



VERMONT LEGISLATIVE
Joint Fiscal Office

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Fiscal Note

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H.868 – An act relating to fiscal year 2025 Transportation Program and miscellaneous changes to laws related to transportation

As Passed by the General Assembly

Bill Summary

The fiscal year 2025 Transportation Bill (H.868) adopts and amends Vermont’s annual Transportation Program. It contains numerous statutory amendments and funding authorizations related to transportation. The funding authorizations included in H.868 are subject to appropriations in the fiscal year 2025 appropriations bill. H.868 would also authorize the implementation of a new fee on battery electric and plug-in hybrid electric vehicles registered as pleasure cars. It would dedicate these revenues to increasing Vermonters’ access to electric vehicle supply equipment.

Fiscal Impact

The Joint Fiscal Office (JFO) estimates this bill would increase State revenues to the Transportation Fund by \$600,000 in fiscal year 2025 and \$1.7 million in fiscal year 2026.

Details on Sections with Fiscal Impact

Sec. 16 – Emergency Waivers of Certain Right-of-Way Access Permit Application Fees

This section proposes to amend 19 V.S.A. § 1112 to grant the Secretary of the Agency of Transportation (AOT) the authority to waive the \$250 application fee for a right-of-way access permit for a minor commercial development if the Governor has declared a state of emergency under 20 V.S.A. chapter 1 and the Secretary determines that the applicant is facing hardship. The applicant must have applied for the permit during or within six months after the state of emergency.

Given the variability and subjectivity of some of the requirements, JFO cannot determine the exact fiscal impact of this proposed amendment. However, because of the nature of the prerequisites and the limited pool of viable applicants, i.e. minor commercial developments facing hardship during or shortly after a state of emergency, any fiscal impact associated with this proposed amendment is likely to be de minimis.

Section 35: Transportation Funding Study

This section would require AOT to conduct a transportation funding study to determine the viability of alternative transportation funding sources in Vermont. AOT would contract with a third party consultant with expertise in transportation funding and finance at a cost of up to \$100,000. The consultant would be required to consider and evaluate current transportation funding in Vermont; future trends that will impact the multimodal transportation system; funding options and alternative solutions employed by other states; and

how a mileage-based user fee could, along with other funding mechanisms, provide sustainable funding. The consultant would provide a report with transportation revenue projection scenarios through 2030, including new sources. AOT would be required to provide the House and Senate Committees on Transportation, the House Committee on Ways and Means, and the Senate Committee on Finance with a written update on the work, and a draft of the final report if available, on or before December 15, 2024. AOT would be required to submit the final report to those same committees on or before January 15, 2025.

The cost of the study would be absorbed by AOT's fiscal year 2025 budget. While the study is intended to provide the General Assembly with recommendations for future funding options, neither it nor the remainder of Section 35 would directly impact State revenues.

Sec. 36 – Electric Vehicle Infrastructure Fee

This section proposes to enact an annual electric vehicle (EV) infrastructure fee for pleasure cars that are battery electric vehicles (BEV) or plug-in hybrid electric vehicles (PHEV). This fee would be levied in addition to the standard pleasure car registration fee and would be due at the time of registration. The amount of the fee would differ based on whether the vehicle is a BEV or PHEV to reflect the difference in gasoline consumption between the two types of vehicles. BEVs, being fully electric, pay no gasoline taxes and would be subject to a fee equal to the one-year registration fee (\$89). In the case of a biannual registration, the fee would be equal to two times the one-year registration fee (\$178). PHEVs, which use a combination of gasoline and electric power, would be subject to a fee equal to one-half the annual registration fee (\$44.50). In the case of a biannual PHEV registration, the fee would be equal to the one-year registration fee (\$89).

The fee would take effect on January 1, 2025. Using current AOT forecasts for electric vehicle adoption rates, JFO estimates that the fee would generate \$600,000 in fiscal year 2025 and \$1.7 million in fiscal year 2026 for the Transportation Fund. Revenue would be used to increase Vermonters' access to electric vehicle supply equipment. The fee on BEVs would be repealed upon the implementation of a mileage-based user fee (MBUF) on BEVs.