

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**MEMORANDUM**

FOR: Chair Phyllis J. Randall and Members
Governance and Personnel Committee

FROM: Monica Backmon, Executive Director
Tracy Baynard, McGuireWoods Consulting LLC.

DATE: February 5, 2021

SUBJECT: 2021 Virginia General Assembly Update

Purpose: To provide the Governance and Personnel Committee with a report of the ongoing 2021 General Assembly Session.

In the accelerated session the next key deadlines:

- Friday, February 5th Crossover for all bills except the budget bills
- Sunday, February 7th Money Committees complete work on their budget bills
- Thursday, February 11th Sine Die
- Governor Northam has called the General Assembly into Special Session starting February 10, 2021

Bills Supported by the Authority

- SB 1271 (McPike) Codifies ability of public bodies and related joint meetings to be held electronically in states of emergency – **passed Senate**
- HB 1903 (Carr) Permits localities to lower speed limits below 25 mph but not lower than 15 mph – **passed House**

Authority Funding

- The hospitality industry of Hampton Roads and the state association sent letters to Governor Northam, Secretary Valentine, Delegate Torian and Senator Howell calling for the repeal or significant delay of the 2020 TOT increases approved for Northern Virginia and Hampton Roads

Transportation and Climate Change

The General Assembly is considering a number of bills that examine the role the transportation sector has in carbon emissions, climate change or Virginia's ability to meet its greenhouse gas (GHG) emission goals. The bills seek to:

- Advance electrification of the transportation system infrastructure
- Affirm that transportation is the largest producer of GHG and 50% of carbon emissions in Virginia

- Affirm the burden of emission pollutions is mostly borne by low-income communities and communities of color
- Affirm carbon and GHG emissions as a health crisis
- Advocate for reductions in vehicle miles travelled and less auto-centric transportation solutions
- Expand access to and use of electronic powered vehicles

Status of bills the Authority is monitoring:

- HB 1850 (Reid) Increase allowed weight limits for electric battery powered vehicles; **Passed House**
- HB 1979 (Reid) Creates and Electric Vehicle Rebate Program; **Reported from committee**
 - Program starts January 1, 2022; expires January 1, 2027
 - Creates an Advisory Council to work with the Department of Mines, Minerals and Energy to develop guidelines and administer the program
 - Provides a \$2500 rebate for new EV purchase with a base price of no more than \$55,000; an enhanced rebate of \$4500 for resident households not exceeding 300% of the state poverty guidelines
 - Provides a \$2500 rebate for purchase of used EV valued at no more than \$25,000; an enhanced rebate of \$3000 for resident household does not exceed 300% of the state poverty guidelines
 - Rebate is provided to the auto dealer
 - Proposed budget amendment for \$5 million proposing to use revenue from expiring coal related tax credits
- HB 2118 (Keam) Creates a grant program for electric school bus purchase; **Reported from committee**
 - Provides no funding but creates a fund to receive any funding dedicated to this purpose; some thought that a federal infrastructure bill will provide funding
- SB 1223 (Boysko) Adds transportation system electrification initiatives to the Virginia Energy Plan; **Passed Senate**
- Create a process to adopt statewide vehicle emission standards
 - HB 1965 (Bagby) Set low and zero emission state vehicle standards; **Passed House**
 - When implemented auto manufacturers must provide 8% of their electric vehicles to Virginia auto dealers starting with the 2025 model year
 - Biggest concerns expressed centered around sufficiency of charging infrastructure, rebates or grants to assist with costs and availability of sufficient electric energy
 - SB 1284 (Favola) Sets out specific tasks reducing GHG in order to reach net zero-emissions by 2045 for all sectors including transportation **Reported from committee**
- Add resiliency as a factor in Virginia's long range transportation plan and design of transportation projects
 - HB 2071 (Convirs-Fowler) **Passed House** /SB 1350 (Lewis) **Reported from committee**

- Equity and environmental justice awareness – **Both bills have passed committee**
 - HB 2074 (Simonds) /SB 1318 (Hashmi) Creates an executive branch inter-secretariat work group on environmental justice with first year focus on air quality monitoring practices and requires analysis for any expenditure over \$1million
 - The provisions of the bill expire July 1, 2031
 - Local governments and land use stakeholders still have concerns about provisions in HB 2074 related to changes to comprehensive plans that occur more frequently than the 5-year update.
- Study of Interest
 - HJR 542 (McQuinn) Study transit equity and modernization; waiting resolution of \$500,000 General Fund request – **passed House**
 - Study is a priority of the Virginia Legislative Black Caucus
 - Directs DRPT to conduct a two-year study with an interim report due by end of 2021
 - Will require participation of local transit agencies who receive state funds
 - Requires completing a needs assessment focusing on equitable delivery of transit services
 - Particularly looking at
 - Transit accessibility
 - Adequacy of transit infrastructure
 - Implementation of emerging technology
 - Transit safety
 - Transit system engagement

Regional Transportation Entities

- HB 1910 (Cole, J.) Creates a Fredericksburg Regional Transportation Improvement Committee – **Failed**
 - The revised bill created regional opposition over the requirement that all localities join the Committee and concerns and confusion over relationship between the new Committee and existing regional transportation planning activities
 - Key provisions in the revised bill
 - Includes all localities in Planning District 16
 - Local government led board with ex-officio seats for VDOT Commissioner, DRPT Director, VRE Director
 - Develop a regional transportation plan that is updated every 5 years in consultation with the Commonwealth Transportation Board (CTB), VDOT, DRPT and the Office of Intermodal Planning and Investment
 - Revised language for HB 1910 requires strategies to reduce carbon emissions and to reduce auto dependency via intraregional transit along with the more traditional strategies for transit, multimodal, congestion reduction, etc. be part of a regional transportation plan
 - Must prioritize projects consistent with Smart Scale

- Prior to adopting the regional plan, the Committee shall consult with CTB regarding the interplay of the state and regional plans and ensure the plan reflects the CTB input
- Requires submitting an interim plan to the Secretary by July 1, 2022 and a final plan by July 1, 2023
- Contains significantly more state oversight/involvement than the Authority or HRTAC

Attachment.

| Bill # | Labels | Title | Description | Amendments | Patron | Last Action | Last Action Date | Status |
|-------------------------|---------------------------|---|---|------------|---------------|--|------------------|----------------------|
| HB 1931 | FOIA and Virtual Meetings | "Virginia Freedom of Information Act; public body authorized to conduct electronic meetings." | "Virginia Freedom of Information Act; electronic meetings. Authorizes a public body to conduct through electronic communication means a meeting for which, on or before the day of the meeting, a member of the public body holding the meeting notifies the chair that such member is unable to attend the meeting due to a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance. The bill also clarifies that participation in an electronic meeting by a member of a public body due to the inability to attend because of a personal matter is limited each calendar year to two such meetings, which is current law, or 25 percent of the meetings held that calendar year rounded up to the next whole number, whichever is greater. This bill is a recommendation of the Virginia Freedom of Information Advisory Council." | None | Mark Levine | Senate: Referred to Committee on General Laws and Technology | Jan 27, 2021 | Passed First Chamber |
| HB 2000 | FOIA and Virtual Meetings | "Virginia Freedom of Information Act; charges for production of public records." | "Virginia Freedom of Information Act; charges for production of public records. Prohibits a public body from charging a requester for any costs incurred during the first two hours spent accessing or searching for requested records when such requester has made four or fewer individual records requests to such public body within 31 consecutive days. The bill provides that for any additional time spent accessing or searching for such records, or when such requester makes five or more individual records requests to such public body within any 31-consecutive-day period, the public body shall not charge an hourly rate for accessing or searching for the records exceeding the lesser of the hourly rate of pay of the lowest-paid individual capable of fulfilling the request or \$33 per hour. The bill also requires public bodies to post on their website or otherwise publish a written policy (a) explaining how the public body assesses charges for accessing or searching for requested records and (b) noting the current fee charged, if any, by the public body for accessing and searching for the requested records." | None | Danica Roem | House: Tabled in General Laws (22-Y 0-N) | Jan 19, 2021 | Failed |
| SB 1271 | FOIA and Virtual Meetings | "Virginia Freedom of Information Act; meetings held through electronic communication means." | "Virginia Freedom of Information Act; meetings held through electronic communication means during a state of emergency. Allows a public body, or a joint meeting thereof, to meet by electronic communication means without a quorum of the public body physically assembled at one location when a locality in which the public body is located has declared a local state of emergency, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to provide for the continuity of operations of the public body or the discharge of its lawful purposes, duties, and responsibilities. Under current law, public bodies may only meet in such manner when the Governor has declared a state of emergency, and only for the purpose of addressing the emergency. Finally, the bill requires public bodies meeting through electronic communication means during a local or state declaration of a state of emergency to (a) make arrangements for public access to such meeting through electronic communication means, including videoconferencing if already used by the public body, and (b) provide the public with the opportunity to comment at such meetings when public comment is customarily received." | None | Jeremy McPike | House: Referred to Committee on General Laws | Feb 02, 2021 | Passed First Chamber |
| HB 1828 | NVTA Funding | "Commissioner of DMV; powers and duties during a declared state of emergency." | "Commissioner of the Department of Motor Vehicles; powers and duties. Authorizes the Commissioner of the Department of Motor Vehicles, for the duration of a declared state of emergency and for up to 90 days after it has been rescinded or expires, to (i) extend the validity or delay the cancellation of driver's licenses, special identification cards, and vehicle registrations; (ii) extend the time frame during which a driver improvement clinic or payment plan may be completed; (iii) extend the maximum number of days of residency permitted before a new resident must be licensed in Virginia to operate a motor vehicle in the Commonwealth; and (iv) extend the time frame during which a new resident may operate a motor vehicle in the Commonwealth that has been registered in another jurisdiction before registering the vehicle in the Commonwealth." | None | Danica Roem | Senate: Referred to Committee on Transportation | Jan 27, 2021 | Passed First Chamber |
| HB 2245 | NVTA Funding | "Transportation; revenues dedicated as of July 1, 2020, shall not be redirected." | "Use of transportation funds. States that it is the policy of the Commonwealth that revenues dedicated to transportation purposes shall not be used or redirected for any nontransportation-related purpose. Any attempt to repurpose funds dedicated to transportation as of July 1, 2020, shall be deemed invalid and shall not be effectuated." | None | Dave LaRock | House: Subcommittee recommends passing by indefinitely (6-Y 4-N) | Jan 26, 2021 | Failed |

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|-------------------------|-------------------------------------|---|---|--|-----------------|--|------------------|---|
| HB 1910 | Regional Transportation Authorities | "Regional transportation authorities; creation." | "Creation of regional transportation authorities. Authorizes two or more adjacent counties or cities to form a regional transportation authority to engage in regional transportation projects. The bill sets forth the procedures for forming such authority and determining the membership of its governing board. Ordinances adopted by each member of such authority would set forth the local taxes, fees, and revenues to be contributed by each locality to such authority." | The substitute establishes a regional transportation improvement committee for the Fredericksburg metropolitan area that would function similarly to the I-81 Corridor Improvement Committee. This committee will develop plans to reduce traffic congestion, increase transit access, improve environmental quality, and advocate for multimodal travel solutions. It lays the groundwork to establish a regional transportation authority. Key provisions: Includes all localities in Planning District 16; Local government-led board with ex-officio seats for VDOT Commissioner, DRPT Director, VRE Director; Develop a regional transportation plan that is updated every 5 years in consultation with the Commonwealth Transportation Board (CTB), VDOT, DRPT, and the Office of Intermodal Planning and Investment; Must prioritize projects consistent with Smart Scale; Prior to adopting the regional plan, the Committee shall consult with CTB regarding the interplay of the state and regional plans and ensure the plan reflects the CTB input ; Requires submitting an interim plan to the Secretary by July 1, 2022 and a final plan by July 1, 2023 | Josh Cole | House: Subcommittee recommends reporting with substitute (9-Y 1-N) | Jan 28, 2021 | Still in House Transportation Committee |
| HB 1903 | Safety | "Local government; authority to reduce the speed limit in a business district or residence district." | "Local government authority; reduction of speed limits. Authorizes local governing bodies to reduce the speed limit to less than 25 miles per hour, but not less than 15 miles per hour, in a business district or residence district." | None | Betsy Carr | Senate: Referred to Committee on Transportation | Jan 20, 2021 | Passed First Chamber |
| HJ 536 | Studies | "Remote sales and use tax distribution to localities; JLARC to study." | "Study; JLARC; remote sales and use tax distribution to localities; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study the distribution of remote sales and use taxes to localities. JLARC shall determine whether current practices are distributing the proper amount of revenue to each locality and recommend to the General Assembly any changes needed to improve the system." | None | Martha Mugler | House: Subcommittee recommends laying on the table (5-Y 0-N) | Jan 22, 2021 | Failed; Auditor of Public Accounts to study |
| HJ 542 | Studies | "Transit equity and modernization; Department of Rail and Public Transportation to study." | "Study; Department of Rail and Public Transportation; transit equity and modernization; report. Requests the Department of Rail and Public Transportation to conduct a two-year study of transit equity and modernization in the Commonwealth." | A substitute adds transit electrification to the list of items DRPT will study. It also adds a phrase stating that while conducting the study, the Department will place particular emphasis on transit services and engagement opportunities for underserved populations. It also changes the timeline of the study so that an initial report will be due December 2021 and a final report in August 2022. | Delores McQuinn | Senate: Referred to Committee on Rules | Feb 3, 2021 | Passed First Chamber |
| HB 1850 | Transportation & Climate | "Motor vehicle weight limits; vehicles powered primarily by electric battery power, etc." | "Motor vehicle weight limits; vehicles powered primarily by electric battery power or fueled primarily by natural gas. Authorizes motor vehicles powered primarily by means of electric battery power to exceed relevant weight limits by 2,000 pounds, provided that such weight is on the power unit and such weight does not exceed 82,000 pounds on an interstate highway. The bill also changes the weight exemption for motor vehicles fueled primarily by natural gas on an interstate highway from the difference between the weight of the natural gas tank and fueling system and a comparable diesel tank and fueling system to up to an additional 2,000 pounds, provided that such weight is on the power unit and does not exceed 82,000 pounds." | Technical amendments | David Reid | Senate: Referred to Committee on Transportation | Jan 20, 2021 | Passed First Chamber |
| HB 1965 | Transportation & Climate | "State Air Pollution Control Board; low-emissions and zero-emissions vehicle program." | "State Air Pollution Control Board; low-emissions and zero-emissions vehicle program. Directs the State Air Pollution Control Board to implement a low-emissions and zero-emissions vehicle program for motor vehicles with a model year of 2025 and later. Regulations adopted by the Board to implement the program are exempt from the Administrative Process Act and shall not become effective prior to January 1, 2024. The bill also authorizes the State Corporation Commission to exclude sales related to such vehicles from certain energy efficiency calculations." | An enactment clause added to the end of the bill states that the State Corporation Commission may exclude energy jurisdictional retail sales related to zero-emission vehicles and hybrid electric vehicles from energy jurisdictional retail sales calculated pursuant to § 56-596.2 of the Code of Virginia. This amendment was added at the request of utilities to make sure nothing in this bill complicates their planning and requirements for demand-side management. | Lamont Bagby | Senate: Referred to Committee on Agriculture, Conservation and Natural Resources | Feb 02, 2021 | Passed First Chamber |
| HB 1979 | Transportation & Climate | "Electric vehicle rebate program; creation and funding, report." | "Electric vehicle rebate program; creation and funding; report. Creates a rebate program for the purchase or lease of new and used electric vehicles, to be administered by the Department of Mines, Minerals and Energy. A purchaser or lessee of an electric vehicle would receive a \$2,500 rebate at the time of purchase, and a purchaser or lessee with an annual household income that does not exceed 300 percent of the federal poverty level would be entitled to an additional \$2,000 rebate. The motor vehicle dealer where the vehicle is purchased or leased would receive a refund for the amount of the rebate and a \$50 incentive payment for each rebate processed. Funds would be allocated from the revenues generated by the sunset of the Virginia Coal Employment and Production Incentive Tax Credit and the Coalfield employment enhancement tax credit and prohibit the allocation of new credits on and after January 1, 2021. The bill also establishes an Electric Vehicle Rebate Advisory Council to oversee the Electric Vehicle Rebate Program and to make recommendations regarding its implementation. The Director of the Department of Mines, Minerals and Energy is required to report annually to the Governor and the General Assembly regarding the Program. The Program will expire on September 1, 2026." | A substitute was agreed to which adds three legislative members to the Electric Vehicle Rebate Advisory Council. There was a desire to maintain some legislative influence because of the amount of oversight authority granted to this body. Amendments were adopted in full committee which would equalize the value of the rebate for used and new electric vehicles; remove the \$50 dealer incentive; advance the effective dates; remove the plug-in electric vehicles from the substitute; clarify that the Department can either increase or decrease the rebate in line with the Advisory Council's advice; and fix technical errors. | David Reid | House: Read first time | Feb 3, 2021 | On House Floor |

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| HB 2071 | Transportation & Climate | "Transportation funding; statewide prioritization process, resiliency." | "Transportation funding; statewide prioritization process; resiliency. Adds resiliency, defined in the bill, to the list of factors to be considered during the statewide transportation funding prioritization process commonly known as SMART SCALE. The bill also requires that the factors of congestion mitigation, economic development, accessibility, safety, resiliency, and environmental quality be considered relative to the anticipated life-cycle cost of the project or strategy under consideration." | A substitute removes the part of the bill which added resiliency to the evaluation criteria of SMART SCALE. There are no modifications to the Smart Scale section of the code. It proved to be difficult to quantify resiliency in the same ways as other criteria. There will be information about resiliency provided to members of the CTB on the score card, but it will not be used as one of the benefit criteria when a project is scored. There were also some other provisions about VDOT design standards and ensuring resiliency is appropriately considered in the Commonwealth's long-range plan. | Kelly Convors-Fowler | Senate: Referred to Committee on Transportation | Feb 1, 2021 | Passed First Chamber |
| HB 2074 | Transportation & Climate | "Environmental justice; interagency working group." | "Environmental justice; interagency working group. Establishes the Interagency Environmental Justice Working Group as an advisory council in the executive branch of state government to further environmental justice in the Commonwealth and directs each of the Governor's Secretaries to designate at least one environmental justice coordinator to represent the secretariat as a member of the Working Group. The bill directs the Working Group to focus its work during its first year on the environmental justice of current air quality monitoring practices in Virginia and provides that the Working Group shall expire on July 1, 2031." | A substitute removed language from the bill regarding community involvement processes and public notice related to permitting because it's covered in another piece of legislation introduced by Delegate Hayes. A clarifying line amendment was also agreed to. Another substitute directs environmental justice policies to be developed at the secretariat level rather than the agency level. The original bill also required an impact analysis of any environmental, economic development, infrastructure, or transportation project undertaken by agencies that were in excess of \$500k. The substitute raises that project threshold to \$1M. It also adds an additional year for the development of strategies and loosens requirements for the air quality monitoring study to be conducted by the Working Group. | Shelly Simonds | House: Read first time | Feb 3, 2021 | On House Floor |
| HB 2118 | Transportation & Climate | "Electric Vehicle Grant Fund and Program; creation, report." | "Electric Vehicle Grant Fund and Program; creation; report. Requires the Department of Environmental Quality to establish the Electric Vehicle Grant Program (the Program) for the purpose of (i) awarding grants on a competitive basis to school boards for (a) assisting with the complete replacement of existing diesel school buses with electric school buses no later than 2031; (b) the implementation of recharging infrastructure or other infrastructure needed to charge or maintain such electric school buses; and (c) workforce development and training to support the maintenance, charging, and operation of such electric school buses and (ii) developing education outreach to promote the Program. The bill contains provisions relating to grant applications, priority, awards, and uses. The grants would be funded from a \$0.05 per gallon tax on dyed diesel fuel. Farmers would be eligible for a refund of the tax for dyed diesel fuel used for agricultural or horticultural purposes. The bill has an expiration date of July 1, 2031." | Delegate Keam's original bill would have created the Electric Vehicle Grant Fund, established a tax to raise revenue for the fund, and devoted money from the fund to projects related to electric vehicles. The substitute removes the tax portion from the bill entirely and eliminates any state revenue dedicated to the fund. With this substitute, a state electric vehicle fund will still be created and a stakeholder workgroup led by DEQ will convene to identify future spending priorities for the fund for when money eventually comes in. A second substitute specifies that no state funds will be spent until other funds are made available. An amendment to give DEQ a more flexible timeline for establishing the workgroup was agreed to as well as an amendment to remove some superfluous language. | Mark Keam | House: Engrossed by House - committee substitute HB2118H1 | Feb 3, 2021 | On House Floor |
| HB 2282 | Transportation & Climate | "State Corporation Commission; transportation electrification, utility recovery of certain costs." | "State Corporation Commission; transportation electrification; utility recovery of certain costs; report. Directs the State Corporation Commission (Commission) to report on policy proposals to accelerate transportation electrification in the Commonwealth. The bill requires the Commission to submit, no later than May 1, 2022, a report to the General Assembly recommending policy proposals that could govern public electric utility programs to accelerate widespread transportation electrification in the Commonwealth. The bill requires the Commission to utilize a public process, facilitated by a third party with expertise in transportation electrification, in which the Commission, the Department of Environmental Quality, the Department of Mines, Minerals and Energy, the Department of Transportation, and appropriate stakeholders participate. The bill requires that the Commission, in developing its policy recommendations, evaluate (i) areas where utility or other public investment may best complement private efforts to effectively deploy charging infrastructure, with particular focus on low-income, minority, and rural communities; (ii) how smart growth policies can complement and enhance the Commonwealth's transportation electrification goals; (iii) how utility programs, investments, or incentives to customers or third parties to facilitate the deployment of charging infrastructure and related upgrades can support or enhance (a) statewide transportation electrification, including electrification of public transit; (b) the electrification of medium-duty and heavy-duty vehicles, school buses, vehicles at ports and airports, personal vehicles, and vehicle fleets; (c) increased access to electric transportation and improved air quality in low-income and medium-income communities; (d) achievement of existing energy storage targets; (e) improvements to the distribution grid or to specific sites necessary to accommodate charging infrastructure; and (f) customer education and outreach programs that increase awareness of such programs and the benefits of transportation electrification. The bill requires that the report also address whether and how transportation electrification can, under current law, (a) reduce total ratepayer rates and costs; (b) assist in grid management and more efficient use of the grid, in a manner that does not increase peak demand, through time-of-use rates, managed charging programs, vehicle-to-grid programs, or other alternative rate designs; (c) utilize increased generation from renewable energy resources; and (d) reduce fueling costs for vehicles. The bill requires that, to the extent that the Commission and stakeholders conclude that transportation electrification cannot currently deliver these benefits, the report include public policy recommendations." | None | Rip Sullivan | Senate: Referred to Committee on Commerce and Labor | Feb 1, 2021 | Passed First Chamber |

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|-------------------------|--------------------------|--|---|---|-----------------|--|------------------|----------------------|
| SB 1223 | Transportation & Climate | "Virginia Energy Plan; amends Plan to include an analysis of electric vehicle charging infrastructure" | "Transportation electrification; Virginia Energy Plan. Amends the Virginia Energy Plan to include an analysis of electric vehicle charging infrastructure and other infrastructure needed to support the 2045 net-zero carbon target in the transportation sector." | None | Jennifer Boysko | House: Referred to Committee on Labor and Commerce | Feb 02, 2021 | Passed First Chamber |
| SB 1282 | Transportation & Climate | "Greenhouse gas emissions inventory; regulations." | "Greenhouse gas emissions inventory; regulations. Directs the Department of Environmental Quality to conduct a statewide baseline and projection inventory of all greenhouse gas emissions and to update such inventory every four years. The bill requires that the inventory be published and included in the annual report of the State Air Pollution Control Board. The bill also authorizes the Board to adopt regulations, to become effective no later than January 1, 2022, necessary to collect data needed to conduct, update, and maintain the inventory." | A substitute removes the second enactment clause - the Administrative Process Act exemption language. It also adds a new paragraph to provide clarity regarding the protection of proprietary information. | Joe Morrissey | Senate: Constitutional reading dispensed (39-Y 0-N) | Feb 3, 2021 | On Senate Floor |
| SB 1284 | Transportation & Climate | "Commonwealth Clean Energy Policy; established." | "Commonwealth Clean Energy Policy. Establishes the Commonwealth Clean Energy Policy, replacing the Commonwealth Energy Policy. The bill sets out the energy policy and objectives of the Commonwealth Clean Energy Policy, which include: (i) the Commonwealth recognizes that effectively addressing climate change and enhancing resilience will advance the health, welfare, and safety of the residents of the Commonwealth and that addressing climate change requires reducing greenhouse gas emissions across the Commonwealth's economy sufficient to reach net-zero emission by 2045 in all sectors, including the electric power, transportation, industrial, agricultural, building, and infrastructure sectors; (ii) the Commonwealth recognizes the need to promote environmental justice and ensure that it is carried out throughout the Commonwealth and the need to address and prevent energy inequities in historically economically disadvantaged communities; and (iii) the Commonwealth must continue to prioritize economic competitiveness and workforce development in an equitable manner." | A substitute focuses on the clean energy policy section of the bill. The most significant change is the inclusion of the sentence: "Nothing in this section shall preclude reliable access to electricity and natural gas during the transition to renewable energy." This statement alleviates the concern regarding projects currently underway that would deliver natural gas. | Barbara Favola | Senate: Constitutional reading dispensed (39-Y 0-N) | Feb 3, 2021 | On Senate Floor |
| SB 1318 | Transportation & Climate | "Interagency Environmental Justice Working Group; established, report." | "Environmental justice; interagency working group. Establishes the Interagency Environmental Justice Working Group as an advisory council in the executive branch of state government to further environmental justice in the Commonwealth and directs each of the Governor's Secretaries to designate at least one environmental justice coordinator to represent the secretariat as a member of the Working Group. The bill provides that the Working Group shall expire on July 1, 2031." | A substitute removed the section of the bill which defined state agency responsibilities. This removed the fiscal impact for this biennium. The legislation now focuses on creating and maintaining the Working Group. | Ghazala Hashmi | Senate: Constitutional reading dispensed (37-Y 0-N) | Feb 3, 2021 | On Senate Floor |
| SB 1350 | Transportation & Climate | "Transportation funding; statewide prioritization process, resiliency." | "Transportation funding; statewide prioritization process; resiliency. Adds resiliency, defined in the bill, to the list of factors to be considered during the statewide transportation funding prioritization process commonly known as SMART SCALE. The bill also requires that the factors of congestion mitigation, economic development, accessibility, safety, resiliency, and environmental quality be considered relative to the anticipated life-cycle cost of the project or strategy under consideration." | A substitute does not actually fully incorporate resiliency into SMART SCALE, but provides other factors to ensure that state projects take resiliency into account. The legislation requires resiliency be listed among other things when preparing and presenting a six-year plan. It also requires the state to consider resiliency when developing its statewide transportation plan, which it does every four year. It also directs the Commissioner of Highways to ensure resiliency is incorporated into design standards for new construction projects. | Lynwood Lewis | Senate: Constitutional reading dispensed (37-Y 0-N) | Feb 3, 2021 | On Senate Floor |
| SB 1364 | Transportation & Climate | "Commonwealth Transit Ridership Fund; created." | "Commonwealth Transit Ridership Fund; creation. Creates the Commonwealth Transit Ridership Fund as a component of the Transportation Trust Fund to pay for free and reduced public transit fares throughout the Commonwealth. Any revenues generated by the retail sale of marijuana and marijuana products is deposited into the Fund. The bill does not become effective unless the retail sale of marijuana and marijuana products is legalized." | None | John Cosgrove | Senate: Stricken at request of Patron in Transportation (14-Y 0-N) | Jan 21, 2021 | Stricken by Patron |