscal year if the
4 percentage change is zero or negative.

5 * * *

6 (3) For purposes of subdivision (1) of this subsection, the percentage
7 change in the CPI-U is calculated by determining the increase or decrease, to
8 the nearest one-tenth of a percent, in the CPI-U for the month ending on June
9 30 in the calendar year one year prior to the first day of the fiscal year for
10 which the transfer will be made compared to the CPI-U for the month ending
11 on June 30 in the calendar year two years prior to the first day of the fiscal year
12 for which the transfer will be made.

13 * * * Town Highway Aid * * *

14 Sec. 9. 19 V.S.A. § 306(a) is amended to read:

15 (a) General State aid to town highways.

16 (1) An annual appropriation to class 1, 2, and 3 town highways shall be
17 made. This appropriation shall increase over the previous fiscal year's
18 appropriation by the same percentage change as the following, whichever is
19 less, or shall remain at the previous fiscal year's appropriation if either of the
20 following are negative or zero:

1 determined that the permit applicant is facing hardship, provided that the
2 permit is applied for during the declared state of emergency or within the six
3 months following the conclusion of the declared state of emergency.

4 * * * Vehicle Incentive Programs * * *

5 * * * Replace Your Ride Program * * *

6 Sec. 11. 19 V.S.A. § 2904(d)(2)(B) is amended to read:

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

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

9 * * *

10 (VI) passed the annual inspection required under 23 V.S.A.
11 § 1222 within the prior ~~year~~ 18 months.

12 Sec. 12. 19 V.S.A. § 2904a is added to read:

13 § 2904a. REPLACE YOUR RIDE PROGRAM FLEXIBILITY;

14 EMERGENCIES

15 Notwithstanding subdivisions 2904(d)(2)(A) and (d)(2)(B)(i)(IV)–(VI) of
16 this chapter, the Agency of Transportation is authorized to waive or modify the
17 eligibility requirements for the Replace Your Ride Program under subdivisions
18 (d)(2)(B)(i)(IV)–(VI) that pertain to the removal of an eligible vehicle as
19 required under subdivision 2904(d)(2)(A) of this chapter provided that:

1 (d) Program structure. The Electrify Your Fleet Program shall reduce the
2 greenhouse gas emissions of persons operating a motor vehicle fleet in
3 Vermont by structuring purchase and lease incentive payments on a first-come,
4 first-served basis to replace vehicles other than a plug-in electric vehicle (PEV)
5 cycled out of a motor vehicle fleet or avoid the purchase of vehicles other than
6 a PEV for a motor vehicle fleet. Specifically, the Electrify Your Fleet Program
7 shall:

8 * * *

9 (2) provide ~~\$2,500.00~~ purchase and lease incentives up to 25 percent of
10 the purchase price, but not to exceed \$2,500.00, for:

11 * * *

12 (C) electric bicycles and electric cargo bicycles with a base MSRP of
13 ~~\$6,000.00~~ \$10,000.00 or less;

14 (D) adaptive electric cycles with any base MSRP;

15 (E) electric motorcycles with a base MSRP of \$30,000.00 or less; ~~and~~

16 (F) electric snowmobiles with a base MSRP of \$20,000.00 or less;

17 and

18 (G) electric all-terrain vehicles (ATVs), as defined in 23 V.S.A.

19 § 3501 and including electric utility terrain vehicles (UTVs), with a base

20 MSRP of \$50,000.00 or less;

21 * * *

1 (2) within 25 driving miles of another level 3 EVSE charging port
2 available to the public along a State highway, as defined in subdivision 1(20)
3 of this title; and

4 (3) co-located with or within a safe and both walkable and rollable
5 distance of publicly accessible amenities such as restrooms, restaurants, and
6 convenience stores to provide a safe, consistent, and convenient experience for
7 the traveling public along the State highway system.

8 § 2907. ANNUAL REPORTING; ELECTRIC VEHICLE SUPPLY

9 EQUIPMENT

10 (a) Notwithstanding 2 V.S.A. § 20(d), the Agency of Transportation shall:

11 (1) file a report, with a map, on the State's efforts to meet its federally
12 required Electric Vehicle Infrastructure Deployment Plan, as updated, and the
13 goals set forth in section 2906 of this chapter with the House and Senate
14 Committees on Transportation not later than January 15 each year until the
15 Deployment Plan is met; and

16 (2) file a report on the current operability of EVSE available to the
17 public and deployed through the assistance of Agency funding with the House
18 and Senate Committees on Transportation not later than January 15 each year.

19 (b) The reports required under subsection (a) of this section can be
20 combined when filing with the House and Senate Committees on

1 Transportation and shall prominently be posted on the Agency of
2 Transportation's website.

3 Sec. 18. REPEAL OF CURRENT EVSE MAP REPORT AND EXISTING
4 GOALS

5 2021 Acts and Resolves No. 55, Sec. 30, as amended by 2022 Acts and
6 Resolves No. 184, Sec. 4 (EVSE network in Vermont goals; report of annual
7 map) is repealed.

8 * * * Beneficial Electrification Report * * *

9 Sec. 19. ELECTRIC DISTRIBUTION UTILITIES; EVSE-RELATED
10 SERVICE UPGRADES; REPORT

11 In the report due not later than January 15, 2025, pursuant to 2021 Acts and
12 Resolves No. 55, Sec. 33, the Public Utility Commission shall include a
13 reporting of service upgrade practices related to the installation of electric
14 vehicle supply equipment (EVSE) across all electric distribution utilities,
15 including a comparison of EVSE-related service upgrade practices, a
16 description of the frequency and typical costs of EVSE-related service
17 upgrades, and rate-payer impact.

18 * * * Expansion of Public Transit Service * * *

19 * * * Mobility Services Guide; Car Share * * *

20 Sec. 20. MOBILITY SERVICES GUIDE; ORAL UPDATE

1 (a) The Agency of Transportation, in consultation with existing nonprofit
2 mobility services organizations incorporated in the State of Vermont for the
3 purpose of providing Vermonters with transportation alternatives to personal
4 vehicle ownership, such as through carsharing, and other nonprofit
5 organizations working to achieve the goals of the Comprehensive Energy Plan,
6 the Vermont Climate Action Plan, and the Agency of Transportation’s
7 community engagement plan for environmental justice, shall develop a web-
8 page-based guide to outline the different mobility service models that could be
9 considered for deployment in Vermont.

10 (b) At a minimum, the web-page-based guide required under subsection (a)
11 of this section shall include the following:

12 (1) definitions of program types or options, such as car sharing, mobility
13 for all, micro-transit, bike sharing, and other types of programs that meet the
14 goals identified in subsection (a) of this section;

15 (2) information related to existing initiatives, including developmental
16 and pilot programs, that meet any of the program types or options defined
17 pursuant to subdivision (1) of this subsection and information related to any
18 pertinent studies or reports, whether completed or ongoing, related to the
19 program types or options defined pursuant to subdivision (1) of this
20 subsection;

1 (3) details of other existing programs that may provide a foundation for
2 or complement a new program in a manner that is not duplicative or
3 competitive; and

4 (4) for each possible program type or option defined pursuant
5 subdivision (1) of this subsection, additional details outlining:

6 (A) the range of start-up, capital, facilities, and ongoing operating
7 and maintenance costs;

8 (B) the service area characteristics;

9 (C) the revenue capture options;

10 (D) technical assistance resources; and

11 (E) existing or potential funding resources.

12 (c) The Agency of Transportation shall make itself available to provide an
13 oral update and demonstration of the web-page-based guide required under
14 subsection (a) of this section to the House and Senate Committees on
15 Transportation not later than February 15, 2025.

16 * * * Mobility and Transportation Innovations (MTI) Grant Program * * *

17 Sec. 21. 19 V.S.A. § 10n is added to read:

18 § 10n. MOBILITY AND TRANSPORTATION INNOVATIONS (MTI)

19 GRANT PROGRAM

20 (a) The Mobility and Transportation Innovations (MTI) Grant Program is
21 created within the Public Transit Section of the Agency. The MTI Grant

1 Program shall support innovative transportation demand management
2 programs and transit initiatives that improve mobility and access to services for
3 transit-dependent Vermonters, reduce the use of single-occupancy vehicles,
4 reduce greenhouse gas emissions, and complement existing mobility
5 investments.

6 (b) Grant awards of not more than \$100,000.00 per recipient for capital or
7 operational costs, or both, may be used to create new or expand existing
8 programs for one or more of the following: matching funds for other grant
9 awards; program delivery costs; or the extension of existing programs.

10 (c) Funding under the MTI Grant Program shall not be used to supplant
11 existing State funding for the same project or program.

12 (d) In each year in which funding for grants is available:

13 (1) The Agency shall establish an application period of at least four
14 months.

15 (2) The Agency shall provide direct assistance to entities requiring
16 technical assistance or prereview of a draft application during the application
17 period.

18 (3) Grant awards shall be distributed not later than November 30 in each
19 year in which they are offered.

1 * * * Vermont Rail Plan; Amtrak * * *

2 Sec. 22. DEVELOPMENT OF NEW VERMONT RAIL PLAN; BICYCLE
3 STORAGE; REPORT

4 (a) As the Agency of Transportation develops the new Vermont Rail Plan,
5 it shall consider and address the following:

6 (1) adding additional daily service on the Vermonter for some or all of
7 the service area; and

8 (2) expanding service on the Valley Flyer to provide increased service
9 on the Vermonter route.

10 (b) The Agency of Transportation shall consult with Amtrak and the State-
11 Amtrak Intercity Passenger Rail Committee (SAIPRC) on passenger education
12 of and sufficient capacity for bicycle storage on Amtrak trains on the
13 Vermonter and Ethan Allen Express routes.

14 (c) The Agency of Transportation shall provide an oral update on the
15 development of the Vermont Rail Plan in general and the requirements of
16 subsection (a) of this section specifically and the consultation efforts required
17 under subsection (b) of this section to the House and Senate Committees on
18 Transportation not later than February 15, 2025.

19 * * * Replacement for the Vermont State Design Standards * * *

20 Sec. 23. REPLACEMENT FOR THE VERMONT STATE DESIGN
21 STANDARDS

1 (a) In preparing the replacement for the Vermont State Design Standards,
2 the Agency of Transportation shall do all of the following:

3 (1) Release a draft of the replacement to the Vermont State Design
4 Standards and related documents not later than January 1, 2026.

5 (2) Conduct not fewer than four public hearings across the State
6 concerning the replacement to the Vermont State Design Standards and related
7 documents.

8 (3) Provide a publicly available responsiveness summary detailing the
9 public participation activities conducted in developing the final draft of the
10 replacement for the Vermont State Design Standards and related documents, as
11 applicable; a description of the matters on which members of the public or
12 stakeholders, or both, were consulted; a summary of the views of the
13 participating members of the public and stakeholders; and significant
14 comments, criticisms, and suggestions received by the Agency and the
15 Agency's specific responses, including an explanation of any modifications
16 made in response.

17 (4) In alignment with the Vermont Transportation Equity Framework,
18 consult directly, through a series of large-group, specialty focus groups and
19 one-on-one meetings, with key stakeholders in order to achieve stakeholder
20 engagement and afford a voice in the development of the replacement for the
21 Vermont State Design Standards and related documents. At a minimum,

1 stakeholders shall include the House and Senate Committees on
2 Transportation, the Federal Highway Administration (FHWA), the Vermont
3 Agency of Commerce and Community Development (ACCD), the Vermont
4 Agency of Natural Resources (ANR), the Vermont Department of Health
5 (VDH), the Vermont Department of Public Service (DPS), the Vermont
6 League of Cities and Towns (VLCT), Vermont’s regional planning
7 commissions (RPCs), the Vermont chapter of the American Association of
8 Retired Persons (AARP), Transportation for Vermonters (T4VT), Local
9 Motion, the Sierra Club, Conservation Law Foundation, the Vermont Natural
10 Resources Council, the Vermont Truck and Bus Association, the Vermont
11 Public Transportation Association (VPTA), the American Council of
12 Engineering Companies (ACEC), the Association of General Contractors
13 (AGC), and other stakeholders.

14 (b) The Agency shall provide oral updates on its progress preparing the
15 replacement to the Vermont State Design Standards, including the process
16 required under subsection (a) of this section, to the House and Senate
17 Committees on Transportation not later than February 15, 2025 and February
18 15, 2026.

19 * * * Complete Streets; Traffic Calming Measures; Designated Centers * * *

20 Sec. 24. 19 V.S.A. §§ 2402 and 2403 are amended to read:

21 § 2402. STATE POLICY

1 (a) Agency of Transportation funded, designed, or funded and designed
2 projects shall seek to increase and encourage more pedestrian, bicycle, and
3 public transit trips, with the State goal to promote intermodal access to the
4 maximum extent feasible, which will help the State meet the transportation-
5 related recommendations outlined in the Comprehensive Energy Plan (CEP)
6 issued under 30 V.S.A. § 202b and the recommendations of the Vermont
7 Climate Action Plan (CAP) issued under 10 V.S.A. § 592.

8 (b) Except in the case of projects or project components involving unpaved
9 highways, for all transportation projects and project phases managed by the
10 Agency or a municipality, including planning, development, construction, or
11 maintenance, it is the policy of this State for the Agency and municipalities, as
12 applicable, to incorporate complete streets principles that:

13 (1) serve individuals of all ages and abilities, including vulnerable users
14 as defined in 23 V.S.A. § 4(81);

15 (2) follow state-of-the-practice design guidance; ~~and~~

16 (3) are sensitive to the surrounding community, including current and
17 planned buildings, parks, and trails and current and expected transportation
18 needs; and

19 (4) when desired by the municipality or specifically identified in the
20 regional plan, implement street design for purposes of calming and slowing
21 traffic in State-designated centers under 24 V.S.A. chapter 76A.

1 § 2403. PROJECTS NOT INCORPORATING COMPLETE STREETS

2 PRINCIPLES

3 (a) State projects. A State-managed project shall incorporate complete
4 streets principles unless the project manager makes a written determination,
5 supported by documentation, that one or more of the following circumstances
6 exist:

7 * * *

8 (2) The cost of incorporating complete streets principles is
9 disproportionate to the need or probable use as determined by factors including
10 land use, current and projected user volumes, population density, crash data,
11 historic and natural resource constraints, and maintenance requirements. The
12 Agency shall consult local and regional plans, as appropriate, in assessing
13 these and any other relevant factors. If the project manager bases the written
14 determination required under this subsection in whole or in part on this
15 subdivision then the project manager shall provide a supplemental written
16 determination with specific details on costs, needs, and probable uses, as
17 applicable. The supplemental written determination shall also address any
18 design elements that were desired by the municipality or specifically identified
19 in the regional plan pursuant to subdivision 2402(b)(4) of this chapter but were
20 not incorporated.

21 * * *

1 (b) Municipal projects. A municipally managed project shall incorporate
2 complete streets principles unless the municipality managing the project makes
3 a written determination, supported by documentation, that one or more of the
4 following circumstances exist:

5 * * *

6 (2) The cost of incorporating complete streets principles is
7 disproportionate to the need or probable use as determined by factors such as
8 land use, current and projected user volumes, population density, crash data,
9 historic and natural resource constraints, and maintenance requirements. The
10 municipality shall consult local and regional plans, as appropriate, in assessing
11 these and any other relevant factors. If the municipality managing the project
12 bases the written determination required under this subsection in whole or in
13 part on this subdivision then the project manager shall provide a supplemental
14 written determination with specific details on costs, needs, and probable uses,
15 as applicable. The supplemental written determination shall also address any
16 design elements that were desired by the municipality or specifically identified
17 in the regional plan pursuant to subdivision 2402(b)(4) of this chapter but were
18 not incorporated.

19 * * *

1 covering transportation fuels and/or b) a performance standard/performance-
2 based regulatory approach covering transportation fuels. Importantly, based on
3 research associated with their potential implementation, these approaches can
4 also be designed in a cost-effective and equitable manner.”

5 (4) The development of the State’s Carbon Reduction Strategy (CRS),
6 which is required by the Federal Highway Administration (FHWA) pursuant to
7 the federal Infrastructure Investment and Jobs Act (IIJA) for states to access
8 federal monies under the Carbon Reduction Program and required by the
9 General Assembly pursuant to 2023 Acts and Resolves No. 62, Sec. 31, and
10 the accompanying planning and public engagement process provided the Cross
11 Section Mitigation Subcommittee of the VCC a timely opportunity to
12 undertake additional analysis required for a potential preferred
13 recommendation or recommendations to fill the gap in reductions of
14 transportation emissions.

15 (5) The CRS, which was filed with the FHWA in November 2023,
16 models that the State may meet its 2025 reduction requirement in the
17 transportation sector, but that, even with additional investments for
18 programmatic, policy, and regulatory options, the modeling shows a gap
19 between projected “business as usual” emissions in the transportation sector
20 and the portion of GWSA emission reduction requirements for 2030 and 2050
21 that are attributable to the transportation sector.

1 (6) The CRS reaffirms that, without adoption of additional polices, the
2 portion of GWSA emission reduction requirements for 2030 and 2050 that are
3 attributable to the transportation sector will not be met and states that: “Of the
4 additional programs, a cap-and-invest and/or Clean Transportation Standard
5 program are likely the two most promising options to close the gap in projected
6 emissions vs. required emissions levels for the transportation sector. . . .”

7 (7) There remains a need for further, more detailed analysis of policy
8 options.

9 (b) Written analysis. The Agency of Natural Resources, specifically the
10 Climate Action Office, and the Agency of Transportation, in consultation with
11 the State Treasurer; the Departments of Finance and Management, of Motor
12 Vehicles, and of Taxes; and the VCC, including those councilors appointed by
13 the General Assembly to provide expertise in energy and data analysis,
14 expertise and professional experience in the design and implementation of
15 programs to reduce greenhouse gas emissions, and representation of a
16 statewide environmental organization as outlined in the adopted January 12,
17 2024 Transportation Addendum to the Climate Action Plan, shall prepare a
18 written analysis of policy and investment scenarios to reduce emissions in the
19 transportation sector in Vermont and meet the greenhouse gas reduction
20 requirements of 10 V.S.A. § 578, as amended by Sec. 3 of the Global Warming
21 Solutions Act (2020 Acts and Resolves No. 153).

1 (c) Scenario development. At a minimum, the written analysis required
2 under subsection (b) of this section shall address the pros, cons, costs, and
3 benefits of the following:

4 (1) Vermont participating in regional or cap-and-invest program, such as
5 the Western Climate Initiative (WCI) and the New York Cap-and-Invest
6 program;

7 (2) Vermont adopting a clean transportation fuel standard, which would
8 be a performance standard or performance-based regulatory approach covering
9 transportation fuels; and

10 (3) Vermont implementing other potential revenue-raising, carbon-
11 pollution reduction strategies.

12 (d) Emission reduction scenarios; administration. The written analysis
13 shall include an estimate of the amount of emissions reduction to be generated
14 from a minimum of four scenarios, to include a business-as-usual, low-,
15 medium-, and high-greenhouse gas emissions reduction, analyzed under
16 subsection (c) of this section and a summary of how each proposal analyzed
17 under subsection (c) of this section would be administered.

18 (e) Revenue and cost estimate; timeline. The written analysis completed
19 pursuant to subsections (b)–(d) of this section shall be provided to the State
20 Treasurer to review cost and revenue projections for each scenario. The State

1 Treasurer shall make a written recommendation to the General Assembly
2 regarding any viable approaches.

3 (f) Public access; committees; due date.

4 (1) The Climate Action Office shall maintain a publicly accessible
5 website with information related to the development of the written analysis
6 required under subsection (b) of this section.

7 (2) The Agencies of Natural Resources and of Transportation, in
8 consultation with the State Treasurer, shall file a status update on the
9 development of the written analysis required under subsection (b) of this
10 section with the House and Senate Committees on Transportation, the House
11 Committees on Environment and Energy and on Ways and Means, and the
12 Senate Committees on Finance and on Natural Resources and Energy not later
13 than November 15, 2024.

14 (3) The Agencies of Natural Resources and of Transportation, in
15 consultation with the State Treasurer, shall file the written analysis required
16 under subsection (b) of this section and the State Treasurer's written
17 recommendation to the General Assembly regarding any viable approaches
18 required under subsection (e) of this section with the House and Senate
19 Committees on Transportation, the House Committees on Environment and
20 Energy and on Ways and Means, and the Senate Committees on Finance and
21 on Natural Resources and Energy not later than February 15, 2025.

1 (g) Use of consultant. The Agencies of Natural Resources and of
2 Transportation shall retain a consultant that is an expert in comprehensive
3 transportation policy with a core focus on emission reductions and economic
4 modeling to undertake the analysis and to provide the State Treasurer with any
5 additional information needed to inform the State Treasurer's
6 recommendations regarding any viable approaches required under subsections
7 (b)–(e) of this section.

8 (h) Costs.

9 (1) If the costs of the consultant required under subsection (g) of this
10 section are eligible expenditures under the U.S. Environmental Protection
11 Agency's (EPA) Climate Pollution Reduction Grants (CPRG) program, then
12 that shall be the source of funding to cover the costs of the consultant required
13 under subsection (g) of this section.

14 (2) The State Treasurer may use funds appropriated in State fiscal year
15 2025 to complete the work required under subsection (e) of this section,
16 including administrative costs and third-party consultation.

17 * * * Better Connections Grant Program * * *

18 Sec. 26. 19 V.S.A. § 319 is added to read:

19 § 319. BETTER CONNECTIONS GRANT PROGRAM

20 (a) The Better Connections Grant Program is created and shall be
21 administered and staffed by the Policy, Planning and Research Bureau of the

1 Agency in collaboration with the Agency of Commerce and Community
2 Development and the Agency of Natural Resources.

3 (b) The Program shall be funded through appropriations to the Agency for
4 policy, planning, and research.

5 (c) The Program shall provide planning grants to aid municipalities to
6 coordinate municipal land use decisions with transportation investments that
7 build community resilience to:

8 (1) provide a safe, multimodal, and resilient transportation system that
9 supports the Vermont economy;

10 (2) support downtown and village economic development and
11 revitalization efforts; and

12 (3) lead directly to project implementation demonstrated by municipal
13 capacity and readiness to implement.

14 * * * Electric and Plug-In Hybrid Vehicles; EV Infrastructure Fee * * *

15 Sec. 27. 23 V.S.A. § 361 is amended to read:

16 § 361. PLEASURE CARS

17 (a) The annual registration fee for a pleasure car, as defined in subdivision
18 4(28) of this title, ~~and~~ including a pleasure car that is a plug-in electric vehicle,
19 as defined in subdivision 4(85) of this title, shall be \$89.00, and the biennial
20 fee shall be \$163.00.

1 (b) In addition to the registration fee set forth in subsection (a) of this
2 section, there shall be an annual electric vehicle (EV) infrastructure fee for a
3 pleasure car that is a battery electric vehicle, as defined in subdivision 4(85)(A)
4 of this title, equal to the amount of the annual fee collected in subsection (a) of
5 this section, or a biennial EV infrastructure fee equal to two times the annual
6 fee collected in subsection (a) of this section.

7 (c) In addition to the registration fee set forth in subsection (a) of this
8 section, there shall be an annual EV infrastructure fee for a pleasure car that is
9 a plug-in hybrid electric vehicle, as defined in subdivision 4(85)(B) of this
10 title, equal to one-half the amount of the annual fee collected in subsection (a)
11 of this section, or a biennial EV infrastructure fee equal to the annual fee
12 collected in subsection (a) of this section.

13 (d) The annual and biennial EV infrastructure fees collected in subsections
14 (b) and (c) of this section shall be allocated to the Transportation Fund for the
15 purpose of increasing Vermonters' access to electric vehicle supply equipment
16 (EVSE) charging ports through a program or programs selected by the
17 Secretary, which may include programs administered by the Agency of
18 Commerce and Community Development.

19 Sec. 28. EV INFRASTRUCTURE FEE; ELECTRIC VEHICLES

20 The Department of Motor Vehicles shall implement a public outreach
21 campaign regarding EV infrastructure fees for battery electric vehicles and

1 plug-in electric hybrid vehicles not later than October 1, 2024. The campaign
2 shall disseminate information on the Department's web page and through other
3 outreach methods.

4 Sec. 29. 23 V.S.A. § 361 is amended to read:

5 § 361. PLEASURE CARS

6 * * *

7 (b) ~~In addition to the registration fee set forth in subsection (a) of this~~
8 ~~section, there shall be an annual electric vehicle (EV) infrastructure fee for a~~
9 ~~pleasure car that is a battery electric vehicle, as defined in subdivision 4(85)(A)~~
10 ~~of this title, equal to the amount of the annual fee collected in subsection (a) of~~
11 ~~this section, or a biennial EV infrastructure fee equal to two times the annual~~
12 ~~fee collected in subsection (a) of this section. [Repealed.]~~

13 * * *

14 (d) The annual and biennial EV infrastructure fees collected in ~~subsections~~
15 ~~(b) and~~ subsection (c) of this section shall be allocated to the Transportation
16 Fund for the purpose of increasing Vermonters' access to electric vehicle
17 supply equipment (EVSE) charging ports through a program or programs
18 selected by the Secretary, which may include programs administered by the
19 Agency of Commerce and Community Development.

1 * * * Central Garage; Authority to Purchase Real Property * * *

2 Sec. 30. CENTRAL GARAGE; REAL PROPERTY; FACILITY DESIGN;

3 AUTHORITY

4 (a) Pursuant to 19 V.S.A. § 26(b), the Secretary of Transportation is
5 authorized to use up to \$2,000,000.00 in Central Garage Fund reserve funds for
6 the purpose of purchasing real property on which to site a new Central Garage.

7 (b) Notwithstanding 19 V.S.A. § 13(a), the Secretary may use Central
8 Garage Fund reserve funds for design services necessary to construct a new
9 Central Garage on the site; provided, however, that the Secretary shall
10 collaborate with the municipality in which the new Central Garage is to be
11 located regarding the design and construction of the facility.

12 * * * Railroad Leases * * *

13 Sec. 31. 5 V.S.A. § 3405 is amended to read:

14 § 3405. LEASE FOR CONTINUED OPERATION

15 (a) The Secretary, as agent for the State, ~~with the approval of the Governor~~
16 ~~and the General Assembly or, if the General Assembly is not in session,~~
17 ~~approval of a special committee consisting of the Joint Fiscal Committee and~~
18 ~~the Chairs of the House and Senate Committees on Transportation,~~ is
19 authorized to lease or otherwise arrange for the continued operation of all or
20 any State-owned railroad property to any responsible person, provided that
21 approval for the operation, if necessary, is granted by the federal Surface

1 Transportation Board under 49 C.F.R. Part 1150 (certificate to construct,
2 acquire, or operate railroad lines). The transaction shall be subject to any
3 further terms and conditions as in the opinion of the Secretary are necessary
4 and appropriate to accomplish the purpose of this chapter.

5 (b) To preserve continuity of service on State-owned railroads, the
6 Secretary may enter into a short-term lease or operating agreement, for a term
7 not to exceed six months, with a responsible railroad operator. ~~Within 10 days~~
8 ~~of entering into any lease or agreement, the Secretary shall report the details of~~
9 ~~the transaction to the members of the House and Senate Committees on~~
10 ~~Transportation.~~

11 (c) The Secretary shall notify the House and Senate Committees on
12 Transportation or, if the General Assembly is not in session, the Joint
13 Transportation Oversight Committee when there are 12 months remaining on
14 the operating lease for any State-owned railroad, and when there are 12 months
15 remaining on a lease extension for the operating lease for any State-owned
16 railroad.

17 * * * Traffic Control Devices; Adoption of MUTCD Revisions * * *

18 Sec. 32. 23 V.S.A. § 1025 is amended to read:

19 § 1025. STANDARDS

20 (a) The U.S. Department of Transportation Federal Highway
21 Administration's Manual on Uniform Traffic Control Devices for Streets and

1 Highways (MUTCD) ~~for streets and highways,~~ as amended, shall be the
2 standards for all traffic control signs, signals, and markings within the State.
3 Revisions to the MUTCD shall be adopted according to the implementation or
4 compliance dates established in federal rules.

5 ~~(b) The latest revision of the MUTCD shall be adopted upon its effective~~
6 ~~date except in the case of~~ To the extent consistent with federal law, projects
7 beyond a preliminary state of design that are anticipated to be constructed
8 within two years of the otherwise applicable effective date; ~~such projects may~~
9 be constructed according to the MUTCD standards applicable at the design
10 stage.

11 (c) Existing signs, signals, and markings shall be valid until such time as
12 they are replaced or reconstructed. When new traffic control devices are
13 erected or placed or existing traffic control devices are replaced or repaired, the
14 equipment, design, method of installation, placement, or repair shall conform
15 with the MUTCD.

16 ~~(b)~~(d) The standards of the MUTCD shall apply for both State and local
17 authorities as to traffic control devices under their respective jurisdiction.

18 ~~(e)~~(e) Traffic and control signals at intersections with exclusive pedestrian
19 walk cycles shall be of sufficient duration to allow a pedestrian to leave the
20 curb and travel across the roadway before opposing vehicles receive a green

1 light. Determination of the length of the signal shall take into account the
2 circumstances of persons with ambulatory disabilities.

3 * * * Reporting Requirements; Repeal * * *

4 Sec. 33. 19 V.S.A. § 7(k) is amended to read:

5 ~~(k) Upon being apprised of the enactment of a federal law that makes~~
6 ~~provision for a federal earmark or the award of a discretionary federal grant for~~
7 ~~a transportation project within the State of Vermont, the Agency shall~~
8 ~~promptly notify the members of the House and Senate Committees on~~
9 ~~Transportation and the Joint Fiscal Office. Such notification shall include all~~
10 ~~available summary information regarding the terms and conditions of the~~
11 ~~federal earmark or grant. As used in this section, “federal earmark” means a~~
12 ~~congressional designation of federal aid funds for a specific transportation~~
13 ~~project or program. When the General Assembly is not in session, upon~~
14 ~~obtaining the approval of the Joint Transportation Oversight Committee, the~~
15 ~~Agency is authorized to add new projects to the Transportation Program in~~
16 ~~order to secure the benefits of federal earmarks or discretionary grants.~~
17 [Repealed.]

18 Sec. 34. 19 V.S.A. § 42 is amended to read:

19 § 42. ~~REPORTS PRESERVED; CONSOLIDATED TRANSPORTATION~~
20 ~~REPORT~~

1 ~~(a)~~ Notwithstanding 2 V.S.A. § 20(d), the reports or reporting requirements
2 of ~~this section~~, sections 10g and 12a, and subsections ~~7(k)~~, 10b(d), 11f(i), and
3 12b(d) of this title shall be preserved absent specific action by the General
4 Assembly repealing the reports or reporting requirements.

5 ~~(b)~~ ~~Annually, on or before January 15, the Agency shall submit a~~
6 ~~consolidated transportation system and activities report to the House and~~
7 ~~Senate Committees on Transportation. The report shall consist of:~~

8 ~~(1)~~ ~~Financial and performance data of all public transit systems, as~~
9 ~~defined in 24 V.S.A. § 5088(6), that receive operating subsidies in any form~~
10 ~~from the State or federal government, including subsidies related to the Elders~~
11 ~~and Persons with Disabilities Transportation Program for service and capital~~
12 ~~equipment. This component of the report shall:~~

13 ~~(A)~~ ~~be developed in cooperation with the Public Transit Advisory~~
14 ~~Council;~~

15 ~~(B)~~ ~~be modeled on the Federal Transit Administration's National~~
16 ~~Transit Database Program with such modifications as appropriate for the~~
17 ~~various services and guidance found in the most current State policy plan; and~~

18 ~~(C)~~ ~~show as a separate category financial and performance data on~~
19 ~~the Elders and Persons with Disabilities Transportation Program.~~

20 ~~(2)~~ ~~Data on pavement conditions of the State highway system.~~

1 ~~(3) A description of the conditions of bridges, culverts, and other~~
2 ~~structures on the State highway system and on town highways.~~

3 ~~(4) Department of Motor Vehicles data, including the number of~~
4 ~~vehicle registrations and licenses issued, revenues by category, transactions by~~
5 ~~category, commercial motor vehicle statistics, and any other information the~~
6 ~~Commissioner deems relevant.~~

7 ~~(5) A summary of updates to the Agency's strategic plans and~~
8 ~~performance measurements used in its strategic plans.~~

9 ~~(6) A summary of the statuses of aviation, rail, and public transit~~
10 ~~programs.~~

11 ~~(7) Data and statistics regarding highway safety, including trends in~~
12 ~~vehicle crashes and fatalities, traffic counts, and trends in vehicle miles~~
13 ~~traveled.~~

14 ~~(8) An overview of operations and maintenance activities, including~~
15 ~~winter maintenance statistics.~~

16 ~~(9) A list of projects for which the construction phase was completed~~
17 ~~during the most recent construction season.~~

18 ~~(10) Such other information that the Secretary determines the~~
19 ~~Committees on Transportation need to perform their oversight role.~~

1 * * * MileageSmart; Income Eligibility * * *

2 Sec. 34a. 19 V.S.A. § 2903 is amended to read:

3 § 2903. MILEAGESMART

4 (a) Creation; administration.

5 (1) There is created a used high fuel efficiency vehicle incentive
6 program, which shall be administered by the Agency of Transportation and
7 known as MileageSmart.

8 (2) Subject to State procurement requirements, the Agency may retain a
9 contractor or contractors to assist with marketing, program development, and
10 administration of MileageSmart.

11 (b) Program structure. MileageSmart shall structure high fuel efficiency
12 purchase incentive payments by income to help all Vermonters benefit from
13 more efficient driving and reduced greenhouse gas emissions, including
14 Vermont's most vulnerable. Specifically, MileageSmart shall:

15 (1) apply to purchases of used high fuel-efficient motor vehicles, which
16 for purposes of this program shall be pleasure cars with a combined
17 city/highway fuel efficiency of at least 40 miles per gallon or miles-per-gallon
18 equivalent as rated by the Environmental Protection Agency when the vehicle
19 was new; and

20 (2) provide not more than one point-of-sale voucher worth up to
21 \$5,000.00 to an individual who is a member of a household with an adjusted

1 gross income that is at or below 80 percent of the State median income;
2 provided, however, that the Agency of Transportation may reduce the income
3 eligibility threshold based on available funding or applicant volume, or both, in
4 order to prioritize vouchers for households with lower income.

5 * * *

6 * * * Effective Dates * * *

7 Sec. 35. EFFECTIVE DATES

8 (a) This section, Sec. 30 (central garage; purchase of real property), and
9 Sec. 31 (railroad leases; 5 V.S.A. § 3405) shall take effect on passage.

10 (b) Sec. 27 (electric vehicle road usage surcharge; 23 V.S.A. § 361) shall
11 take effect on passage and shall be fully implemented not later than January 1,
12 2025.

13 (c) Sec. 29 (amendments to electric vehicle road usage surcharges;
14 23 V.S.A. § 361) shall take effect on the effective date of a mileage-based user
15 fee for pleasure cars that are battery electric vehicles, as defined in 23 V.S.A.
16 § 4(85)(A).

17 (d) All other sections shall take effect on July 1, 2024.