

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

H.693

Introduced by Representatives Coffey of Guilford, Burke of Brattleboro,  
Andrews of Westford, Anthony of Barre City, Austin of  
Colchester, Bartholomew of Hartland, Berbeco of Winooski,  
Black of Essex, Bluemle of Burlington, Bos-Lun of  
Westminster, Brown of Richmond, Brumsted of Shelburne,  
Buss of Woodstock, Campbell of St. Johnsbury, Carpenter of  
Hyde Park, Casey of Montpelier, Chapin of East Montpelier,  
Chesnut-Tangerman of Middletown Springs, Christie of  
Hartford, Cina of Burlington, Cole of Hartford, Cordes of  
Lincoln, Dodge of Essex, Dolan of Essex Junction, Dolan of  
Waitsfield, Durfee of Shaftsbury, Elder of Starksboro, Farlice-  
Rubio of Barnet, Garofano of Essex, Goldman of Rockingham,  
Graning of Jericho, Headrick of Burlington, Holcombe of  
Norwich, Houghton of Essex Junction, Howard of Rutland City,  
Hyman of South Burlington, James of Manchester, Jerome of  
Brandon, Kornheiser of Brattleboro, Krasnow of South  
Burlington, Lalley of Shelburne, LaLonde of South Burlington,  
Leavitt of Grand Isle, Logan of Burlington, Long of Newfane,  
McCann of Montpelier, McCarthy of St. Albans City, McGill of  
Bridport, Mihaly of Calais, Mrowicki of Putney, Mulvaney-

1 Stanak of Burlington, Nugent of South Burlington, Patt of  
2 Worcester, Pouech of Hinesburg, Priestley of Bradford,  
3 Rachelson of Burlington, Rice of Dorset, Satcowitz of  
4 Randolph, Scheu of Middlebury, Sheldon of Middlebury, Sims  
5 of Craftsbury, Squirrell of Underhill, Stebbins of Burlington,  
6 Stone of Burlington, Surprenant of Barnard, Templeman of  
7 Brownington, Toleno of Brattleboro, Torre of Moretown,  
8 Troiano of Stannard, Williams of Barre City, and Wood of  
9 Waterbury

10 Referred to Committee on

11 Date:

12 Subject: Transportation; infrastructure; resiliency; carbon emissions;  
13 municipalities; Better Roads Program; Municipal Highway and  
14 Stormwater Mitigation Program; electric vehicles; plug-in electric  
15 vehicles (PEVs); eBikes; eBike Incentive Program; electric vehicle  
16 supply equipment (EVSE); Electric Vehicle Infrastructure  
17 Deployment Plan; EVSE Grant Program; EVSE complaint form;  
18 housing; right-to-charge; beneficial electrification; public transit;  
19 carsharing; Mobility and Transportation Innovation (MTI) Grant  
20 Program; Amtrak; Transportation Alternatives Grant Program;  
21 bicycle and pedestrian facilities; Downtown Transportation Fund;

1 Better Connections Program; Vermont State Standards; complete  
2 streets; local speed limits; State Treasurer; revenue

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

4 (1) increase the annual appropriations to the Agency of Transportation  
5 for the Better Roads Program and the Municipal Highway and Stormwater  
6 Mitigation Program within the Municipal Mitigation Assistance Program in  
7 fiscal year 2025;

8 (2) appropriate \$250,000.00 to the Agency of Transportation for a  
9 continuation of the eBike Incentive Program in fiscal year 2025;

10 (3) require that the annual report on the State's vehicle incentive  
11 programs include information on the State's outreach and marketing efforts  
12 and recommendations for improvement of how the State markets and conducts  
13 outreach related to the State's vehicle incentive programs;

14 (4) codify the existing State goals for electric vehicle supply equipment  
15 (EVSE) along the State highway network and requirement that the Agency of  
16 Transportation annually report on the State's efforts to meet those goals and  
17 also require that the Agency report on efforts to increase EVSE in the State and  
18 the operational status of EVSE available to the public, which shall be  
19 informed, in part, by reports collected through a new EVSE complaint form;

20 (5) require the Agency of Transportation to prepare a written plan for  
21 how to fund and maintain the EVSE necessary for Vermont to meet the plug-in

1 electric vehicle (PEV) goals in the Comprehensive Energy Plan and the  
2 Vermont Climate Action Plan;

3 (6) appropriate \$3,000,000.00 to the Agency of Commerce and  
4 Community Development for a continuation of the EVSE Grant Program in  
5 fiscal year 2025;

6 (7) require the Public Utility Commission to make written  
7 recommendations on what level of regulation, if any, should be placed on  
8 EVSE available to the public that is not owned and operated by an electric  
9 distribution utility;

10 (8) establish right-to-charge laws to permit property owners and tenants  
11 to install EVSE;

12 (9) allow residential customers to upgrade their electric service to enable  
13 participation in substantial domestic electrification, including managed level 2  
14 charging capability for PEVs, without incurring additional customer-specific  
15 charges from their electric utility;

16 (10) require the Agency of Transportation to prepare a written plan to  
17 determine what programmatic elements need to be in place to allow for the  
18 expansion of carsharing in Vermont;

19 (11) appropriate \$750,000.00 to the Agency of Transportation for a  
20 continuation of the Mobility and Transportation Innovation (MTI) Grant

1 Program with an early application window for applicants that are seeking a  
2 grant award for a project in a rural community in fiscal year 2025;

3 (12) require the Agency of Transportation to request of Amtrak and  
4 coordinate efforts with Amtrak on the feasibility of adding additional service  
5 and increasing bicycle storage on Amtrak trains in Vermont and to report on  
6 those efforts;

7 (13) eliminate the statutory requirement of 50 percent of Transportation  
8 Alternatives Grant Program awards being for environmental mitigation  
9 projects, thereby potentially increasing the number of bicycle and pedestrian  
10 facility projects that can be funded through the Program;

11 (14) increase the annual appropriation to the Agency of Transportation  
12 to provide grants for bicycle and pedestrian facilities projects in fiscal year  
13 2025;

14 (15) increase the annual transfer from the Transportation Fund to the  
15 Downtown Transportation and Related Capital Improvement Fund and the  
16 annual appropriation to the Agency of Transportation for the Better  
17 Connections Program in fiscal year 2025;

18 (16) require the Agency of Transportation to incorporate complete  
19 streets standards in the replacement to the Vermont State Standards, develop a  
20 way to target funding for complete streets projects within State-designated  
21 centers, develop a pattern book or other design guidelines to provide safer

1 bicycle and pedestrian accommodations, and establish clear standard treatment  
2 guidance for providing safer bicycle facilities on State highways;

3 (17) allow all State-designated centers to have posted speed limits of  
4 less than 25 miles per hour; and

5 (18) require the State Treasurer to develop a written proposal for new  
6 revenue sources for dedicated and ongoing funding related to transportation  
7 and the environment.

8 An act relating to 2024 transportation initiatives to improve infrastructure,  
9 increase resiliency, and reduce carbon emissions

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

11 \* \* \* Short Title; Definitions; Legislative Findings \* \* \*

12 Sec. 1. SHORT TITLE

13 This act may be cited as the Transportation Infrastructure and Resiliency  
14 Act of 2024.

15 Sec. 2. DEFINITIONS

16 As used in this act:

17 (1) “Electric vehicle supply equipment (EVSE)” has the same meaning  
18 as in 30 V.S.A. § 201.

1           (2) “Level 3 charger,” “level 3 EVSE,” or “direct-current fast charger  
2           (DCFC)” means EVSE that uses dedicated direct current (DC) to provide  
3           energy to a plug-in electric vehicle.

4           (3) “Plug-in electric vehicle (PEV)” has the same meaning as in  
5           23 V.S.A. § 4(85).

6           Sec. 3. LEGISLATIVE FINDINGS

7           The General Assembly finds that:

8           (1) The issue of climate change, and what humankind must do to reduce  
9           its greenhouse gas emissions, is one of the most pressing challenges of today.

10           (2) The July 2023 flooding that impacted so many of Vermont’s  
11           communities demonstrated that the threat of climate change is not in the distant  
12           future but is here in the present.

13           (3) Vermont is faced with the challenges of reducing its greenhouse gas  
14           emissions, building resilience, and adapting to climate change.

15           (4) In Vermont, the transportation sector contributes nearly 40 percent  
16           of the State’s carbon pollution, making it the second largest contributor to the  
17           State’s greenhouse gas emissions.

18           (5) Transitioning away from gasoline-powered motor vehicles,  
19           providing car-free transportation options, and helping communities redesign  
20           and build more resilient transportation infrastructure enables Vermonters to  
21           access jobs, age successfully in our communities, and improve their health

1 while also reducing Vermont's greenhouse gas emissions and meet the State's  
2 obligations under 10 V.S.A. § 578(a) and the recommendations of the Climate  
3 Action Plan (CAP) issued under 10 V.S.A. § 592, as both were amended or  
4 added by the Global Warming Solutions Act of 2020.

5 (6) Meeting the State's emissions reductions obligation and getting on  
6 track to develop and sustain a clean, affordable, and accessible transportation  
7 sector suitable for the 21st century is a significant undertaking that requires  
8 aggressive, immediate, and sustained efforts and funding.

9 \* \* \* Municipal Resiliency \* \* \*

10 Sec. 4. BETTER ROADS PROGRAM; MUNICIPAL HIGHWAY AND

11 STORMWATER MITIGATION PROGRAM; APPROPRIATIONS

12 (a) The sums of \$1,000,000.00 from the Clean Water Fund and  
13 \$2,000,000.00 from the Transportation Fund are appropriated to the Agency of  
14 Transportation in fiscal year 2025 for the Better Roads Program within the  
15 Municipal Mitigation Assistance Program.

16 (b) The sum of \$3,000,000.00 is appropriated from the Transportation Fund  
17 to the Agency of Transportation in fiscal year 2025 for the Municipal Highway  
18 and Stormwater Mitigation Program within the Municipal Mitigation  
19 Assistance Program.

20 (c) The appropriations from the Transportation Fund required under  
21 subsection (b) of this section shall, if possible, fully utilize federal monies



1 available to Vermont under the Promoting Resilient Operations for  
2 Transformative, Efficient, and Cost-Saving Transportation (PROTECT)  
3 Formula Program, established through the Infrastructure Investment and Jobs  
4 Act, Pub. L. No. 117-58 (IIJA) and codified as 23 U.S.C. § 176.

5 \* \* \* Electric Vehicles \* \* \*

6 \* \* \* eBike Incentive Program \* \* \*

7 Sec. 5. EBIKE INCENTIVE PROGRAM; APPROPRIATION

8 (a) Appropriation. The sum of \$250,000.00 is appropriated from the  
9 Transportation Fund to the Agency of Transportation in fiscal year 2025 to  
10 continue the eBike Incentive Program established pursuant to 2021 Acts and  
11 Resolves No. 55, Sec. 28, as amended by 2022 Acts and Resolves No. 184,  
12 Sec. 23 and further modified by 2023 Acts and Resolves No. 62, Sec. 22.

13 (b) Modifications. The eBike Incentive Program shall be administered in  
14 accordance with the modifications in 2023 Acts and Resolves No. 62, Sec. 22.  
15 Electrify Your Fleet Program created under 2023 Acts and Resolves No. 62,  
16 Sec. 21 pursuant to the requirements of 2023 Acts and Resolves No. 62,  
17 Sec. 21 except as modified in subsection (c) of this section.

18 (c) Carryforward; deployment in fiscal year 2025.

19 (1) Notwithstanding any other provision of law and subject to the  
20 approval of the Secretary of Administration, appropriations to support the  
21 expenditures under this section remaining unexpended on June 30, 2025 shall

1 be carried forward and designated for the same expenditures in the subsequent  
2 fiscal year.

3 (2) Every reasonable effort shall be made to obligate and deploy the  
4 monies appropriated for expenditure under this section in fiscal year 2025 in  
5 order to achieve a pace of electric vehicle adoption and transition away from  
6 personal vehicle ownership necessary to meet the emissions reduction  
7 requirements of 10 V.S.A. § 578(a) and the recommendations of the Climate  
8 Action Plan (CAP) issued under 10 V.S.A. § 592.

9 (d) Administrative costs. Up to 15 percent of the appropriation in  
10 subsection (a) of this section may be used for any costs associated with  
11 administering and promoting the eBike Incentive Program.

12 (e) Reporting. The Agency of Transportation shall address incentives for  
13 electric bicycles, electric cargo bicycles, and adaptive electric cycles provided  
14 pursuant to this section in the January 31, 2025 report required under  
15 19 V.S.A. § 2905 including:

16 (1) the demographics of who received an incentive under the eBike  
17 Incentive Program;

18 (2) a breakdown of where vouchers were redeemed;

19 (3) a breakdown, by manufacturer and type, of electric bicycles, electric  
20 cargo bicycles, and adaptive electric cycles incentivized;

1           (4) a detailed summary of information provided in the self-certification  
2           forms; and

3           (5) a detailed summary of information collected through participant  
4           surveys.

5                                   \* \* \* Electric Vehicle Supply Equipment (EVSE) \* \* \*

6           Sec. 6. 19 V.S.A. chapter 29 is amended to read:

7                           CHAPTER 29. VEHICLE INCENTIVE PROGRAMS; ELECTRIC  
8   VEHICLE SUPPLY EQUIPMENT

9           § 2901. DEFINITIONS

10           As used in this chapter:

11   \* \* \*

12                           (4) “Electric vehicle supply equipment (EVSE)” and “electric vehicle  
13                           supply equipment available to the public” have the same meanings as in  
14                           30 V.S.A. § 201.

15                           (5) “Plug-in electric vehicle (PEV),” “battery electric vehicle (BEV),”  
16                           and “plug-in hybrid electric vehicle (PHEV)” have the same meanings as in  
17                           23 V.S.A. § 4(85).

18   \* \* \*

19           § 2905. ANNUAL REPORTING; VEHICLE INCENTIVE PROGRAMS

20                           (a) The Agency shall annually evaluate the programs established under  
21                           sections 2902–2904 of this chapter to gauge effectiveness and shall submit a

1 written report on the effectiveness of the programs and the State's marketing  
2 and outreach efforts related to the programs to the House and Senate  
3 Committees on Transportation, the House Committee on Environment and  
4 Energy, and the Senate Committee on ~~Finance~~ Natural Resources and Energy  
5 on or before the 31st day of January in each year following a year that an  
6 incentive was provided through one of the programs.

7 (b) The report shall also include:

8 (1) any intended modifications to program guidelines for the upcoming  
9 fiscal year along with an explanation for the reasoning behind the  
10 modifications and how the modifications will yield greater uptake of PEVs and  
11 other means of transportation that will reduce greenhouse gas emissions; ~~and~~

12 (2) any recommendations on statutory modifications to the programs,  
13 including to income and vehicle eligibility, along with an explanation for the  
14 reasoning behind the statutory modification recommendations and how the  
15 modifications will yield greater uptake of PEVs and other means of  
16 transportation that will reduce greenhouse gas emissions; and

17 (3) any recommendations for how to better conduct outreach and  
18 marketing to ensure the greatest possible uptake of incentives under the  
19 programs.

20 (c) Notwithstanding 2 V.S.A. § 20(d), the annual report required under this  
21 section shall continue to be required if an incentive is provided through one of

1 the programs unless the General Assembly takes specific action to repeal the  
2 report requirement.

3 § 2906. ELECTRIC VEHICLE SUPPLY EQUIPMENT GOALS

4 It shall be the goal of the State to have, as practicable, a level 3 EVSE  
5 charging port available to the public within:

6 (1) one driving mile of every exit of the Dwight D. Eisenhower National  
7 System of Interstate and Defense Highways within the State; and

8 (2) 25 driving miles of another level 3 EVSE charging port available to  
9 the public along a State highway, as defined in subdivision 1(20) of this title.

10 § 2907. ANNUAL REPORTING; ELECTRIC VEHICLE SUPPLY

11 EQUIPMENT

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

13 (1) file an up-to-date map showing the locations of all level 3 EVSE  
14 available to the public within the State with the House and Senate Committees  
15 on Transportation not later than January 15 each year until the goal identified  
16 in section 2906 of this chapter is met;

17 (2) file a report on the State's efforts to meet its federally required  
18 Electric Vehicle Infrastructure Deployment Plan, as updated, with the House  
19 and Senate Committees on Transportation not later than January 15 each year  
20 until the Deployment Plan is met;

1           (3) file a report on additional efforts to deploy EVSE through any State  
2           EVSE grant programs, including grant programs to increase Vermonters'  
3           access to charging at workplaces, multiunit dwellings, and community  
4           attractions with the House and Senate Committees on Transportation not later  
5           than January 15 each year in a year following a calendar year where a State  
6           EVSE grant program provides funding for EVSE; and

7           (4) file a report, in consultation with the Agency of Agriculture, Food  
8           and Markets, on the frequency that EVSE available to the public is broken or  
9           unavailable and includes recommendations on how best to minimize the  
10           frequency that EVSE available to the public is broken or unavailable with the  
11           House and Senate Committees on Transportation not later than January 15  
12           each year.

13           (b) The reports required under subsection (a) of this section can be  
14           combined when filing with the House and Senate Committees on  
15           Transportation and shall prominently be posted on the Agency of  
16           Transportation and Agency of Commerce and Community Development's  
17           websites, as applicable.

18           Sec. 7. REPEAL OF CURRENT EVSE MAP REPORT

19           2021 Acts and Resolves No. 55, Sec. 30, as amended by 2022 Acts and  
20           Resolves No. 184, Sec. 4 (EVSE network in Vermont; report of annual map) is  
21           repealed.

1       Sec. 8. EVSE COMPLAINT FORM

2           Not later than January 1, 2024, the Agency of Transportation, in  
3           consultation with the Agency of Agriculture, Food and Markets, shall develop  
4           and utilize a complaint form for consumers to report when EVSE available to  
5           the public is broken or unavailable. The complaint form shall be available on  
6           the Agency of Transportation's and the Agency of Agriculture, Food and  
7           Markets' websites and the data shall be analyzed and presented in the report  
8           required under 19 V.S.A. § 2907(a)(4), as added by Sec. 6 of this act.

9       Sec. 9. EVSE PLAN; REPORT

10          The Agency of Transportation, in consultation with the Agencies  
11          Agriculture, Food and Markets and of Commerce and Community  
12          Development, shall prepare a written plan, which may incorporate other plans  
13          that have been prepared to secure federal funding under the National Electric  
14          Vehicle Infrastructure Formula Program, for how to fund and maintain the  
15          EVSE necessary for Vermont to meet that portion of the goals of the  
16          Comprehensive Energy Plan and the Vermont Climate Action Plan. The  
17          written plan shall be filed with the House and Senate Committees on  
18          Transportation not later than November 15, 2024.

19       Sec. 10. EVSE GRANT PROGRAM; APPROPRIATION

20          (a) Appropriation. The sum of \$3,000,000.00 is appropriated from the  
21          Transportation Fund to the Agency of Commerce and Community

1 Development in fiscal year 2025 for a continuation of the EVSE Grant  
2 Program created under 2022 Acts and Resolves No. 185, Sec. E.903.

3 (b) Eligibility. Grants shall be awarded to persons for projects that meet  
4 the requirements in 2022 Acts and Resolves No. 185, Sec. E.903(b)(1)(A)–(C).

5 (c) Administrative costs. The Agency of Commerce and Community  
6 Development may use up to 15 percent of the appropriation in subsection (a) of  
7 this section for administrative costs associated with installing EVSE at  
8 multiunit housing, workplaces, and public venues and attractions.

9 (d) Carryforward; deployment in fiscal year 2025.

10 (1) Notwithstanding any other provision of law and subject to the  
11 approval of the Secretary of Administration, appropriations to support the  
12 expenditures under this section remaining unexpended on June 30, 2025 shall  
13 be carried forward and designated for the same expenditures in the subsequent  
14 fiscal year.

15 (2) Every reasonable effort shall be made to obligate and deploy the  
16 monies appropriated for expenditure under this section in fiscal year 2025 in  
17 order to achieve a pace of EVSE deployment necessary to meet the emissions  
18 reduction requirements of 10 V.S.A. § 578(a) and the recommendations of the  
19 Climate Action Plan (CAP) issued under 10 V.S.A. § 592.

20 (e) Outreach and marketing. The Agency of Commerce and Community  
21 Development shall ensure that there is sufficient outreach and marketing,



1 including the use of translation and interpretation services, of the EVSE Grant  
2 Program implemented pursuant to subsection (b) of this section and such costs  
3 shall be considered administrative costs for purposes of subsection (c) of this  
4 section.

5 Sec. 11. RECOMMENDATION ON EVSE REGULATION

6 The Public Utility Commission, in consultation with the Agencies of  
7 Agriculture, Food and Markets and of Transportation and the Office of the  
8 Attorney General, Consumer Protection Division, shall prepare written  
9 recommendations on what level of regulation, if any, should be placed on  
10 EVSE available to the public that is not owned and operated by an electric  
11 distribution utility. The written recommendations shall be filed with the House  
12 and Senate Committees on Transportation, the House Committee on  
13 Environment and Energy, and the Senate Committees on Finance and on  
14 Natural Resources and Energy not later than November 15, 2024.

15 \* \* \* Right to Install Electric Vehicle Supply Equipment (EVSE) \* \* \*

16 Sec. 12. 9 V.S.A. chapter 137, subchapter 2 is amended to read:

17 Subchapter 2. Residential Rental Agreements

18 \* \* \*

19 § 4469. ELECTRIC VEHICLE SUPPLY EQUIPMENT

20 (a) As used in this section:

1           (1) “Electric vehicle supply equipment (EVSE)” means a device or  
2           system designed and used specifically to transfer electrical energy to a plug-in  
3           electric vehicle.

4           (2) “EVSE time-of-use (TOU) meter” means an electric meter supplied  
5           and installed by an electric distribution utility that is separate from, and in  
6           addition to, any other electric meter and is devoted exclusively to the charging  
7           of plug-in electric vehicles and that tracks the TOU when charging occurs. An  
8           EVSE TOU meter includes any wiring or conduit necessary to connect the  
9           meter to an EVSE, regardless of whether it is supplied or installed by an  
10           electric utility.

11           (b) For any rental agreement executed, extended, or renewed on and after  
12           January 1, 2025, a lessor of a dwelling unit shall approve a written request of a  
13           tenant to install an EVSE at a parking space allotted for the tenant that meets  
14           the requirements of this section and complies with the lessor’s procedural  
15           approval process for modification to the property.

16           (c) This section does not apply to residential rental properties where:

17           (1) EVSE already exist for lessees in a ratio that is equal to or greater  
18           than 10 percent of the designated parking spaces;

19           (2) parking is not provided as part of the lease agreement; or

20           (3) there are fewer than five parking spaces.

1       (d) A lessor shall not be obligated to provide an additional parking space to  
2       a tenant in order to accommodate EVSE.

3       (e) If the EVSE has the effect of providing the tenant with a reserved  
4       parking space, the lessor may charge a monthly rental amount for that parking  
5       space.

6       (f) The EVSE or EVSE TOU meter, or both, and all modifications and  
7       improvements to the property shall comply with federal, State, and local law,  
8       and all applicable zoning requirements, land use requirements, and covenants,  
9       conditions, and restrictions.

10       (g) A tenant's written request to make a modification to the property in  
11       order to install and use EVSE shall include the tenant's consent to enter into a  
12       written agreement that includes the following:

13               (1) Compliance with the lessor's requirements for the installation, use,  
14               maintenance, and removal of the EVSE or both the EVSE and EVSE TOU  
15               meter and installation, use, and maintenance of the infrastructure for the EVSE  
16               or both the EVSE and EVSE TOU meter.

17               (2) Compliance with the lessor's requirements for the tenant to provide a  
18               complete financial analysis and scope of work regarding the installation of the  
19               EVSE or both the EVSE and EVSE TOU meter and its infrastructure.

20               (3) Obligation of the tenant to pay the lessor all costs associated with the  
21               lessor's installation of the EVSE or both the EVSE and EVSE TOU meter and

1 related infrastructure prior to any modification or improvement being made to  
2 the leased property. The costs associated with modifications and  
3 improvements shall include the cost of permits, supervision, construction, and,  
4 solely if required by the contractor and consistent with its past performance of  
5 work for the lessor, performance bonds.

6 (4) Obligation of the tenant to pay as part of rent for the costs associated  
7 with the electrical usage, whether or not through an EVSE TOU meter, of the  
8 EVSE, and cost for damage, maintenance, repair, removal, and replacement of  
9 the EVSE or both the EVSE and EVSE TOU meter, and modifications or  
10 improvements made to the property associated with the EVSE or both the  
11 EVSE and EVSE TOU meter.

12 (h) The tenant and each successor tenant shall obtain personal liability  
13 coverage in an amount not to exceed 10 times the annual rent charged for the  
14 dwelling unit covering property damage and personal injury proximately  
15 caused by the installation or operation of the EVSE or both the EVSE and  
16 EVSE TOU meter. The policy shall be maintained in full force and effect from  
17 the time of installation of the EVSE or both the EVSE and EVSE TOU meter  
18 until the EVSE or the EVSE and EVSE TOU meter is removed or the tenant  
19 forfeits possession of the dwelling unit to the lessor.

1        (i) Notwithstanding subsection (h) of this section, no insurance shall be  
2        required of a tenant installing an EVSE or both an EVSE and EVSE TOU  
3        meter if the following are satisfied:

4                (1) the EVSE has been certified by a Nationally Recognized Testing  
5        Laboratory that is approved by the Occupational Safety and Health  
6        Administration of the U.S. Department of Labor; and

7                (2) the EVSE and any associated alterations to the dwelling's electrical  
8        system are performed by a licensed electrician and the EVSE TOU meter, if  
9        applicable, is installed by the electric distribution utility providing service.

10        (j) A lessor that intentionally violates this section shall be liable to the  
11        tenant or other party for actual damages and shall pay a civil penalty to the  
12        tenant or other party in an amount not to exceed \$1,000.00.

13        (k) In any action by a tenant requesting to have an EVSE installed and  
14        seeking to enforce compliance with this section, the prevailing plaintiff shall  
15        be awarded reasonable attorney's fees.

16        Sec. 13. 27A V.S.A. § 1-204 is amended to read:

17        § 1-204. PREEXISTING COMMON INTEREST COMMUNITIES

18                (a)(1) Unless excepted under section 1-203 of this title, the following  
19        sections and subdivisions of this title apply to a common interest community  
20        created in this State before January 1, 1999: sections 1-103, 1-105, 1-106, 1-  
21        107, 2-103, 2-104, and 2-121, subdivisions 3-102(a)(1) through (6) and (11)

1 through (16), and sections 3-111, 3-116, 3-118, 3-125, 4-109, and 4-117 to the  
2 extent necessary to construe the applicable sections. The sections and  
3 subdivisions described in this subdivision apply only to events and  
4 circumstances occurring after December 31, 1998 and do not invalidate  
5 existing provisions of the declarations, bylaws, plats, or plans of those  
6 common interest communities.

7 \* \* \*

8 Sec. 14. 27A V.S.A. § 3-125 is added to read:

9 § 3-125. ELECTRIC VEHICLE SUPPLY EQUIPMENT

10 (a) Definitions. As used in this section:

11 (1) “Electric vehicle supply equipment (EVSE)” means a device or  
12 system designed and used specifically to transfer electrical energy to a plug-in  
13 electric vehicle.

14 (2) “EVSE owner” means the unit owner who applies to install an EVSE  
15 and each successive unit owner associated with the initial application to install  
16 the EVSE unless there is a specific change in ownership of the EVSE, in which  
17 case the EVSE owner shall be the owner specified in a conveying document  
18 memorializing the change in ownership of the EVSE.

19 (3) “EVSE time-of-use (TOU) meter” means an electric meter supplied  
20 and installed by an electric distribution utility that is separate from, and in  
21 addition to, any other electric meter and is devoted exclusively to the charging

1 of plug-in electric vehicles and that tracks the TOU when charging occurs. An  
2 EVSE TOU meter includes any wiring or conduit necessary to connect the  
3 meter to an EVSE, regardless of whether it is supplied or installed by an  
4 electric utility.

5 (4) “Plug-in electric vehicles” has the same meaning as in 23 V.S.A.  
6 § 4(85).

7 (5) “Reasonable restrictions” are restrictions that do not significantly  
8 increase the cost of the EVSE or EVSE TOU meter, or both, or significantly  
9 decrease the efficiency or specified performance of the EVSE or EVSE TOU  
10 meter, or both.

11 (b) Protected uses.

12 (1) Any covenant, restriction, or condition contained in any deed,  
13 contract, security instrument, or other instrument affecting the transfer or sale  
14 of any interest in a common interest community, and any provision of a  
15 governing document associated with a common interest community, such as a  
16 declaration or bylaws, that either effectively prohibits or unreasonably restricts  
17 the installation or use of an EVSE or EVSE TOU meter, or both, within a unit  
18 owner’s unit or in a designated parking space, including a deeded parking  
19 space, a parking space in a unit owner’s exclusive use common element, or a  
20 parking space that is specifically designated for use by a particular unit owner,  
21 or is in conflict with this section is void and unenforceable.

1           (2) This subsection (b) does not apply to provisions that impose  
2           reasonable restrictions on EVSE or EVSE TOU meters, or both. However, it is  
3           the policy of the State to promote, encourage, and remove obstacles to the use  
4           of plug-in electric vehicles, including access to EVSE at home.

5           (3) The EVSE or EVSE TOU meter, or both, and all modifications and  
6           improvements to the common interest community shall comply with federal,  
7           State, and local law, and all applicable zoning requirements, land use  
8           requirements, and covenants, conditions, and restrictions.

9           (4) If approval is required for the installation or use of EVSE or EVSE  
10           TOU meters, or both, the application for approval shall be processed and  
11           approved by the association in the same manner as an application for approval  
12           of an architectural modification to the common interest community and shall  
13           not be intentionally avoided or delayed. The approval or denial of an  
14           application shall be in writing. If an application is not denied in writing within  
15           60 days from the date of receipt of the application, the application shall be  
16           deemed approved, unless that delay is the result of a reasonable request for  
17           additional information.

18           (5) If the EVSE or EVSE TOU meter, or both, is to be placed in a  
19           common element or a limited common element, as designated in the common  
20           interest community's declaration, the following provisions apply:



1           (A) The unit owner first shall obtain approval from the association to  
2           install the EVSE or EVSE TOU meter, or both, and the association shall  
3           approve the installation if the unit owner agrees in writing to do all of the  
4           following:

5                   (i) comply with the association’s architectural standards for the  
6                   installation of the EVSE or EVSE TOU meter, or both;

7                   (ii) engage a licensed contractor to install the EVSE and, if  
8                   necessary, to install wiring or conduit necessary to connect the EVSE to an  
9                   EVSE TOU meter;

10                   (iii) engage the electric distribution utility providing service to  
11                   install the EVSE TOU meter, if applicable;

12                   (iv) provide a certificate of insurance that names the association as  
13                   an additional insured under the unit owner’s insurance policy within 14 days  
14                   after approval; and

15                   (v) pay for both the costs associated with the installation of the  
16                   EVSE or both the EVSE and EVSE TOU meter and the electricity usage  
17                   associated with the EVSE.

18           (B) The unit owner and each successive owner of the EVSE or both  
19           the EVSE and EVSE TOU meter shall be responsible for all of the following:

20                   (i) costs for damage to the EVSE or EVSE TOU meter, or both;  
21                   common element; or limited common element resulting from the installation,

1 maintenance, repair, removal, or replacement of the EVSE or EVSE TOU  
2 meter, or both;

3 (ii) costs for the maintenance, repair, and replacement of the  
4 EVSE or EVSE TOU meter, or both, until the EVSE has been removed and for  
5 the restoration of the common element or limited common element after  
6 removal;

7 (iii) cost of electricity associated with the EVSE; and

8 (iv) disclosing to prospective buyers of the unit the existence of  
9 any EVSE or EVSE TOU meters, or both, and the related responsibilities of  
10 the unit owner under this section.

11 (C) The owner of EVSE, whether the EVSE is located within a unit  
12 or within a common element or a limited common element, shall, at all times,  
13 maintain a liability coverage policy that names the association as an additional  
14 insured. The unit owner that submitted the application to install the EVSE or  
15 EVSE TOU meter, or both, shall provide the association with the  
16 corresponding certificate of insurance within 14 days following approval of the  
17 application. That unit owner and each successor EVSE owner shall annually  
18 provide the association with the certificate of insurance.

19 (D) An EVSE owner shall not be required to maintain a homeowner  
20 liability coverage policy for an existing National Electrical Manufacturers  
21 Association standard alternating current power plug.

1           (6) Installation of an EVSE or both EVSE and EVSE TOU meter for the  
2           exclusive use of a unit owner in a common element or limited common  
3           element shall be authorized by the association only if installation in the unit  
4           owner's unit or designated parking space is impossible or unreasonably  
5           expensive. In such cases, the association shall enter into a license agreement  
6           with the unit owner for the use of the space in a common element or limited  
7           common element and the unit owner shall comply with all of the requirements  
8           in subdivision (5) of this subsection.

9           (7) The association may install an EVSE or both an EVSE and EVSE  
10          TOU meter in the common element or limited common element for the use of  
11          all unit owners in the association and, in that case, the association shall develop  
12          appropriate terms of use for the EVSE.

13          (8) Subject to subdivision (3) of this subsection, an association may  
14          create a new parking space where one did not previously exist to facilitate the  
15          installation of an EVSE.

16          (9) An association that intentionally violates this subsection shall be  
17          liable to the applicant unit owner or other party for actual damages and shall  
18          pay a civil penalty to the applicant unit owner or other party in an amount not  
19          to exceed \$1,000.00.

1           (10) In any action by a unit owner requesting to have an EVSE installed  
2           and seeking to enforce compliance with this section, the prevailing plaintiff  
3           shall be awarded reasonable attorney’s fees.

4                                   \* \* \* Beneficial Electrification \* \* \*

5           Sec. 15. BENEFICIAL ELECTRIFICATION; STANDARD LEVEL OF  
6                                   SERVICE; PUBLIC UTILITY COMMISSION

7           (a) The General Assembly finds:

8           (1) Vermont’s transportation sector contributes nearly 40 percent of the  
9           State’s total greenhouse gas emissions. See the Vermont Greenhouse Gas  
10           Emissions Inventory and Forecast: 1990–2020, prepared by the Air Quality  
11           and Climate Division, Department of Environmental Conservation.

12           (2) Through the Vermont Global Warming Solutions Act of 2020,  
13           Vermont made a commitment to reduce its greenhouse gas emissions,  
14           including through the development of strategies for transportation sector  
15           emissions reduction, which includes electrification of vehicles, as  
16           recommended in the 2021 Climate Action Plan prepared by the Vermont  
17           Climate Council.

18           (3) Vermont has adopted a suite of motor vehicle emission standards,  
19           including the California Advanced Clean Cars II rule and the Advanced Clean  
20           Trucks rule, as part of the Vermont Low Emission Vehicle and Zero Emission  
21           Vehicle Rules (CVR 12-30-40).

1           (4) High customer charges for utility line extensions and service  
2           upgrades associated with beneficial electrification and EV charging are a  
3           barrier to implementation of these policies.

4           (5) This barrier to customer participation in beneficial electrification  
5           initiatives is especially significant in rural Vermont.

6           (b) The standard level of service to the meter, as defined in each regulated  
7           electric utility's tariffs for line extensions and service upgrades, shall enable  
8           residential customers at existing locations who so request to participate in  
9           substantial domestic electrification including managed level 2 charging  
10           capability for electric vehicles without additional customer-specific charges.

11           (c) On or before December 31, 2024, the Public Utility Commission shall  
12           by rule or order ensure this standard level of service shall be available to the  
13           customers of all regulated electric distribution utilities. Utility tariffs shall  
14           conform to the Public Utility Commission rule or order on or before December  
15           31, 2025.

16                           \* \* \* Expansion of Public Transit Service \* \* \*

17                           \* \* \* Nonprofit Mobility Services Organizations; Car Sharing \* \* \*

18           Sec. 16. EXPANSION OF NONPROFIT CARSHARING; REPORT

19           (a) The Agency of Transportation, in consultation with existing nonprofit  
20           mobility services organizations incorporated in the State of Vermont for the  
21           purpose of providing Vermonters with transportation alternatives to personal

1 vehicle ownership, such as through carsharing, and other nonprofit  
2 organizations working to achieve the goals of the Comprehensive Energy Plan,  
3 the Vermont Climate Action Plan, and the Agency of Transportation's  
4 community engagement plan for environmental justice, shall develop a written  
5 plan to determine what programmatic elements need to be in place to allow for  
6 the expansion of carsharing in Vermont.

7 (b) At a minimum, the written plan required under subsection (a) of this  
8 section shall identify the following:

9 (1) the feasibility and desire of existing nonprofit carsharing operators to  
10 begin expanding carsharing services to Vermont municipalities through  
11 subgrant agreements and operating contracts with one or more of the  
12 following: Vermont municipalities, nonprofit organizations, and for-profit  
13 service providers;

14 (2) the development of criteria to determine where carsharing is feasible,  
15 recognizing that it will not be viable in all Vermont communities;

16 (3) how to determine the ongoing financial support necessary and  
17 financial sources available to expand and subsidize carsharing services for a  
18 minimum of three years;

19 (4) a list of potential nonprofit entities or for-profit entities, or both, that  
20 would undertake the operating responsibilities in carsharing satellite locations  
21 outside of the main service area of a nonprofit car sharing operator;

1           (5) the estimated costs for expansion of carsharing in Vermont, which  
2           shall include:

3                   (A) plug-in electric vehicle acquisition;

4                   (B) electric vehicle supply equipment;

5                   (C) vehicle operating costs;

6                   (D) administrative costs to oversee and manage a statewide  
7           carsharing program; and

8                   (E) cost to meet annual expansion goals or targets within the capacity  
9           of the nonprofit carsharing operator or operators; and

10           (6) metrics that measure costs for service, impact on carbo emission  
11           reductions, and services provided.

12           (c) The written plan required under subsection (a) of this section shall be  
13           filed with the House and Senate Committees on Transportation not later than  
14           November 15, 2024.

15           \* \* \* Mobility and Transportation Innovation (MTI) Grant Program \* \* \*

16           Sec. 17. MOBILITY AND TRANSPORTATION INNOVATION (MTI)  
17                   GRANT PROGRAM; APPROPRIATION

18           (a) Appropriation. The sum of \$750,000.00 is appropriated from the  
19           Transportation Fund to the Agency of Transportation in fiscal year 2025 for a  
20           continuation of the Mobility and Transportation Innovation (MTI) Grant

1 Program, which was created pursuant to 2020 Acts and Resolves No. 121,  
2 Sec. 16.

3 (b) Implementation. The Program shall continue to support projects that  
4 improve both mobility and access to services for transit-dependent  
5 Vermonters, reduce the use of single-occupancy vehicles, and reduce  
6 greenhouse gas emissions but shall be expanded as follows:

7 (1) Grant awards shall be made available for both capital and  
8 operational costs.

9 (2) The Agency of Transportation shall establish an early application for  
10 applicants that are seeking a grant award for a project in a rural community.  
11 The early application shall allow applicants that are seeking a grant award for a  
12 project in a rural community to have at least two months to work with the  
13 Agency of Transportation to present a grant application that, to the greatest  
14 extent practicable, shall meet any grant requirements established by the  
15 Agency of Transportation. Applicants that are seeking a grant award for a  
16 project in a rural community shall have the opportunity to resubmit an  
17 application after receiving feedback from the Agency.





1           ~~(f)(1) In fiscal year 2024 and thereafter, 50 percent of Grant Program~~  
2           ~~funds, or such lesser sum if all eligible applications amount to less than 50~~  
3           ~~percent of Grant Program funds, shall be reserved for municipalities for~~  
4           ~~environmental mitigation projects relating to stormwater and highways,~~  
5           ~~including eligible salt and sand shed projects, and the balance of Grant~~  
6           ~~Program funds shall be awarded for any eligible activity and in accordance~~  
7           ~~with the priorities established in subdivision (2) of this subsection. [Repealed.]~~

8           (2) In evaluating applications for Transportation Alternatives grants, the  
9           Agency shall give preferential weighting to projects involving as a primary  
10          feature a bicycle or pedestrian facility. The degree of preferential weighting  
11          and the circumstantial factors sufficient to overcome the weighting shall be in  
12          the complete discretion of the Agency.

13   \* \* \*

14          Sec. 20. BICYCLE AND PEDESTRIAN FACILITIES; APPROPRIATION

15          (a) In order to promote more walkable and bikeable communities, the sum  
16          of \$20,000,000.00 is appropriated from the Transportation Fund to the Agency  
17          of Transportation in fiscal year 2025 to provide grants for bicycle and  
18          pedestrian facilities projects.

19          (b) The appropriation in subsection (a) of this section shall be used to  
20          maximize grants provided to federal-aid and large-scale projects, with the

1 balance of the appropriation used for the 50 percent State portion of small-  
2 scale grant awards.

3 Sec. 21. DOWNTOWN TRANSPORTATION FUND; BETTER  
4 CONNECTIONS PROGRAM; APPROPRIATIONS

5 In order to provide additional grant support to municipalities for resiliency  
6 planning, redesign, and building of transportation infrastructure that better  
7 supports multimodal transportation, complete streets, and climate adaptation:

8 (1) the sum of \$1,000,000.00 is transferred from the Transportation  
9 Fund to the Downtown Transportation and Related Capital Improvement Fund  
10 (21575) established by 24 V.S.A. § 2796 to be used by the Vermont  
11 Downtown Development Board for the purposes of the Fund in State fiscal  
12 year 2025; and

13 (2) the sum of \$600,000.00 is appropriated from the Transportation  
14 Fund to the Agency of Transportation in fiscal year 2025 to provide grants to  
15 municipalities, which shall be required to provide a 10 percent local match,  
16 under the Better Connections Program in State fiscal year 2025.

17 Sec. 22. COMPLETE STREETS; VERMONT STATE STANDARDS

18 (a) The Agency of Transportation shall complete the following not later  
19 than July 1, 2025:

20 (1) incorporate complete streets standards that are consistent with  
21 19 V.S.A. chapter 24 into the replacement to the Vermont State Standards;

1           (2) develop a way to target funding for complete streets projects within  
2           State-designated centers under 24 V.S.A. chapter 76A;

3           (3) develop a pattern book or other design guidelines that identify best  
4           management practices to provide safer bicycle and pedestrian  
5           accommodations; and

6           (4) establish clear standard treatment guidance for providing safer  
7           bicycle facilities on State highways.

8           (b) In meeting the requirements under subsection (a) of this section the  
9           Agency of Transportation shall:

10           (1) release a draft of the replacement to the Vermont State Standards  
11           and related documents not later than January 1, 2025;

12           (2) conduct not less than five public hearings across the State  
13           concerning the replacement to the Vermont State Standards and related  
14           documents;

15           (3) provide a publicly available written explanation of the Agency of  
16           Transportation's reasons for why it decided to overrule substantial arguments  
17           and considerations raised for or against the draft of the replacement to the  
18           Vermont State Standards and related documents, as applicable; and

19           (4) consult directly with the Vermont chapter of the American  
20           Association of Retired Persons (AARP), the Vermont League of Cities and  
21           Towns, the Vermont Community Development Program within the Agency of

1 Commerce and Community Development, regional planning commissions, and  
2 Transportation for Vermonters.

3 (c) The Agency shall provide written updates on its progress in meeting the  
4 requirements under subsection (a) of this section not later than November 15,  
5 2024 and March 1, 2025.

6 Sec. 23. 23 V.S.A. § 1007 is amended to read:

7 § 1007. LOCAL SPEED LIMITS

8 (a)(1) The legislative body of a municipality may establish, on the basis of  
9 an engineering and traffic investigation, a speed limit on all or a part of any  
10 city, town, or village highway within its jurisdiction, ~~which~~ that is not:

11 (A) ~~is not more than 50 miles per hour; however, after considering~~  
12 ~~neighborhood character, abutting land use, bicycle and pedestrian use, and~~  
13 ~~physical characteristics of the highways, the legislative body of a municipality~~  
14 ~~may vote to set the maximum speed limit, without an engineering and traffic~~  
15 ~~investigation, at not more than 50 miles per hour nor less than 35 miles per~~  
16 ~~hour, on all or a portion of unpaved town highways within its boundaries,~~  
17 ~~unless otherwise posted in accordance with the provisions of this section; or~~

18 (B) ~~is not~~ less than 25 miles per hour.

19 (2) Notwithstanding subdivision (1) of this subsection, the legislative  
20 body of a municipality may, after considering neighborhood character, abutting  
21 land use, bicycle and pedestrian use, and physical characteristics of the

1 highways, vote to set the maximum speed limit without an engineering and  
2 traffic investigation at not more than 50 miles per hour or less than 35 miles  
3 per hour on all or a portion of unpaved town highways within its boundaries,  
4 unless otherwise posted in accordance with the provisions of this section.

5 (3) If the legislative body of a municipality votes to set the speed limit  
6 on all unpaved town highways in its boundaries at ~~no~~ not more than 50 miles  
7 per hour ~~nor~~ or less than 35 miles per hour as provided for in ~~subdivision (a)(1)~~  
8 ~~of this section~~ subsection, signs shall be located at points of change from one  
9 speed limit to another.

10 \* \* \*

11 (g) Notwithstanding any requirements of section 1025 of this title,  
12 ~~downtown development districts designated~~ all State-designated centers under  
13 24 V.S.A. chapter 76A may have posted speed limits of less than 25 miles per  
14 hour.

15 \* \* \* Sustainability of Vermont's Transportation System \* \* \*

16 Sec. 24. REPORT ON SUSTAINABILITY OPTIONS

17 (a) The State Treasurer, in consultation with the Agencies of  
18 Transportation and of Natural Resources and the Departments of Finance and  
19 Management, of Motor Vehicles, and of Taxes, shall develop a written  
20 proposal for new revenue sources for dedicated and ongoing funding to  
21 preserve, improve, and expand existing transportation infrastructure; to

1 develop the modernized infrastructure needed to support the widespread  
2 adoption of plug-in electric vehicles and electric vehicle supply equipment;  
3 and to mitigate environmental and health impacts of the transportation sector in  
4 Vermont.

5 (b) At a minimum, the written plan required under subsection (a) of this  
6 section shall address the feasibility of the following:

7 (1) Vermont participating in regional or cap and invest program, such as  
8 the Transportation and Climate Initiative (TCI) Program or the Western  
9 Climate Initiative (WCI), or a cap and reduce program;

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

13 (3) Vermont implementing a tax or fee for on-delivery services or  
14 vehicles for hire, or both.

15 (c) The written plan shall include an estimate of the amount of revenue to  
16 be generated from each proposed revenue source analyzed under subsection (b)  
17 of this section and a summary of how assessment of the proposed revenue  
18 source analyzed under subsection (b) will be administered, collected, and  
19 enforced.

1       (d) The written plan shall also include a legislative proposal to implement  
2       each of the proposed revenue sources analyzed under subsection (b) of this  
3       section that the State Treasurer determines is a viable revenue source.

4       (e) The State Treasurer shall file the written plan required under subsection  
5       (a) of this section with the House and Senate Committees on Transportation,  
6       the House Committee on Ways and Means, and the Senate Committee on  
7       Finance not later than November 15, 2024.

8       (f) The State Treasurer shall retain a consultant, as necessary, to develop  
9       the written plan required under subsection (a) of this section.

10       (g)(1) If the costs of the consultant that may be required under subsection  
11       (f) of this section are eligible expenditures under the U.S. Environmental  
12       Protection Agency's (EPA) Climate Pollution Reduction Grants (CPRG)  
13       program, then the sum of \$100,000.00 is appropriated from the \$3,000,000.00  
14       that the State was awarded by the EPA under the EPA's CPRG program to the  
15       State Treasurer in fiscal year 2025 to cover the costs of the consultant that may  
16       be required under subsection (f) of this section.

17       (2) If the costs of the consultant that may be required under subsection  
18       (f) of this section are not eligible expenditures under the EPA's CPRG  
19       program, then the State Treasurer shall consult with the Vermont Climate  
20       Action Office and the Agency of Transportation on whether the costs of the



1 consultant that may be required under subsection (f) of this section are eligible  
2 for other federal grant funds.

3 \* \* \* Effective Date \* \* \*

4 Sec. 25. EFFECTIVE DATE

5 This act shall take effect on July 1, 2024.