STATE OF VERMONT

Policy Impact Assessment

SECTION I: INTRODUCTION

Purpose

This assessment is intended to act as a useful framework for the development and review of a proposed policy and its potential impacts, both direct and indirect. It can be used in multiple ways:

- to inform decision makers prior to a final decision on legislation, rules, or spending;
- to inform project planning and community/economic development approaches; and
- to assess legislation, policies, and programs that are already in existence.

Regardless of when it is used, it serves as a powerful mechanism to help qualify, quantify, and provide transparency into the decision-making process.
The order of the questions is intentional and is meant to mimic an ends-to-means thinking process which should bring to light the assumptions and logic behind the proposal, as well as the ways in which progress towards desired ends will be monitored over time.

Many of the questions focus on equity. Historically, policy has been made based on the needs and preferences of people in dominant groups, which has created disparate impacts for groups who are marginalized. Further, some well-meaning policies are intended to be neutral but still result in disparate negative impacts for specific groups.

Vermont recognizes that in failing to protect our most vulnerable community members from the impact of our policies and programs, we are only hurting ourselves. One crucial defense against disparate impacts of policies and programs is to conduct an impact assessment prior to budgetary or programmatic decisions that will impact communities.

How to Use This Tool

This tool is intended to serve as a systematic examination of

1. The theory of change, and the assumptions therein, embedded within the proposal;
2. How different marginalized groups will be affected by a proposed action or decision; and
3. The degree to which we can measure, track, and align our proposals with overarching goals.

Use it to

- ✓ **minimize** unanticipated adverse consequences in proposed policies, institutional practices, programs, plans, and budgetary decisions.
- ✓ **maximize** investments and staffing by anticipating needs, benefits, and harms.

These analyses are best conducted during the decision-making process, *prior* to enacting new proposals (much like environmental impact statements, fiscal impact reports, and workplace risk assessments).

This form is not to be used as a "final check" before submitting a proposal. Rather, it should be used early in the idea-generating phase to ensure you have gathered the community input, demographic data, and resources necessary to make the program **efficient**, **inclusive**, and **successful**.

SECTION II: ASSESSMENT

Instructions: Complete this form as thoroughly as possible and submit with any supporting documentation to your reviewer/approver. For questions regarding this form, contact the Chief Performance Office or the Office of Racial Equity. **At a minimum you must answer the bolded questions for initial review by the Governor's Office: 1, 4, 6-9, 12, 16, 18-25, 27-31, 33-34, 38, 39**

BACKGROUND

1. **What population-level outcomes from the Annual Outcomes Report and/or breakthrough indicators from the Statewide Strategic Plan does this proposal contribute to?**

   A Weights & Measures (W&M) Electric Vehicle Fueling System (EVFS) inspection program will contribute to: #10 State Infrastructure - promote/shift to EV transportation by giving consumer protection and confidence in the market place when fueling vehicles by electricity. The shift to Ev's will also contribute to #2 Prosperous economy, and #3 Make VT more Clean & Sustainable

2. What Statewide Strategic Plan strategy is this proposal associated with?

3. What other priorities (e.g., agency, department, etc.) does this proposal align with?

PROBLEM DEFINITION

4. **What is the specific problem/gap being addressed by this proposal?**

   Consumer Protection & Equity in Marketplace for EVFS.

5. What is known about the problem/gap? What specific data are available that indicates there is a problem/gap? What trendlines are you attempting to turn?

6. For whom does this problem/gap exist? Who is the target population of the proposal? **Include demographic information such as race, ethnicity, sexual orientation, gender identity or expression, age, ability, etc.**

   This initiative will impact consumers of electricity used for transportation in EV's. While the impact crosses many demographic areas W&M programs that work toward ensuring people get what they pay for impacts economically challenged segments at a greater level as they have less income to offset shortages.

7. **How was this group(s) determined?**

   The general public will purchase electricity for EV's however consumer protection programs often impact economically challenged segments at a greater level.

8. **What geographic areas of the state will be most impacted by the proposal?**

It will impact areas that shift first to EV's and where the greater population base is but will be in effect at all geographic areas on some levels.

PROPOSAL

9. **Is this proposal related to COVID-19 response or recovery?**

☐ Yes ☑ No

10. What are you proposing to do?

11. Why do you think it will work? What data or evidence supports this proposal?

12. **What does success look like?**

Long process & implementation however success includes: EV Meters identified, monitored, tested and inspected, inaccurate devices adjusted or replaced. High percentage of inspections. Legal Method of Sale and price disclosures taking place over sales of electricity for transportation.

13. Are changes to statute needed? If so, what changes or new language are needed? Can this be done via rulemaking? What other laws or regulations will be implicated by this change?

☐ Yes ☐ No

14. What contextual conditions (e.g., social, political, economic, legal, technological, environmental) might facilitate or hinder your ability to successfully implement this proposal?

15. What assumptions are being made about your approach to addressing the problem identified above?

16. **What are the consequences of not implementing this proposal?**

The negative consequences of not having an EVFS inspection program include potentially inaccurate devices selling electricity, no price disclosures, inaccurate Method of Sale taking place. Detrimental to consumers to have no oversight of these meters and economic risk. Hesitation for the public to purchase EV's.

17. What are the possible unintended consequences, both positive and negative, of implementing this proposal?

Stakeholders & Impacts

18. **Which other agencies (SOV or non-SOV) may have an interest in this proposal or its outcomes? What is likely to be their perspective on it?**

AOT- Linked to EV and transportation issues. Will likely support.
Consumer and Environmental groups likey to support.

19. **What outside stakeholders will likely have a position or testify on this proposal? What is likely their perspective on it? Examples of possible stakeholders include municipalities, organizations, business, and regulated entities.**

EV Meter owners, manufacturers and operators may oppose this due to the cost of complying with the regulation.
Consumer Protection and Environmental groups will likely strongly support this program.

20. **Did you meaningfully consult community members in developing this proposal? If so, how?**

☑ Yes ☐ No

Meetings have been attended with other Agency heads and limited but meaningful outreach to those supporting electric vehicles in VT.

21. **Does the proposal enhance services and/or seek to reduce disparities to underrepresented or underserved communities? If so, how?**

☑ Yes ☐ No

Not sure but will assist with equity in the market place and having consumers get what they pay for. Will assist economically challenged segments who may want to drive EV's.

22. **Could a disparate racial impact or other unintended consequence result from the proposal? Do you have sufficient data to understand whether the proposal would address or create any racial disparities? If not, what data would be needed?**

☐ Yes ☑ No ☐ Maybe

23. **Could a disparate impact for any other marginalized group result from the proposal (including but not limited to groups identified by national origin, religion, sexual orientation, gender identity or expression, age, ability, etc.)?**

☐ Yes ☑ No ☐ Maybe

24. **How will the proposal incorporate cultural concerns of specific groups (i.e., use of traditional healing practices, use of culturally appropriate diagnostic assessment tools, etc.)?**

Do not foresee any cultural concerns with this proposal.

25. **Will public written materials and/or other social marketing strategies generated through this proposal be translated for the target population? Why or why not?**

☐ Yes ☑ No

Resources

26. What resources are needed to implement this proposal (human, financial, technological, environmental, etc.)?

27. **Does this proposal have financial implications for the Agency/Dept or other state funds?**

☑ Yes ☐ No

There is cost for testing equipment and one inspector position.

28. **Are cost savings anticipated? If yes, what are the estimated savings and to which fund(s)?**

☐ Yes ☑ No

29. **Does this proposal require modifications (reductions, changes, elimination) in other agency/department programs? If yes, where and what is the justification for reprioritizing?**

☐ Yes ☑ No

30. **Does this proposal require new General Fund dollars? If yes, what is the cost estimate and the source of funding?**

☐ Yes ☑ No

$110,000.00 for testing equipment (one time cost) and $106,511.00 for an inspector position (annual funding). General Fund Source.

31. **Does this proposal relate to deploying federal dollars (ARPA, IIJA, ESSER, FHWA, etc)? If yes, what is the cost estimate and source of federal funding? If yes, what major initiative category does it fall under?**

☐ Yes: ☐ Housing ☐ Wastewater/water ☐ Economic Development ☐ Other
☐ Broadband ☐ Transportation ☐ Climate Change

☑ No

32. If you are proposing to expand an existing program or staffing, what steps have been taken or completed to improve existing processes to make them more effective and efficient?

33. **Will this proposal require or make changes to any technology, platform, or software?**

☐ Yes ☑ No

34. **Does the proposal encourage or prioritize contractors led by members of marginalized groups? This may include, but is not limited to, vendors designated as Minority- or Women-Owned Business Enterprises or Disadvantaged Business Enterprises.**

☐ Yes ☑ No

Measurement and Monitoring

35. What performance measures will you use to track how much service was provided by this proposal? What are your expected targets?

PERFORMANCE MEASURE	TARGET

36. What performance measures will you use to track how well service was provided by this proposal? What are your expected targets?

PERFORMANCE MEASURE	TARGET

37. What performance measures will you use to track if customers are better off or you made a difference (e.g., change in knowledge, skill, behavior, circumstance) as a result of this proposal?

PERFORMANCE MEASURE	TARGET

38. **Are there staff trained to analyze the data related to the proposal?**

☑ Yes ☐ No

39. **How and how often will you communicate your performance on this proposal to relevant stakeholders (e.g., PDF report, dashboards, quarterly, annually)?**

Periodically. TBD but updates given to stakeholders as the program advances.

SECTION III: REFERENCE

Glossary

Disadvantaged Business Enterprise (DBE): As defined by the U.S. Department of Transportation, DBEs are "for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations. African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals can also qualify as socially and economically disadvantaged[…]"

Disparate Impact / Disparity: An imbalance or inequality between the treatment of different groups. These imbalances may manifest as differences in economic outcomes, income, housing options, societal treatment, safety, justice outcomes, health, educational opportunity, or other dimensions.

Equity: The condition that would be achieved when a person's race or other demographic group membership is no longer predictive of that person's life outcome.

Marginalized population/group: Communities or groups that have historically experienced systemic barriers to access, resources, and infrastructure investments. It may include communities of color, women, sexual orientation, transgender individuals who identify along the gender spectrum, immigrants and refugees, or people with disabilities. It may also include others who have received limited access to benefits, services, investments, and resources from public/private institutions, including the State of Vermont.

Minority- or Women-Owned Business Enterprise (M/WBE): Businesses that are at least 51% owned and substantially managed by people of color and/or people identifying as women.

Performance Measure: A measure of how well a program, agency or service system is working. Performances measures answer one of these three questions:

1. How much are we doing?
2. How well are we doing it?
3. Is anyone better off?

Performance Measure Target - The quantification of a desired result associated with a particular performance measure.

Frequently Asked Questions

1. **What should we do if we identify a disparity or other issue after using this tool?**
   Next steps will vary on a case case-by -case basis. At one extreme, it may be wise to withdraw the proposal altogether. More realistically, it may just require tweaks to make the proposal more equitable or efficient in design or delivery. This might mean more money is needed to reach more people or specific people. Other times, this means lengthening the timeline to complete translations *before* launch, not after. There are many ways to improve upon our policy ideas in ways that make our work more effective and more inclusive—contact the Chief Performance Office or the Office of Racial Equity with questions or concerns.

2. **For questions related to demographic or other data, what if there are no data on point?**
   In Vermont, we face challenges with demographic data collection, especially on race and ethnicity. You may struggle to find recent or accurate data to answer the questions in this tool—do your best, cite your sources as needed, and thoroughly explain what we know and what we don't know. If there are gaps in data that are relevant to the proposal, consider using the proposal as a vehicle to capture those data—this helps our colleagues across state government who will rely on these data in the future.

3. **For questions related to demographic or other data, should we only provide quantitative data? Or should we provide qualitative data too?**
   Anecdotal and qualitative data are important to policymaking. They provide policymakers and analysts a glimpse into the reality "on the ground," and provide a line of communication for people with lived experience to provide meaningful insight into programs and policies that impact their lives. That said, use these sorts of data judiciously: have a plan for how, when, where, and why to collect it. Create spaces where respondents know they are safe to share their feedback, and return to the community to show them how their feedback impacted our work. Data, time, and feedback are valuable, so consider compensating people for their participation.

Further Learning

- Learn more about the State Strategic Plan and the Act 186 Population-Level Outcomes:
  - Statewide Strategic Plan
  - Annual Outcomes Report

- Learn more about continuous improvement, Results-Based Accountability and performance measurement:
  - Chief Performance Office
  - Continuous Improvement SharePoint Site (SOV Internal)
  - Results-Based Accountability Overview
  - Performance and Productivity Measure Primer (SOV Internal)

- Learn more about how to advance equity and inclusion through policy and programs:
  - Equity Toolkit
  - The Curb Cut Effect