

1 H.942

2 Senator Ashe moves that the Senate propose to the House that the bill be  
3 amended as follows:

4 First: By inserting a new Sec. 1a and corresponding reader assistance  
5 heading after Sec. 1 to read as follows:

6 \* \* \* Summary of Transportation Investments \* \* \*

7 **Sec. 1a. FISCAL YEAR 2021 TRANSPORTATION INVESTMENTS**

8 **INTENDED TO REDUCE TRANSPORTATION-RELATED**

9 **GREENHOUSE GAS EMISSIONS, REDUCE FOSSIL FUEL**

10 **USE, AND SAVE VERMONT HOUSEHOLDS MONEY**

11 This act includes the State’s fiscal year 2021 transportation investments

12 intended to reduce transportation-related greenhouse gas emissions, reduce

13 fossil fuel use, and save Vermont households money in furtherance of the

14 policies articulated in 19 V.S.A. § 10b and the goals of the Comprehensive

15 Energy Plan and to satisfy the Executive and Legislative Branches’

16 commitments to the Paris Agreement climate goals. In fiscal year 2021, these

17 efforts will include the following:

18 **[BALANCE TO BE FILLED IN]**

19 Second: By striking out Sec. 5, highway maintenance, in its entirety and

20 inserting in lieu thereof the following:

1       Sec. 5. HIGHWAY MAINTENANCE

2       (a) Within the Agency of Transportation’s Proposed Fiscal Year 2021  
3       Transportation Program for Maintenance, authorized spending is amended as  
4       follows:

5	<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
6	Personal	45,757,089	45,757,089	0
7	Services			
8	Operating	52,896,134	52,296,134	-600,000
9	Expenses			
10	Grants	240,200	240,200	0
11	Total	98,893,423	98,293,423	-600,000
12	<u>Sources of funds</u>			
13	State	96,415,636	95,815,636	-600,000
14	Federal	2,377,787	2,377,787	0
15	Interdepart.			
16	Transfer	100,000	100,000	0
17	Total	98,893,423	98,293,423	-600,000

18       (b) If, as of April 1, 2021, the Agency of Transportation has expended less  
19       on road salt in fiscal year 2021 than it did in fiscal year 2020 then:

20       (1) authorized spending in the Agency of Transportation’s Proposed  
21       Fiscal Year 2021 Transportation Program for Maintenance is further amended

1 by decreasing Operating Expenses by the difference between the amount  
2 expended on road salt in fiscal year 2020 and the amount expended on road  
3 salt in fiscal year 2021 through March 31, 2021, but not to exceed  
4 \$700,000.00, and

5 (2) the Secretary shall authorize the expenditure of the difference  
6 between the amount expended on road salt in fiscal year 2020 and the amount  
7 expended on road salt in fiscal year 2021 through March 31, 2021, but not to  
8 exceed \$700,000.00, in equal proportions, on the New PEV Incentive Program  
9 and MileageSmart established pursuant to 2019 Acts and Resolves No. 59,  
10 Sec. 34 as amended by this act.

11 \* \* \* Aviation \* \* \*

12 Sec. 5a. CLARENDON SRE BUILDING

13 Within the Agency of Transportation's Proposed Fiscal Year 2021  
14 Transportation Program for Aviation, authorized spending for Clarendon AV-  
15 FY20-001 is amended as follows:

<u>FY20</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
PE	20,000	0	-20,000
Construction	575,000	0	-575,000
Total	595,000	0	-595,000

20 Sources of funds

State	595,000	0	-595,000
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1           Total                   595,000                   0                   –595,000

2           Sec. 5b. FACILITIES

3           Within the Agency of Transportation’s Proposed Fiscal Year 2021

4           Transportation Program for Aviation, authorized spending for Statewide

5           Facilities is amended as follows:

6 <u>FY20</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
7           Other	714,881	564,881	–150,000
8           Total	714,881	564,881	–150,000

9           Sources of funds

10          State	714,881	564,881	–150,000
11          Total	714,881	564,881	–150,000

12                                   \* \* \* Transportation Buildings \* \* \*

13          Sec. 5c. LUNENBURG GARAGE

14          Within the Agency of Transportation’s Proposed Fiscal Year 2021

15          Transportation Program for Transportation Buildings, authorized spending for

16          Transportation Buildings Lunenburg is amended as follows:

17 <u>FY20</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
18          PE	25,000	0	–25,000
19          Construction	350,000	0	–350,000
20          Total	375,000	0	–375,000

1	<u>Sources of funds</u>			
2	State	375,000	0	-375,000
3	Total	375,000	0	-375,000

4 Third: By striking out Sec. 7 in its entirety and inserting in lieu thereof the  
5 following:

6 Sec. 7. PROGRAM DEVELOPMENT; SAFETY AND TRAFFIC  
7 OPERATIONS

8 (a) Within the Agency of Transportation’s Proposed Fiscal Year 2021  
9 Transportation Program for Program Development—Safety and Traffic  
10 Operations, authorized spending for Colchester HES NH 5600(14) is amended  
11 as follows:

12	<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
13	Construction	7,000,000	4,900,000	-2,100,000
14	Total	7,000,000	4,900,000	-2,100,000
15	<u>Source of funds</u>			
16	Federal	7,000,000	4,900,000	-2,100,000
17	Total	7,000,000	4,900,000	-2,100,000

18 (b) Within the Agency of Transportation’s Proposed Fiscal Year 2021  
19 Transportation Program for Program Development—Safety and Traffic  
20 Operations, authorized spending for Statewide OBDS Sign is amended as  
21 follows:

	<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
1				
2	Construction	200,000	0	-200,000
3	Total	200,000	0	-200,000

4 Source of funds

5	State	200,000	0	-200,000
6	Total	200,000	0	-200,000

7 \* \* \* Bicycle and Pedestrian Facilities \* \* \*

8 Sec. 7a. PROGRAM DEVELOPMENT; BICYCLE AND PEDESTRIAN

9 GRANT PROGRAM

10 Within the Agency of Transportation's Proposed Fiscal Year 2021

11 Transportation Program for Program Development—Bicycle and Pedestrian

12 Facilities, authorized spending for Statewide State-Aid Construction Projects is

13 amended as follows:

	<u>FY20</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
14				
15	Construction	468,500	868,500	400,000
16	Total	468,500	868,500	400,000

17 Sources of funds

18	State	234,250	434,250	200,000
19	Local	234,250	434,250	200,000
20	Total	468,500	868,500	400,000

1        Fourth: By striking out Sec. 14, 2019 Acts and Resolves No. 59, Sec. 34,  
2        and its corresponding reader assistance heading in their entirety and inserting  
3        in lieu thereof the following:

4                \* \* \* Programs and Incentives to **Efficient Vehicle** Adoption \* \* \*

5        Sec. 14. 2019 Acts and Resolves No. 59, Sec. 34 is amended to read:

6                Sec. 34. VEHICLE INCENTIVE AND EMISSIONS REPAIR  
7                                PROGRAMS

8                (a) Vehicle incentive and emissions repair programs administration.

9                        (1) The Agency of Transportation (Agency), in consultation with the  
10                        ~~Agency of Natural Resources, the Agency of Human Services, the Department~~  
11                        Departments of Environmental Conservation and of Public Service, Vermont  
12                        electric distribution utilities ~~that are offering incentives for PEVs~~, and  
13                        the State's network of community action agencies, shall establish and  
14                        administer the programs described in subsections (b) and (c) of this section.

15                        (2) The Agency is authorized to spend \$2,000,000.00 as appropriated in  
16                        the fiscal year 2020 budget, **\$320,000.00 in Transportation Fund monies**, and  
17                        any additional monies as appropriated in the fiscal year 2021 budget or  
18                        Transportation Fund monies authorized to be expended by the Secretary of  
19                        Transportation pursuant to Secs. 3 and 5 of this act, or both, on the **two**  
20                        programs described in subsections (b) and (c) of this section. Notwithstanding  
21                        any other provision of law and subject to the approval of the Secretary of

1 Administration, appropriations for the programs described in subsections (b)  
2 and (c) of this section remaining unexpended on June 30, 2021 shall be carried  
3 forward and designated for expenditure on these programs in the subsequent  
4 fiscal year.

5 (3) Subject to State procurement requirements, the Agency may retain a  
6 contractor or contractors to assist with marketing, program development, and  
7 administration of the ~~two programs and up to \$150,000.00 of program~~  
8 ~~funding may be set aside for this purpose.~~ for the programs described in  
9 subsection (c) of this section in fiscal year 2020 and \$50,000.00 of program  
10 funding shall be set aside for this purpose for the programs described in  
11 subsection (c) of this section in fiscal year 2021. In fiscal year 2021, the  
12 Agency is authorized to spend up to \$200,000.00 in program funding to  
13 continue and expand the Agency’s public-private partnership with Drive  
14 Electric Vermont to support the expansion of the PEV market in the State  
15 through technical and consumer assistance; auto dealer education; outreach and  
16 incentive program management, including marketing, consumer support,  
17 record keeping and reporting, program development and modification, and  
18 general program administration for the program described in subsection (b) of  
19 this section; and PEV promotional efforts. The Agency shall develop, in  
20 consultation with the Departments of Environmental Conservation and of

1 Public Service, a scope of work for funding the Agency's grants to Drive  
2 Electric Vermont pursuant to this section.

3 (4) The Agency shall administer the program described in subsection (b)  
4 of this section through no-cost contracts with the State's electric distribution  
5 utilities.

6 (5) The Agency shall annually evaluate the **two** programs to gauge  
7 effectiveness and submit a written report on the effectiveness of the programs  
8 to the House and Senate Committees on Transportation, the House Committee  
9 on Energy and Technology, and the Senate Committee on Finance on or before  
10 the 31st day of ~~December~~ January in each year following a year that an  
11 incentive or repair voucher ~~is~~ was provided through one of the programs.  
12 Notwithstanding 2 V.S.A. § 20(d), the annual report required under this section  
13 shall continue to be required if an incentive or repair voucher is provided  
14 through one of the programs unless the General Assembly takes specific action  
15 to repeal the report requirement.

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

1           (1) apply to both purchases and leases of new PEVs with an emphasis  
2           on creating and matching incentives for ~~exclusively electric powered vehicles~~  
3           ~~that do not contain an onboard combustion engine~~ BEVs;

4           (2) provide ~~incentives~~ not more than one incentive of \$1,500.00 for a  
5           PHEV or \$2,500.00 for a BEV to Vermont households with low and moderate  
6           income at or below 160 percent of the State's prior five year average Median  
7           Household Income (MHI) level:

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

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

15                    (C) a married couple with at least one spouse domiciled in the State  
16                    whose federal income tax filing status is married filing jointly with an adjusted  
17                    gross income under the laws of the United States greater than \$50,000.00 and  
18                    at or below \$125,000.00; or

19                    (D) a married couple with at least one spouse domiciled in the State  
20                    and at least one spouse whose federal income tax filing status is married filing

1 separately with an adjusted gross income under the laws of the United States  
2 greater than \$50,000.00 and at or below \$100,000.00;

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

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

8 (B) a married couple with at least one spouse domiciled in the State  
9 whose federal income tax filing status is married filing jointly with an adjusted  
10 gross income under the laws of the United States at or below \$50,000.00; or

11 (C) a married couple with at least one spouse domiciled in the State  
12 and at least one spouse whose federal income tax filing status is married filing  
13 separately with an adjusted gross income under the laws of the United States at  
14 or below \$50,000.00;

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

17 ~~(4)~~(5) provide ~~no~~ not less than \$1,100,000.00, of the initial  
18 \$2,000,000.00 authorization; and not less than an additional \$200,000 and up  
19 to an additional \$2,050,000.00 in fiscal year 2021 in PEV purchase and lease  
20 incentives.

1           (c) High fuel efficiency vehicle incentive and emissions repair program  
2 programs. A used Used high fuel efficiency vehicle purchase incentive and  
3 emissions repair program programs for Vermont residents shall structure high  
4 fuel efficiency purchase incentive payments and emissions repair vouchers by  
5 income to help all Vermonters benefit from more efficient driving, including  
6 Vermont's most vulnerable. Not less than \$820,000.00 shall be provided in  
7 point-of-sale and point-of repair vouchers.

8           (1) Specifically, the The high fuel efficiency vehicle incentive program  
9 shall be known as MileageSmart and shall:

10           ~~(A)~~ apply to purchases of used high fuel-efficient motor vehicles,  
11 which for purposes of this program shall be pleasure cars with a combined  
12 city/highway fuel efficiency of at least 40 miles per gallon or miles per gallon  
13 equivalent as rated by the Environmental Protection Agency when the vehicle  
14 was new, and repairs of certain vehicles that failed the on-board diagnostic  
15 (OBD) systems inspection;

16           ~~(B)~~ provide point-of-sale vouchers through the State's network of  
17 community action agencies and base eligibility for the point-of-sale voucher on  
18 the same criteria used for income qualification for weatherization services  
19 through the Weatherization Program and eligibility for the point-of-repair  
20 vouchers on the same criteria used for income qualification for Low Income

1 ~~Home Energy Assistance Program (LIHEAP) through the State's Economic~~  
2 ~~Services Division within the Department for Children and Families; and~~

3 ~~(3)(C) provide one of the following to qualifying individuals:~~

4 ~~(A) a point-of-sale voucher of up to \$5,000.00 to assist in the~~  
5 ~~purchase of a used high fuel-efficient motor vehicle that may require that a~~  
6 ~~condition of the voucher be that if the individual is the owner of either a motor~~  
7 ~~vehicle that failed the OBD systems inspection or a motor vehicle that is more~~  
8 ~~than 15 years old and has a combined city/highway fuel efficiency of less than~~  
9 ~~25 miles per gallon as rated by the Environmental Protection Agency when the~~  
10 ~~vehicle was new that the vehicle will be removed from operation and either~~  
11 ~~donated to a nonprofit organization to be used for parts or destroyed; or~~

12 ~~(B)(2) The emissions repair program, which shall be operational on~~  
13 ~~or before July 1, 2021, shall:~~

14 ~~(A) apply to repairs of certain vehicles that failed the on board~~  
15 ~~diagnostic (OBD) systems inspection;~~

16 ~~(B) provide point-of-repair vouchers through the State's network of~~  
17 ~~community action agencies and base eligibility for voucher on the same criteria~~  
18 ~~used for income qualification for Low Income Home Energy Assistance~~  
19 ~~Program (LIHEAP) through the State's Economic Services Division within the~~  
20 ~~Department for Children and Families; and~~



1           (5) “Local downtown organization” has the same meaning as in  
2           24 V.S.A. § 2791.

3           (6) “Pleasure car” has the same meaning as in 23 V.S.A. § 4(28), and a  
4           single occupancy pleasure car means a pleasure car that is only occupied by the  
5           operator.

6           (7) “Transportation demand management” or “TDM” means measures  
7           that reduce vehicle trips. Examples include telecommuting; incentives to  
8           carpool, walk, bicycle, or ride public transit; and staggered work shifts.

9           (8) “Transportation management association” or “TMA” means a  
10           nonprofit, member-controlled organization that provides transportation  
11           services in a particular area, such as a region, municipality, commercial  
12           district, mall, medical center, or industrial park, and an institutional framework  
13           for transportation demand management.

14           (b) Pilot program.

15           (1) The Agency of Transportation shall design and administer an 18-  
16           month pilot program starting not later than April 1, 2021 to encourage  
17           transportation demand management. Participation shall include the  
18           development of a unique transportation demand management plan for each  
19           participant that utilizes either a transportation management association or Go!  
20           Vermont. The pilot program shall be known as the TDM Pilot Program.

1           (2) The TDM Pilot Program shall provide \$400,000.00 in financial  
2           support to utilize a transportation management association or Go! Vermont and  
3           planning services for at least five eligible employers and up to five local  
4           downtown organizations.

5           (3) At least half of the eligible employer participants shall be hospitals  
6           and \$200,000.00 in financial support to utilize a transportation management  
7           association or Go! Vermont and planning services shall be allocated for this  
8           purpose.

9           (4) The Agency of Transportation shall select eligible employers,  
10           including hospitals, and local downtown organizations to participate in the  
11           TDM Pilot Program in the order that the eligible employers and local  
12           downtown organizations apply and, as funding permits, additional eligible  
13           employers and local downtown organizations shall be offered access to the  
14           TDM Pilot Program.

15           (c) Reporting.

16           (1) Starting in 2022, the Agency of Transportation, in consultation with  
17           all transportation management associations in the State and Go! Vermont,  
18           shall, on or before February 15, submit to the House Committees on  
19           Commerce and Economic Development and on Transportation and the Senate  
20           Committees on Economic Development, Housing and General Affairs and on  
21           Transportation the following for the prior calendar year:

- 1           (A) for each transportation management association:
- 2           (i) the name of each employer member and total number of
- 3 employees performing services for the employer in the State on December 31;
- 4           (ii) a list of services offered and an estimate of the effectiveness of
- 5 each in reducing single-occupancy pleasure-car trips; and
- 6           (iii) the total number of employees who utilized each service;
- 7           (B) aggregate data on the commuting habits of employees employed
- 8 by an employer that is a member of a transportation management associations
- 9 or utilizes Go! Vermont;
- 10           (C) an estimate of the expenses and savings to employers and
- 11 employees generated by the employer being a member of a transportation
- 12 management association or utilizing Go! Vermont; and
- 13           (D) an estimate of the statewide reduction in vehicle miles traveled
- 14 (VMT), trips, or both and greenhouse gas emissions attributable to
- 15 transportation management associations and Go! Vermont.
- 16           (2) Notwithstanding 2 V.S.A. § 20(d), the annual report required under
- 17 this subsection shall continue to be required unless the General Assembly takes
- 18 specific action to repeal the report requirement.

19           Sixth: By inserting a new Sec. 23 and corresponding reader assistance

20 heading after Sec. 22 to read as follows:

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\*\*\* Micro-Transit Innovations Grant Program \*\*\*

Sec. 23. MICRO-TRANSIT INNOVATIONS GRANT PROGRAM

(a) The Agency shall establish and administer a micro-transit innovations grant program within the Public Transit Program to incentivize and continue support for new transit initiatives.

(b) The Agency shall distribute \$400,000.00 in grant awards, with each recipient only eligible to receive up to \$100,000.00 in grant awards.

(c) Grant awards may be used for one or more of the following: matching funds for other grant awards; program delivery costs; or for the extension of existing programs.

(d) Grant awards shall be distributed no later than September 30, 2020 and shall incentivize innovative strategies that improve both mobility and access for transit-dependent Vermonters and reduce greenhouse gas emissions.

And by renumbering the remaining section to be numerically correct.