

10 An act relating to the fiscal year 2027 Transportation Program and  
11 miscellaneous changes to laws related to transportation

12 It is hereby enacted by the General Assembly of the State of Vermont:

## 14 Sec. 1. TRANSPORTATION PROGRAM ADOPTED; DEFINITIONS

15        (a) Adoption. The Agency of Transportation's Proposed Fiscal Year 2027  
16        Transportation Program appended to the Agency of Transportation's proposed  
17        fiscal year 2027 budget, as amended by this act, is adopted to the extent  
18        federal, State, and local funds are available.

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

20 (1) "Agency" means the Agency of Transportation.

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

6                   (3) “Development and evaluation (D&E) project” means a project  
7                   approved by the General Assembly that is anticipated to have preliminary  
8                   engineering expenditures or right-of-way expenditures, or both, during the  
9                   budget year and that the Agency is committed to delivering to construction on  
10                   a timeline driven by priority and available funding.

11                   (4) “Electric vehicle supply equipment (EVSE)” and “electric vehicle  
12                   supply equipment available to the public” have the same meanings as in  
13                   30 V.S.A. § 201.

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

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

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

5 (9) “TIB funds” means monies deposited in the Transportation

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

18 Sec. 2. RULES REGARDING MUNICIPAL HEAVY EQUIPMENT LOAN  
19 FUND; REPEAL

20        The Rules Regarding Municipal Heavy Equipment Loan Fund (CVR 14-  
21        053-002) are repealed. The Municipal Equipment and Vehicle Loan Fund, as

1       the successor to the Municipal Heavy Equipment Loan Fund, shall be  
2       administered as provided pursuant to 29 V.S.A. § 1601.

3                       \* \* \* Statement of Policy; Highways and Bridges \* \* \*

4       Sec. 3. 19 V.S.A. § 10c is amended to read:

5       § 10c. STATEMENT OF POLICY; HIGHWAYS AND BRIDGES

6                       \* \* \*

7       (b) For projects that are not on the National Highway System, the Agency  
8       shall ~~develop and implement maintain~~ State standards and guidance for  
9       geometric design. ~~Design speeds may be lower than legal speeds.~~ Design  
10      speeds lower than legal speeds may be used without the requirement of a  
11      formal design exception, ~~provided appropriate warnings are posted if~~  
12      appropriate warning signs, signals, and markings are used as provided pursuant  
13      to 23 V.S.A. § 1025.

14                       \* \* \*

15                       \* \* \* Agency of Transportation Duties \* \* \*

16       Sec. 4. 19 V.S.A. § 10 is amended to read:

17       § 10. DUTIES

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

19                       \* \* \*

20       (8)(A) Require any contractor or contractors employed in any project of  
21       the Agency for construction of a transportation improvement to file in the

1 office of the Secretary a good and sufficient surety bond to the State of  
2 Vermont, executed by a surety company authorized to transact business in this  
3 State in ~~such~~ the sum as required by the Agency ~~shall direct~~, conditioned for  
4 the compliance by the contractor or contractors and their agents and servants,  
5 with all matters and things set forth and specified to be by the principal kept,  
6 done, and performed at the time and in the manner in the contract between the  
7 Agency and the contractor or contractors specified and to pay over, make  
8 good, and reimburse the State of Vermont for all loss or losses and damage or  
9 damages that the State of Vermont may sustain by reason of failure or default  
10 on the part of the contractor or contractors. The Agency is authorized to  
11 require any other condition in the bond that may ~~from time to time~~ be  
12 necessary. The Secretary ~~at his or her discretion as to, as the Secretary~~  
13 determines is in the best interest of the State, may accept other good and  
14 sufficient surety in lieu of a bond and, in cases involving contracts for  
15 \$100,000.00 \$250,000.00 or less, may waive the requirement of a performance  
16 bond.

17 (B) During an emergency event, the Secretary may, in the Secretary's  
18 discretion, waive the bonding requirements of this subdivision (8) for  
19 immediate, temporary stabilization work related to public safety or State  
20 infrastructure. Permanent work shall be subject to the requirements of  
21 subdivision (A) of this subdivision (8).



1 the Secretary, with notice and summons to the principal, surety, and the  
2 Secretary, to enforce the claim or intervene in a petition already filed. The  
3 Secretary may, if the Secretary determines that it is in the best interests of the  
4 State, accept other good and sufficient surety in lieu of a bond and, in cases  
5 involving contracts for \$100,000.00 \$250,000.00 or less, may waive the  
6 requirement of a surety bond.

7 (C) During an emergency event, the Secretary may, in the Secretary's  
8 discretion, waive the requirements of this subdivision (9) for immediate  
9 emergency stabilization work related to public safety or State infrastructure.  
10 Permanent work shall be subject to the requirements of subdivision (A) of this  
11 subdivision (9).

12 \* \* \*

13 \* \* \* Bridge Inspections; Posting; Closure \* \* \*

14 Sec. 5. 19 V.S.A. § 1514 is added to read:

15 § 1514. BRIDGE INSPECTION; POSTING; CLOSURE

16 (a) Definition. As used in this section, "bridge" means a structure to which  
17 the National Bridge Inspection Standards apply pursuant to 23 C.F.R.  
18 § 650.303.

19 (b) Bridge inspections. The Agency shall inspect bridges on State  
20 highways and town highways in accordance with the requirements of the  
21 National Bridge Inspection Standards.

1                   (c) Municipally maintained bridges.

2                   (1) For a bridge for which a municipality has maintenance  
3                   responsibility, the Agency shall advise the municipality of its inspection  
4                   findings and any noted deficiencies.

5                   (2) The Agency shall notify a municipality if a bridge for which the  
6                   municipality has maintenance responsibility requires posting or closure and,  
7                   upon receiving notification, the municipality shall post or close the bridge, as  
8                   appropriate.

9                   (3) If necessary to protect the public from an imminent hazard, the  
10                   Agency may post or close a bridge for which a municipality has maintenance  
11                   responsibility.

12                   (4) A municipality shall be responsible for all costs and expenses related  
13                   to the posting or closure of a bridge for which it has maintenance  
14                   responsibilities, including the costs of any required notifications, procedures,  
15                   signage or traffic control devices, and barricades.

16                   (d) Agency-maintained bridges.

17                   (1) For any bridge for which the Agency has maintenance responsibility,  
18                   the Agency shall have the sole responsibility and authority to determine  
19                   whether the bridge shall be posted or closed, except that a municipality may  
20                   close an Agency-maintained bridge during an emergency.

4                   (3) The Agency shall be responsible for all costs associated with posting  
5                   or closing an Agency-maintained bridge, including any required notifications,  
6                   procedures, signage or traffic control devices, and barricades.

7        (e) Enforcement and penalties. In addition to any other penalties provided  
8        by law, a person that violates a bridge posting or closure by a municipality or  
9        the Agency shall be subject to a civil penalty of not more than \$1,000.00.

10 Sec. 6. 23 V.S.A. § 2302 is amended to read:

11       § 2302. TRAFFIC VIOLATION DEFINED

12 (a) As used in this chapter, “traffic violation” means:

13 \* \* \*

18 (12) a violation of section 4123 of this title, relating to authorizing  
19 railroad crossing violations; or

20                   (13) a violation of 19 V.S.A. § 1514, relating to use of a bridge in  
21                   violation of a posting or closure.

1

\* \* \*

2

\* \* \* Public Transit Advisory Council \* \* \*

3

Sec. 7. 24 V.S.A. § 5084 is amended to read:

4

**§ 5084. PUBLIC TRANSIT ADVISORY COUNCIL**

5

(a) The Public Transit Advisory Council shall be created by the Secretary of Transportation under 19 V.S.A. § 7(f)(5), ~~to~~ and shall consist of the following members:

8

\* \* \*

9

(8) a representative of ~~the Community of Vermont Elders AARP~~  
Vermont;

11

(9) ~~a representative of private bus operators and taxi services;~~

12

[Repealed.]

13

(10) a representative of Vermont ~~intercity~~ private bus operators;

14

\* \* \*

15

\* \* \* Public Private Partnership Sunset Extension \* \* \*

16

Sec. 8. 2018 Acts and Resolves No. 158, Sec. 21 as amended by 2023 Acts and Resolves No. 62, Sec. 41 is further amended to read:

18

**Sec. 21. REPEAL OF TRANSPORTATION P3 AUTHORITY**

19

19 V.S.A. chapter 26, subchapter 2 shall be repealed on July 1, ~~2026~~ 2029.

1 \* \* \* Transportation Board \* \* \*

2 Sec. 9. 19 V.S.A. § 5 is amended to read:

### 3       § 5. TRANSPORTATION BOARD; POWERS AND DUTIES

4 \* \* \*

5 (d) Specific duties and responsibilities. The Board shall:

6 \* \* \*

7 (7) provide appellate review, when

8       or permittee, of Agency decisions and rulings regarding private and  
9       commercial access to State highway rights-of-way pursuant to the permit  
10      process established in section 1111 of this title;

11 \* \* \*

12 \* \* \* Effective Date \* \* \*

## 13 Sec. 10. EFFECTIVE DATE

14 This act shall take effect on July 1, 2026.