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H.94

Introduced by Representatives McCormack of Burlington, Burke of
Brattleboro, White of Hartford, Stebbins of Burlington,
Bartholomew of Hartland, Long of Newfane, McCarthy of St.
Albans City, Redmond of Essex, LaLonde of South Burlington,
Colburn of Burlington, Anthony of Barre City, Arrison of
Weathersfield, Austin of Colchester, Birong of Vergennes,
Bluemle of Burlington, Bongartz of Manchester, Bos-Lun of
Westminster, Brady of Williston, Briglin of Thetford, Brown of
Richmond, Brumsted of Shelburne, Burrows of West Windsor,
Campbell of St. Johnsbury, Chase of Colchester, Christie of
Hartford, Cina of Burlington, Coffey of Guilford, Colston of
Winooski, Conlon of Cornwall, Copeland Hanzas of Bradford,
Cordes of Lincoln, Dolan of Waitsfield, Donnally of Hyde Park,
Durfee of Shaftsbury, Elder of Starksboro, Goldman of
Rockingham, Grad of Moretown, Hooper of Randolph, Hooper
of Burlington, Houghton of Essex, Howard of Rutland City,
James of Manchester, Jerome of Brandon, Jessup of Middlesex,
Killacky of South Burlington, Lippert of Hinesburg, Masland of
Thetford, McCullough of Williston, Morris of Springfield,
Mrowicki of Putney, Mulvaney-Stanak of Burlington, Nicoll of

1 Ludlow, Ode of Burlington, Patt of Worcester, Rachelson of
2 Burlington, Scheu of Middlebury, Sheldon of Middlebury, Sims
3 of Craftsbury, Small of Winooski, Squirrell of Underhill,
4 Surprenant of Barnard, Till of Jericho, Toleno of Brattleboro,
5 Townsend of South Burlington, Vyhovsky of Essex, Walz of
6 Barre City, Webb of Shelburne, White of Bethel, Yacovone of
7 Morristown, and Yantachka of Charlotte

8 Referred to Committee on

9 Date:

10 Subject: Transportation; climate; carbon emissions; plug-in electric vehicles
11 (PEV); New PEV Incentive Program; MileageSmart; Replace Your
12 Ride Program; motor-assisted bicycle incentives; buses; electric
13 vehicle supply equipment (EVSE); level 2 chargers; Residential
14 Building Energy Standards; transportation demand management
15 (TDM); public transit; Mobility and Transportation Innovation Grant
16 Program; sprawl; complete streets; Act 250 criterion 5; bicycles; On-
17 Road Bicycle Plan; roundabouts; State transit authority; Public
18 Transit Advisory Council

19 Statement of purpose of bill as introduced: This bill proposes to:

20 (1) appropriate money for the New PEV Incentive Program,
21 MileageSmart, the Downtown and Employer Level 2 Charging Stations Grant

- 1 Programs, fare-free public transit, and the Mobility and Transportation
2 Innovation Grant Program;
- 3 (2) establish and appropriate money for expansions of the New PEV
4 Incentive Program to also include the Replace Your Ride Program and
5 incentives for motor-assisted bicycles;
- 6 (3) require that new buses be plug-in electric vehicles;
- 7 (4) require certain employers to provide level 2 chargers;
- 8 (5) require certain employers to establish a transportation demand
9 management plan;
- 10 (6) update what is required under the Residential Building Standards
11 with respect to electric vehicle supply equipment;
- 12 (7) require that complete streets principles be followed in more
13 instances;
- 14 (8) update the Act 250 criterion addressing transportation;
- 15 (9) require improvements to high-use corridor segments identified in the
16 On-Road Bicycle Plan;
- 17 (10) require updates on the installation of roundabouts in the annual
18 Transportation Program; and
- 19 (11) commission a report on the use of transit authorities in the State.

20 An act relating to transportation initiatives to reduce carbon emissions

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

2 * * * Short Title; Purpose and Intent; Definitions * * *

3 Sec. 1. SHORT TITLE

4 This act may be cited as the Transportation Modernization Act of 2021.

5 Sec. 2. PURPOSE AND INTENT

6 (a) The purpose of this act is to set out policies and projects for inclusion in
7 the State's 2022 Transportation Program that reduce carbon emissions, make
8 strategic infrastructure investments, and give all Vermonters greater access to
9 lower-cost transportation options.

10 (b) These initiatives will help Vermonters with low income acquire more
11 affordable high-efficiency vehicles, establish fare-free public transit
12 throughout the State, electrify the car and bus fleets within the State, and place
13 a greater investment in safer walkable and bikeable roadways.

14 (c) The transportation sector is the greatest contributor to the greenhouse
15 gas emissions in Vermont, and research has shown that rural Vermonters have
16 the most to gain from higher-efficiency, lower-cost transportation options.

17 (d) This act takes practical steps forward on responding to the climate crisis
18 while saving Vermonters across the State money.

19 (e) The initiatives that are contained in Secs. 4, 5, 6, 10, and 14 of this act
20 build upon and expand programs that have already been successfully

1 established by the General Assembly and administered by the Agency of
2 Transportation and its partners. Specifically:

3 (1) Sec. 4 appropriates additional monies for two of the State's existing
4 motor vehicle incentive programs, the New PEV Incentive Program and
5 MileageSmart; Sec. 5 expands upon those programs by appropriating
6 additional monies for and establishing the Replace Your Ride Program to
7 provide additional incentives to individuals who remove an older low-
8 efficiency vehicle from operation and switch to a mode of transportation that
9 produces fewer greenhouse gas emissions; and Sec. 6 expands upon and
10 appropriates additional monies for the State's existing New PEV Incentive
11 Program to provide incentives for individuals who purchase a new motor-
12 assisted bicycle.

13 (2) Sec. 10 builds upon and appropriates additional monies for the
14 State's existing VW EVSE Grant Program to provide grants to certain
15 municipalities and employers to purchase and install level 2 chargers.

16 (3) Sec. 14 appropriates additional monies for the State's existing
17 Mobility and Transportation Innovation Grant Program.

18 (f) It is the intent of the General Assembly that, to the extent possible,
19 monies for the appropriations contained in this act shall come from the
20 COVID-19 relief and stimulus provisions in the Consolidated Appropriations
21 Act, 2021, Pub. L. No. 116-260.

1 Sec. 3. DEFINITIONS

2 As used in this act, unless otherwise indicated:

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

4 (2) “Electric vehicle supply equipment (EVSE)” has the same meaning
5 as in 30 V.S.A. § 201.

6 (3) “Plug-in electric vehicle (PEV),” “plug-in hybrid electric vehicle
7 (PHEV),” and “battery electric vehicle (BEV)” have the same meanings as in
8 23 V.S.A. § 4(85).

9 * * * New PEV Incentive Program and MileageSmart * * *

10 Sec. 4. NEW PLUG-IN ELECTRIC VEHICLE INCENTIVE PROGRAM;
11 MILEAGESMART; APPROPRIATION

12 (a) New PEV Incentive Program. The sum of \$4,000,000.00 is
13 appropriated from the Transportation Fund to the Agency of Transportation in
14 fiscal year 2022 for the New PEV Incentive Program established in 2019 Acts
15 and Resolves No. 59, Sec. 34, as amended, with up to \$200,000.00 of that
16 \$4,000,000.00 available to continue and expand the Agency of
17 Transportation’s public-private partnership with Drive Electric Vermont to
18 support the expansion of the PEV market in the State. The Agency is
19 authorized to expend this appropriation to provide additional PEV incentives
20 and cover program development costs under the New PEV Incentive Program.
21 Notwithstanding any other provision of law and subject to the approval of the

1 Secretary of Administration, appropriations for the New PEV Incentive
2 Program remaining unexpended on June 30, 2022 shall be carried forward and
3 designated for expenditure on the New PEV Incentive Program in the
4 subsequent fiscal year in addition to any other appropriations for the New PEV
5 Incentive Program.

6 (b) MileageSmart. The sum of \$600,000.00 is appropriated from the
7 Transportation Fund to the Agency of Transportation in fiscal year 2022 for
8 MileageSmart, which was established in 2019 Acts and Resolves No. 59, Sec.
9 34, as amended. The Agency is authorized to expend this appropriation to
10 provide additional incentives with up to \$60,000.00 of that \$600,000.00
11 available for program development costs associated with administering
12 MileageSmart. Notwithstanding any other provision of law and subject to the
13 approval of the Secretary of Administration, appropriations for MileageSmart
14 remaining unexpended on June 30, 2022 shall be carried forward and
15 designated for expenditure on MileageSmart in the subsequent fiscal year in
16 addition to any other appropriations for MileageSmart.

17 * * * Replace Your Ride Program * * *

18 Sec. 5. REPLACE YOUR RIDE PROGRAM

19 (a) Program creation. The Agency of Transportation, in consultation with
20 the Departments of Environmental Conservation and of Public Service,
21 Vermont electric distribution utilities, and the State's network of community

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

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

12 (c) Eligibility. Individuals must qualify through both income and change in
13 behavior.

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

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

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

1 (C) a married couple with at least one spouse domiciled in the State
2 and at least one spouse whose federal income tax filing status is married filing
3 separately with an adjusted gross income under the laws of the United States at
4 or below \$50,000.00.

5 (2) Behavior eligibility.

6 (A) In order for an individual to qualify for an incentive under the
7 Replace Your Ride Program, he or she must remove an older low-efficiency
8 vehicle from operation and switch to a mode of transportation that produces
9 fewer greenhouse gas emissions. The entity that administers the Replace Your
10 Ride Program shall establish Program guidelines that specifically provide for
11 how someone can show that the behavior eligibility requirement has been, or
12 will be, met.

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

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

15 (I) is registered with the Vermont Department of Motor
16 Vehicles;

17 (II) has vehicle with a gross vehicle weight rating of 10,000
18 pounds or less;

19 (III) is model year 2012 or older;

1 (IV) had a combined city/highway fuel efficiency of less than
2 25 miles per gallon as rated by the Environmental Protection Agency when the
3 vehicle was new; and

4 (V) is capable of passing the safety portion of the annual
5 inspection required under 23 V.S.A. § 1222.

6 (ii) Removing the older low-efficiency vehicle from operation
7 must be done by either donating the vehicle to a nonprofit organization to be
8 used for parts or having the vehicle destroyed.

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

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

12 (II) purchasing a new or used bicycle or motorcycle that is fully
13 electric; and

14 (III) utilizing public transit, shared-mobility services, or
15 privately operated vehicles for hire.

16 (d) Appropriation. The sum of \$1,000,000.00 is appropriated from the
17 Transportation Fund to the Agency of Transportation in fiscal year 2022 for
18 the Replace Your Ride Program established under this section with up to
19 \$100,000.00 of that \$1,000,000.00 available for Program development costs
20 associated with administering the Replace Your Ride Program.

21 Notwithstanding any other provision of law and subject to the approval of the

1 Secretary of Administration, appropriations for the Replace Your Ride
2 Program remaining unexpended on June 30, 2022 shall be carried forward and
3 designated for expenditure on the Replace Your Ride Program in the
4 subsequent fiscal year in addition to any other appropriations for the Replace
5 Your Ride Program.

6 * * * Motor-Assisted Bicycle Incentives * * *

7 Sec. 6. MOTOR-ASSISTED BICYCLE INCENTIVES

8 (a) Implementation. The Agency of Transportation, in consultation with
9 Vermont electric distribution utilities, shall modify the New PEV Incentive
10 Program established and administered pursuant to 2019 Acts and Resolves No.
11 59, Sec. 34, as amended, to also provide a \$200.00 incentive to 250 individuals
12 who purchase a new motor-assisted bicycle, as defined in 23 V.S.A.
13 § 4(45)(B). Specifically, the Program shall:

14 (1) distribute \$200.00 incentives on a first-come, first-served basis after
15 the Agency announces that incentives are available;

16 (2) apply to new motor-assisted bicycles, as defined in 23 V.S.A.
17 § 4(45)(B), with any Manufacturer's Suggested Retail Price (MSRP); and

18 (3) be available to all Vermonters without regard to income.

19 (b) Appropriation. The sum of \$50,000.00 is appropriated from the
20 Transportation Fund to the Agency of Transportation in fiscal year 2022 for

1 the purpose of expanding the New PEV Incentive Program to also apply to
2 motor-assisted bicycles pursuant to subsection (a) of this section.

3 * * * Plug-In Electric Buses * * *

4 Sec. 7. 23 V.S.A. § 1283a is added to read:

5 § 1283a. PLUG-IN ELECTRIC VEHICLE SCHOOL BUS

6 Any Type I or II school bus ordered new on or after January 1, 2022 shall
7 be a plug-in electric vehicle as defined in subdivision 4(85) of this title.

8 Sec. 8. 24 V.S.A. § 5095 is added to read:

9 § 5095. FIXED ROUTE PLUG-IN ELECTRIC VEHICLE

10 Any vehicle used as part of a fixed route service ordered new on or after
11 January 1, 2022 shall be a plug-in electric vehicle as defined in 23 V.S.A.
12 § 4(85).

13 * * * Electric Vehicle Supply Equipment; Level 2 Chargers * * *

14 Sec. 9. 21 V.S.A. chapter 24 is added to read:

15 CHAPTER 24. EMPLOYER PROVIDED VEHICLE CHARGERS

16 § 1901. DEFINITIONS

17 As used in this chapter:

18 (1) “Covered employer” means an employer with 50 or more employees
19 performing services for it in the State who are required to work in person on
20 average two or more days per week.

21 (2) “Employee” has the same meaning as in section 341 of this title.

1 (3) “Employer” has the same meaning as in section 341 of this title.

2 (4) “Level 2 charger” means a galvanically connected electric vehicle
3 supply equipment with a single-phase input voltage range from 208 to 240
4 volts AC and maximum output current less than or equal to 80 amperes AC.

5 § 1902. LEVEL 2 CHARGERS REQUIRED

6 All covered employers that provide free or subsidized parking for
7 employees in a facility that is owned or rented by the employer are required to
8 maintain level 2 chargers at 6 percent of all parking spaces available to
9 employees.

10 Sec. 10. GRANT PROGRAMS FOR LEVEL 2 CHARGERS

11 (a) Implementation. The Agency of Transportation shall establish and
12 administer, through a memorandum of understanding with the Department of
13 Housing and Community Development, the Downtown and Employer Level 2
14 Charging Stations Grant Programs and build upon the existing VW EVSE
15 Grant Program that the Department of Housing and Community Development
16 has been administering on behalf of the Department of Environmental
17 Conservation.

18 (b) Appropriation. The sum of \$500,000.00 is appropriated from the
19 Transportation Fund to the Agency of Transportation in fiscal year 2022 for
20 the purpose of implementing subsection (a) of this section with \$250,000.00
21 available for grants under the Designated Downtown Level 2 Charging

1 Stations Grant Program and \$250,000.00 available for grants under the
2 Employer Level 2 Charging Stations Grant Program

3 (c) Eligibility.

4 (1) Only municipalities with a portion of the municipality designated
5 pursuant to 24 V.S.A. chapter 76a are eligible to apply for the Downtown
6 Level 2 Charging Stations Grant Program.

7 (2) Only employers that are required to provide level 2 chargers
8 pursuant to 21 V.S.A. § 1902, as added by Sec. 9 of this act, are eligible to
9 apply for the Employer Level 2 Charging Stations Grant Program.

10 (d) Fee schedule disclosure. Grant recipients shall disclose a fee schedule
11 to the Department of Housing and Community Development demonstrating a
12 required user fee for electric vehicle charging that accounts for expenses
13 associated with the equipment, including but not limited to electricity costs.

14 (e) Consultation. The Department of Housing and Community
15 Development shall consult with an interagency team consisting of the
16 Commissioner of Housing and Community Development or designee, the
17 Commissioner of Environmental Conservation or designee, the Commissioner
18 of Health or designee, the Commissioner of Public Service or designee, and the
19 Agency's Division Director of Policy, Planning, and Intermodal Development
20 or designee on all major decisions regarding the administration of the
21 Downtown and Employer Level 2 Charging Stations Grant Programs.

1 * * * Residential Building Energy Standards * * *

2 Sec. 11. UPDATE TO THE RESIDENTIAL BUILDING ENERGY
3 STANDARDS

4 (a) Notwithstanding 30 V.S.A. § 51(c), the next update to the Residential
5 Building Energy Standards shall incorporate proposed code change CE217-19,
6 Part II (requiring electric vehicle supply equipment in new residential
7 buildings) for the 2021 International Energy Conservation Code even though
8 the code change will not be included in the 2021 International Energy
9 Conservation Code.

10 (b) The next update to the Residential Building Energy Standards shall be
11 adopted so as to take effect not later than September 1, 2022.

12 (c) The Commissioner of Public Service shall evaluate whether or not the
13 portion of the Residential Building Energy Standards that requires electric
14 vehicle supply equipment in new residential buildings should also apply to
15 existing buildings that undergo a renovation.

16 * * * Employer Sponsored Transportation Demand Management * * *

17 Sec. 12. 21 V.S.A. chapter 26 is added to read:

18 CHAPTER 26. EMPLOYER PROVIDED TRANSPORTATION DEMAND
19 MANAGEMENT PLAN

20 § 2011. DEFINITIONS

21 As used in this chapter:

1 (1) “Employee” has the same meaning as in section 341 of this title.

2 (2) “Employer” has the same meaning as in section 341 of this title.

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

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

12 § 2012. TRANSPORTATION DEMAND MANAGEMENT PLAN

13 REQUIRED

14 (a) Adoption of a transportation demand management plan. All employers
15 with 50 or more employees performing services for it in the State shall design,
16 adopt, and implement a TDM plan that includes measures to reduce vehicle
17 miles traveled.

18 (b) Employer resources. All employers required to design, adopt, and
19 implement a TDM plan pursuant to subsection (a) of this section shall consult
20 one or more of the following in developing and implementing a TDM plan and
21 other TDM measures:

1 (1) the Agency of Transportation’s Transportation Demand
2 Management (TDM) Guidance document, as updated;

3 (2) existing transportation management associations, including Go!
4 Vermont;

5 (3) mass transit authorities formed pursuant to 24 V.S.A. chapter 127;

6 (4) municipalities; and

7 (5) municipal and regional planning commissions created pursuant to
8 24 V.S.A. chapter 117.

9 § 2013. RULEMAKING

10 The Secretary of Transportation, in consultation with stakeholders, may
11 adopt rules pursuant to 3 V.S.A chapter 25 to establish the specific content of
12 transportation demand management plans and implement the provisions of this
13 section.

14 * * * Fare-Free Public Transit * * *

15 Sec. 13. FARE-FREE PUBLIC TRANSIT; APPROPRIATION; REPORT

16 (a) Implementation. The Agency of Transportation shall ensure that public
17 transit operated by transit agencies that are eligible to receive grant funds
18 pursuant to 49 U.S.C. § 5307 or 5311, or both, in the State shall be operated on
19 a fare-free basis during fiscal year 2022.

1 (b) Appropriation. The sum of \$2,700,000.00 is appropriated from the
2 Transportation Fund to the Agency of Transportation in fiscal year 2022 for
3 the purpose of implementing subsection (a) of this section.

4 (c) Report. On or before March 30, 2022 the Agency of Transportation
5 shall file a written report with the House and Senate Committees on
6 Transportation that:

7 (1) shows changes in public transit ridership, by county and type of
8 service, in fiscal years 2020 and 2021 and in fiscal year 2022 through the end
9 of the third quarter; and

10 (2) estimates the amount of funding needed to continue to provide fare-
11 free service on transit operated by public transit by transit agencies that are
12 eligible to receive grant funds pursuant to 49 U.S.C. § 5307 or 5311, or both,
13 broken out by county and type of service in fiscal year 2023.

14 * * * Mobility and Transportation Innovation Grant Program * * *

15 Sec. 14. MOBILITY AND TRANSPORTATION INNOVATION GRANT
16 PROGRAM; APPROPRIATION; REPORT

17 (a) Implementation. The Agency of Transportation shall continue to
18 administer the Mobility and Transportation Innovation (MTI) Grant Program,
19 which was created pursuant to 2020 Acts and Resolves No. 121, Sec. 16. The
20 Program shall continue to support innovative strategies and projects that
21 improve both mobility and access to services for transit-dependent

1 Vermonters, reduce the use of single occupancy vehicles, and reduce
2 greenhouse gas emissions. Individual grant awards shall be capped at
3 \$100,000.00 per recipient and may be used for one or more of the following:
4 matching funds for other grant awards; program delivery costs; or for the
5 extension of existing programs.

6 (b) Appropriation. The sum of \$1,200,000.00 is appropriated from the
7 Transportation Fund to the Agency of Transportation in fiscal year 2022 for
8 the purpose of implementing subsection (a) of this section.

9 (c) Report. On or before December 15, 2021, the Agency of
10 Transportation shall file a written report with the House and Senate
11 Committees on Transportation that:

12 (1) evaluates the effectiveness of the MTI Grant Program;

13 (2) makes recommendations on how to expand the MTI Grant Program
14 and better target the unique needs of transit-dependent and transit-interested
15 Vermonters; and

16 (3) makes recommendations on how to encourage communities
17 throughout Vermont to adopt micro-transit and other innovative public transit
18 options.

1 * * * Complete Streets and Sprawl * * *

2 Sec. 15. 19 V.S.A. § 10b(c) is amended to read:

3 (c) In developing the State’s annual Transportation Program, the Agency
4 shall, consistent with the planning goals listed in 24 V.S.A. § 4302 as amended
5 by 1988 Acts and Resolves No. 200 and with appropriate consideration to
6 local, regional, and State agency plans:

7 (1) Develop or incorporate designs that provide integrated, safe, and
8 efficient transportation and that are consistent with the recommendations of the
9 CEP.

10 (2)(A) ~~Consider the safety and accommodation of all~~ Accommodate all
11 transportation system users—including motorists, bicyclists, public
12 transportation users, and pedestrians of all ages and abilities—in all State- and
13 municipally managed transportation projects and project phases, including
14 planning, development, construction, and maintenance, except in the case of
15 projects or project components involving unpaved highways. ~~If, after the~~
16 ~~consideration required under this subdivision,~~ a State-managed project does
17 not incorporate complete streets principles, the project manager shall make a
18 written determination, supported by documentation and available for public
19 inspection at the Agency, that one or more of the following circumstances
20 exist:

1 (i) Use of the transportation facility by pedestrians, bicyclists, or
2 other users is prohibited by law.

3 (ii) The cost of incorporating complete streets principles is grossly
4 disproportionate to the need or probable use as determined by factors including
5 land use, current and projected user volumes, population density, crash data,
6 historic and natural resource constraints, and maintenance requirements. The
7 Agency shall consult local and regional plans, as appropriate, in assessing
8 these and any other relevant factors.

9 (iii) Incorporating complete streets principles is outside the limited
10 scope of a maintenance project ~~because of its very nature~~ that does not involve
11 the reconstruction of any infrastructure.

12 (B) The written determination required under subdivision (A) of this
13 subdivision (2) shall be final and shall not be subject to appeal or further
14 review.

15 * * *

16 Sec. 16. 19 V.S.A. § 309d is amended to read:

17 § 309d. POLICY FOR MUNICIPALLY MANAGED TRANSPORTATION
18 PROJECTS

19 (a) Except in the case of projects or project components involving unpaved
20 highways, for all transportation projects and project phases managed by a
21 municipality, including planning, development, construction, or maintenance,

1 it is the policy of this ~~state~~ State for municipalities to ~~consider~~ incorporate
2 “complete streets” principles, which are principles of safety and
3 accommodation of all transportation system users, regardless of age, ability, or
4 modal preference. ~~If, after the consideration required under this section,~~ a
5 project does not incorporate complete streets principles, the municipality
6 managing the project shall make a written determination, supported by
7 documentation and available for public inspection at the office of the
8 municipal clerk and at the ~~agency of transportation~~ Agency of Transportation,
9 that one or more of the following circumstances exist:

10 (1) Use of the transportation facility by pedestrians, bicyclists, or other
11 users is prohibited by law.

12 (2) The cost of incorporating complete streets principles is grossly
13 disproportionate to the need or probable use as determined by factors such as
14 land use, current and projected user volumes, population density, crash data,
15 historic and natural resource constraints, and maintenance requirements. The
16 municipality shall consult local and regional plans, as appropriate, in assessing
17 these and any other relevant factors.

18 (3) Incorporating complete streets principles is outside the limited scope
19 of a maintenance project ~~because of its very nature~~ that does not involve the
20 reconstruction of any infrastructure.

1 (b) The written determination required by subsection (a) of this section
2 shall be final and shall not be subject to appeal or further review.

3 Sec. 17. 10 V.S.A. § 6086(a) is amended to read:

4 (a) Before granting a permit, the District Commission shall find that the
5 subdivision or development:

6 * * *

7 (5)(A) Will not cause unreasonable congestion or unsafe conditions with
8 respect to use of the highways; waterways; railways; airports and airways;
9 bicycle, pedestrian, and other transit infrastructure; and other means of
10 transportation existing or proposed.

11 (B) ~~As appropriate, will~~ Will incorporate transportation demand
12 management strategies; ~~and~~ provide safe use, access, and connections to
13 adjacent lands and facilities and to existing and planned pedestrian, bicycle,
14 and transit networks and services; and make the best use of existing and
15 planned public transit and micro-transit networks and services. ~~In determining~~
16 ~~appropriateness under this subdivision (B), the District Commission shall~~
17 ~~consider whether such a strategy, access, or connection constitutes a measure~~
18 ~~that a reasonable person would take given the type, scale, and transportation~~
19 ~~impacts of the proposed development or subdivision.~~

20 * * *

1 * * * Improvement of High-Use Corridor Segments * * *

2 Sec. 18. 19 V.S.A. § 2313 is added to read:

3 § 2313. HIGH-USE CORRIDORS

4 (a) All high-use corridor segments identified in the On-Road Bicycle Plan
5 prepared in April 2016, or a subsequent update, shall be improved to or
6 maintained at a Bicycle Level of Traffic Stress (BLTS) classification of 1 or 2.
7 These classifications indicate a corridor that is either welcoming to most types
8 of bicyclists or comfortable for most adult bicyclists

9 (b) The Agency of Transportation shall make available an up-to-date map
10 showing all high-use corridor segments and their corresponding BLTS
11 classification.

12 * * * Roundabout Priority * * *

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

14 § 10g. ANNUAL REPORT; TRANSPORTATION PROGRAM;
15 ADVANCEMENTS, CANCELLATIONS, AND DELAYS

16 (a) The Agency of Transportation shall annually present to the General
17 Assembly a multiyear Transportation Program covering the same number of
18 years as the Statewide Transportation Improvement Program (STIP),
19 consisting of the recommended budget for all Agency activities for the ensuing
20 fiscal year and projected spending levels for all Agency activities for the
21 following fiscal years. The Program shall include a description and year-by-

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

11 * * *

12 (p)(1) The annual Transportation Program shall include a plan to construct
13 roundabouts throughout the State, including replacing conventional
14 intersections with roundabouts.

15 (2) As used in this subsection, "roundabout" means a one-way circular
16 intersection that moves traffic continuously in a counterclockwise direction
17 around a center island without the use of traffic signals.

18 * * * Report on Mass Transit Authorities * * *

19 Sec. 20. MASS TRANSIT AUTHORITIES; REPORT

20 (a) The Public Transit Advisory Council shall examine the existing use of
21 mass transit authorities and public transit providers in the State and make

1 recommendations on how best to encourage and expand the use of mass transit
2 authorities in the State and establish and structure a State transit authority.

3 (b) As part of its examination, the Public Transit Advisory Council shall, at
4 a minimum, consider how transit authorities can be used throughout the State
5 to:

6 (1) administer, develop, and contract for transit operations to improve
7 system efficiencies and ridership;

8 (2) enable bonding, utilize public private partnerships, and maximize the
9 use of federal funding to maintain and build upon the existing public transit
10 system and services;

11 (3) expand operations to provide commuter rail and other transit that is
12 integrated with Amtrak passenger rail service; and

13 (4) increase commuter travel options, reduce traffic congestion, improve
14 public health, and provide coordinated transit schedules.

15 (c) On or before January 15, 2022, the Public Transit Advisory Council
16 shall submit a written report to the House and Senate Committees on
17 Transportation with its findings and recommendations.

18 (d) The Public Transit Advisory Council shall meet at least six times to
19 fulfill its obligations under this section and shall have the administrative,
20 technical, and legal assistance of the Agency of Transportation.

1 (e) Compensation shall be provided to members of the Public Transit
2 Advisory Council pursuant to 24 V.S.A. § 5084(c). These payments shall be
3 made from monies appropriated to the Agency of Transportation.

4 * * * Effective Dates * * *

5 Sec. 21. EFFECTIVE DATES

6 (a) Secs. 4 (New PEV Incentive Program and MileageSmart), 5 (Replace
7 Your Ride Program), 6 (motor-assisted bicycle incentives), 10 (grant programs
8 for level 2 chargers), 13 (fare-free public transit), 14 (Mobility and
9 Transportation Innovation Grant Program), 15–16 (complete streets), and 17
10 (Act 250 criterion 5) shall take effect on July 1, 2021.

11 (b) Sec. 9 (employer provided vehicle chargers) shall take effect on January
12 1, 2023.

13 (c) Sec. 12 (employer provided transportation demand management plan)
14 shall take effect on passage, and employers that are required to adopt and
15 implement a transportation demand management plan pursuant to Sec. 12 shall
16 do so not later than January 1, 2022.

17 (d) Sec. 18 (high-use corridors) shall take effect on January 1, 2025 and all
18 high-use corridors identified in the April 2016 On-Road Bicycle Plan shall be
19 improved to and subsequently maintained at a Bicycle Level of Traffic Stress
20 classification of 1 or 2 not later than January 1, 2025.

21 (e) All other sections shall take effect on passage.