

**Report of the
Public Transportation Task Force
To the
Chittenden County Metropolitan Planning
Organization Board**

November 2004

Public Transportation Task Force Members

Bill Keogh, Chair: CCMPO Board representative from Burlington, Burlington City Councilor, and Member, Vermont House of Representatives

Dave Davis, Vice-Chair: CCTA Board Chair and representative from Shelburne

Tim Baechle: IBM representative

John Barbour: Executive Director, Champlain Valley Area Agency on Aging

Murray Benner: Executive Director, Special Services Transportation Agency (SSTA)

Katie Camardo: Vermont Teddy Bear Company and Vermont Businesses for Social Responsibility

Virginia Clarke: CCMPO Board representative, Richmond

Marc Landry: CCMPO Board representative and Colchester Selectboard

Mike O'Brien: CCMPO Board representative and Winooski City Councilor

Bob Penniman: Campus Area Transportation Management Association [UVM, FAHC, Champlain College and American Red Cross]

Bill Rose: Transportation Planner, Northwest Regional Planning Commission (representing the Inter-regional Public Transit Working Group)

Ben Truman: CCTA Board representative, Burlington

Bill Wessell: CCTA Board representative, South Burlington

Lynn Whalen: Disability Community Representative: Board member, Champlain Vocational Services, and member, Eligibility Committee for the Attendant Services Program of the Vermont Department of Aging & Disabilities

Report of the Public Transportation Task Force to the Chittenden County Metropolitan Planning Organization Board

RECOMMENDATIONS

Goal: To support a climate for expanding public transportation services.

- 1. Objective:** Decrease the reliance on the local property tax.

Task:

1.1 Establish a working group of VPTA, VAPDA, VLCT and VTrans to help shape a policy plan that would limit the percentage of local property taxes required for match on certain routes.

1.2 Develop legislation to accomplish the goals of the policy plan.

Timeline:

Beginning in the fall of 2004 completed for 2006 legislative session

- 2. Objective:** Develop a Demand Response system in non-CCTA Chittenden county towns

Tasks:

2.1 Establish a Public Transportation Committee of the CCMPO comprised of providers, users and municipal representatives in line with the October 1, 2004 VTrans guidance.

2.2 Develop an inventory of public transportation services being provided in each Chittenden county municipality.

2.3 Develop an inventory of unmet public transportation needs in Chittenden County in line with the "United We Ride" requirements.

2.4 Review CCTA's current Short Range Transit Plan to determine what changes need to be made to establish a successful service plan for a demand response system in non CCTA Chittenden county towns and its price tag.

2.5 Work with CCTA and SSTA to develop a stronger demand response system.

Timeline:

Task 2.1 completed by March 2005

Task 2.2 completed by April 2005

Task 2.3 completed by September 2005

Task 2.4 completed by September 2005

Task 2.5 begin in October, 2004 and ongoing

3. Objective: Continue to showcase the faces of public transportation

Tasks:

3.1 Regularly place articles describing the transportation needs of our social policies of aging in place, welfare to work and the equal access for those with disabilities as well as the needs of our region for economic development. Articles could be about a senior, an employer (Clausen's example), a disabled employee and a choice commuter.

3.2 Keep e-newsletter database fresh – send out copies of these articles.

Timeline:

Begin in November 2004 and on-going.

Considerations

A number of factors need to be considered when reviewing the work plan and timeline.

1. CCTA, through GMTA will be providing service to Washington, Lamoille, Addison, Franklin and Chittenden County by April, 2005.
2. CMAQ funding for the Montpelier Link Express ends in SFY 07. The SFY 07 budget will be put together in the summer/fall of 2005.
3. Federal requirements around the 5310 program provide us with a unique opportunity to gain broader support for an expansion of service in non-CCTA Chittenden county towns.
4. Federal requirements to analyze unmet needs in the state will most likely result in a demonstration that greater public transportation services are needed statewide.
5. The state's requirement of a local public transportation advisory committee could serve as a vehicle for most of these activities.

BACKGROUND INFORMATION

In April, 2003 the CCMPO formed a Task Force to begin implementing the recommendations of several public transportation studies commissioned by CCMPO, CCTA, and the State of Vermont over the past five years.

The Task Force's mission was to assist in the implementation of the public transportation portion of the CCMPO Metropolitan Transportation Plan for 2025, the CCTA Short Range Transit Plan, and the Transit Funding Report made to the Vermont Legislature in January 2003 to improve economic development, improve mobility, and improve the quality of life of those who live, work, and recreate in the region.

The Task Force, formed in January 2004, worked to establish a new Regional Public Transportation District to improve the way public transportation service is provided and funded in the region. (See Membership of Task Force)

The Task Force established a Funding sub-committee and a Governance sub-committee to explore the options for creating a new funding mechanism for public transportation and a new governance structure that would flow from a new funding method for public transportation. In all, the group met 18 times to analyze and create a recommendation. (See proposed legislation)

In addition to these Task Force and sub-committee meetings a series of community visits have been held to solicit input from selectboards, rotaries, senior groups and other community service organizations. The first round of these visits helped us bring information about public transportation to communities and enabled us to bring back to the Task Force thoughts and concerns about a new system.

The second round of visits occurred after the Task Force adopted a recommendation and sought feedback, comments and concerns about the recommendation. To date nearly 50 such meetings have occurred including an Open House for legislative candidates. (See attached listing of community visits held)

Beyond the community visits an effort was made to reach the general public through public relations and marketing. Over 40 articles in local and regional newspapers have appeared discussing the issue of regional public transportation and/or highlighting an upcoming community visit. We also spent time with the Burlington Free Press editorial board which resulted in a positive editorial. (See attached visibility report)

The feedback the Task Force received to its recommendation, including comments from this Board and the CCTA Board has led it to recommend a series of work items that would take place in the next year to continue to build the foundation for the support of public transportation. (See recommendations)

While the Task Force was charged with creating a Regional Public Transportation District as a solution to a problem, it has become clear from the comments received that the current system is

not universally seen as something that needs to be changed. (See synopsis of comments received, attached)

While Vermonters have endorsed the societal framework that encourages Aging in Place, that assures that all Vermonters regardless of physical ability can access all that society has to offer and that enables Vermonters to transition from welfare to work, we have not yet linked the availability of public transportation, in all its forms, to the ability to turn these policies into reality.

The Task Force was given a charge to recommend a funding and governance structure for a new Regional Public Transportation District. It has done so and it presents it to this Board along with the comments it has received and a set of tasks that it recommends be undertaken by this board, through whatever forum it deems appropriate, to enable the concerns that led this Board to form this Task Force in April 2003 to move forward and to continue the discussion with Vermonters about the needs for a more efficient and effective public transportation system.

CHARGE GIVEN TO THE TASK FORCE

The proposed Public Transportation Task Force Scope of Activity that was adopted in April 2003 follows.

Purpose: To assist in the implementation of the CCMPO Metropolitan Transportation Plan (MTP) for 2025, the CCTA Short Range Transit Plan, and the Transit Funding Report to improve economic development, improve mobility, and improve the quality of life of those who live, work, and recreate in the region. This will need to be a collaborative effort upon the part of CCMPO working with CCTA and as a catalyst for the region.

Composition: It will be composed of representatives from CCTA, the CCMPO Board, Vtrans, IBM, UVM, FAHC, the Lake Champlain Regional Chamber of Commerce, the Vermont Businesses for Social Responsibility, institutions of transit users, and other stakeholders.

Duration: This process will take several years. At this time, this Task Force will be set up to work through June 30, 2004. It will submit annual reports to the CCMPO and CCTA Boards. Upon receipt of the report, the CCMPO Board may extend the duration of the committee for another year or until a successful resolution of the issues and opportunities are reached.

Background: The Transit Funding Task Force Report was submitted to the Legislature on January 15, 2003. CCTA, SSTA, VTA and CCMPO approved the report. The report was prepared by all of the above noted stakeholders and Vtrans. In addition, the CCMPO Board in December passed a resolution stating "that the public transit component [of the MTP] build from the CCTA short Term Plan and the Transit Funding Task force Report." Historically, CCMPO has done several studies of public transportation in the region.

Very little has been done on the Transit Funding Task Force Report by the legislature. Because of the current economy, neither the Administration nor the Legislature is interesting in raising taxes. Major issues facing them include Act 60 and the funding of education which indirectly affects the funding of transportation since they are dealing with property tax and income taxes. Another major issue is Act 250 reform. Discussion is underway for legislation to change the CCTA charter to include a larger area and to fund express bus service between St. Albans and IBM.

CCTA has undertaken a survey of Chittenden County residents as a base set of information upon which to design an implementation process. We have reviewed results of CCTA's recent telephone survey and the recent CCMPO's 2000 Census Worker Flow data. More detailed Census Worker Flow data will be released shortly and can be included in the work.

Activity Description: There appears to be two general, overlapping areas in which the Task Force will need to operate. The first will be to inform and educate state legislators and the Administration and the second is to inform and educate the citizens and the business community of Chittenden County.

This is not the first time that CCMPO has made such proposals. Historically, we have not made any headway in the legislature, with the Administration, nor garnered any significant support from the business community or the citizens of the county. For this process to be successful, it

will require significant work and several years. Generally, it is anticipated that the Task Force will need to have a better understanding of the issues and opportunities relative to the financial and governance issues of providing a regional public transportation entity. They will need to become intimately familiar with these issues and opportunities, undertake and learn from their experience to implement our proposals, manage the process, and reevaluate the recommendations until success is reached. Specifically we see the following iterative steps:

1. Identify issues and opportunities
2. Identify and analyze roadblocks
3. Find solutions, possibly new and innovative, to get past roadblocks
4. Devise strategies to reach a solution that is acceptable to all parties.

To reach the public and the business community in Chittenden County will also require a multi-year approach. Over the next year, with the support of the information we reviewed from the CCTA survey, a public information effort can begin. The public needs to be informed of the regional nature of CCTA services and the need to take the funding burden off of local property taxes. The needs are centered in Chittenden County but reach beyond county borders because employees need to travel among all the northwestern counties to work.

The issue needs to be communicated as an economic development issue. As a coalition of employers and business groups that can credibly articulate the importance of regional bus service to employers and workers in the region, the Task Force is in an excellent position to generate support. A program will need to be established to use a combination of public information activities such as media articles and editorial pieces, paid advertising and public service announcements such as CCTA is planning with business people, and a lobbying effort by supporters permitted to lobby. Note that CCMPO employees cannot lobby, but Task Force members and members of the coalition can.

Funding: Both CCMPO and CCTA will fund much of the work from their planning funds. The program can also be cash and in-kind contributions from the "coalition." This needs to be worked out in the first year.

COMMUNITY VISITS

April 7, 7:30 p.m. Richmond Planning Commission
April 12, 7:30 p.m. Charlotte Selectboard
April 15, 7:15 a.m. Williston Rotary
April 19, 7:30 p.m. South Burlington City Council
April 20: 6:30 p.m. Hinesburg Business Association Papa Nicks
April 21, 7:30 a.m. Shelburne: Rotary
April 27, 7:00 p.m. Shelburne Selectboard
April 28, 8:00 a.m. Lake Champlain Chamber of Commerce, Regional Affairs Committee
May 3, 7:15 p.m. Hinesburg Selectboard -
May 3, 7:15 p.m. Jericho Selectboard -
May 10, Noon, Essex Covenant Church, Seniors
May 11, 8:30 a.m. Westford Selectboard
May 11, 7:00 p.m. Underhill Selectboard -
May 14, Noon, Hinesburg United Church, seniors
May 17, 12:00 noon Burlington Rotary
May 17, 7:30 p.m. Essex Selectboard
May 18, 7:00 p.m. Colchester Selectboard -
May 20, 7:00 p.m. St. George Selectboard -
May 25, 7:00 p.m. Essex Village Trustees
June 2, Noon, Arrowhead Senior Center Milton
June 7, 7:30 p.m. Richmond Selectboard
June 14, 7:00 p.m. Burlington City Council
June 21, 7:30 p.m. Huntington Selectboard
June 21, 6:00 p.m. Winooski City Council
July 7, Noon, Essex Rotary, Inn at Essex
July 19, 8:00 p.m., Williston Selectboard
July 23, 7:00 a.m. Burlington Sunrise Rotary
August 30, 7:00 p.m. Milton Selectboard
September 2, Noon, Colchester Rotary -
September 7, 7:30 p.m.* - S. Burlington -
September 7, 7:30 p.m. - Richmond -
September 9, 8:00 a.m., Burlington Business Association -
September 13, 7:30 p.m. - Essex
September 13, - Winooski -
September 14, 7:00 p.m. - Shelburne -
September 14, 7:45 p.m. - Colchester
September 20, 7:00 p.m. - Huntington
September 20, 7:00 p.m.* - Williston
September 27, 7:15 p.m. - Charlotte
September 28, 8:30 a.m. - Westford
September 28, 7:00 p.m. - Essex
September 28, 7:00 p.m. - Underhill
October 4, 7:00 p.m. - Hinesburg
October 4, 7:00 p.m. - Bolton Selectboard
October 12, 7: 15 p.m. - Jericho Selectboard
October 13, 8:00 a.m. - Chittenden county wide, open house, CCMPO
October 25, 7:00 p.m. - Burlington City Council
November 18, 12 noon, Colchester Rotary

Summary of Findings from Community Visits, August – October 2004

Service

- Want rail to Middlebury.
- Concern about the increased cost of SSTA relative to the service under contract to CCTA
- If we had a system people would use it
- Longer routes are most likely candidates for success - the Middlebury-Burlington, St. Albans-Burlington, Montpelier-Burlington.
- Routes that are reliable and consistent can help create demand elsewhere.
- System needs to be nimble.
- Need to integrate school buses
- People continue to think about public transportation as fixed-route buses.
- Connect airport/train station to Bolton ski resort if resort provides funding
- Prefer buses to trains
- How many buses does CCTA have?
- Why doesn't CCTA have smaller busses running more frequently?
- Need a train station at Bolton

Need

- Status quo is just fine.
- "Dismal per bus ridership"
- CCTA buses run around empty, that's why you wrap them in advertising
- Transit is a losing proposition; no one is riding; we are trying to hide the costs
- There is no mass for this mass transportation proposal; needs like dialysis are individual and cannot be served by "mass" transportation
- Status quo is not fine.
- Current system is broken.
- No agreement on a need to change
- No agreement on value of public transportation
- Need regional public transportation services.
- Support increasing public transportation
- Like public transportation
- There is a need in Chittenden County for more public transportation.
- Congestion is a growing problem.
- Destroy CCTA so people will recognize the need and find a solution
- Must do more planning for those who don't have the same opportunities
- Need to build a system to attract riders.
- Disappointment that proposal is not supported and we will need to slow down
- Need to get the general population riding buses, not just the special needs people. They need to enjoy it and then they will take an interest in it.
- Welfare money is a major part of cab company business
- Employers need to offer their employees incentives to use public transportation
- If you want to be in the labor force in this county, you must have a car
- Need to get people with low paying jobs to employment; cannot hire because people cannot get to job because they do not own a car.
- SSTA "provides a tremendous service."
- Need to combine the school bus system and public transportation system (cf federal law)

- Concern about the impact of travel to the RTA and support for anything we could do to get public transportation to handle that.
- Interest in real information on what needs and services exist in each town.
- Need to get more information out about transit ridership.
- Charlotte town survey indicated no need for public transportation.
- Recommend using a survey in the paper to gather information on needs
- Need better understanding of needs for public transportation
- Not much else could or should be done without data
- In 25 years we will need this; hopefully people will not look back and ask why they didn't do something
- Something must be continued because we need to plan for transportation over the next several years.

Governance

- Dislike regional approach—more populated communities would control the board and the taxation
- Larger area loses local control; bigger is not necessarily better.
- Too similar to RTA approach
- Proposal creates another layer of bureaucracy – more county government
- Concerns about another regional organization being remote from the citizenry
- Don't like the Chittenden County Senate electoral districts.
- Don't like the Senate district voting since they feel they have no say.
- Dislike the 60/40 split in electing board members. Should be a requirement that board seats should rotate through municipalities so at some point a municipality has a representative to the board.
- Board needs to have representatives from each of the towns with a weighted vote.
- Regional approach won't work unless municipal boards all support it because legislators are going to check in with their respective municipal boards for their opinion. Getting municipal boards to all agree might be difficult.
- A multi-county district may have a problem with representatives from all towns.
- Board of a new district should be the CCMPO board rather than a new entity: already exists, there is membership from every town, and weighted voting
- Create zones of membership with Charlotte being with Addison county and perhaps Westford with Franklin county
- Don't like the co-mingling of votes since they would not know what their people wanted.
- Want local residents to determine whether they join such a transit district and whether any new taxes are to be imposed on local residents
- Weighted vote and the election of board members is a bad idea because it would politicize public transportation
- Use the current CCTA Charter process model, whereby municipalities hold a vote and the voters of that municipality determine whether to join CCTA. CCTA should be requesting alternative local option taxes from the Legislature and that other communities could join after that has been achieved. Changing CCTA's charter might be politically more feasible.
- Let CCTA continue its expansion into the adjacent counties
- Vote for the District should be the vote of the total of citizens within the district and not a town-by-town vote.
- Current approach to public transportation funding and governance isn't working well

- Recommended using CSWD model for governance.
- Like the CSWD model of governance.
- Regionalists support the RTA and RTD concept
- Not surprised that selectboards are concerned about a new and different governance structure
- Need one authority for multi-county region.
- The Airport should be part of the RTD
- Board members should be appointed and not elected: this issue does not rise to the level of requiring elections; not enough interest
- Could involve more people by electing board members.
- Need this to be a regional if not a statewide entity; suggest a management operation running statewide.
- Want a say on the board so that people could defend the interest of their communities.
- Want a more direct line to any new entity; assure some town autonomy in a governance structure.
- It must include more than Chittenden County
- It should include trains.
- Board should be made up of the Executive Directors of the RPCs and the MPO
- Are selectboards threatened by the idea of a regional structure?
- Will elected board members work?
- Has what's going on with the RTA affected your work?

Funding

- Get public transportation off of the property tax
- Need an alternative to the property tax
- Property tax not the way to go
- Property tax is not a good base for a social welfare program (providing transportation to the poor); should be based on the income tax.
- Dislike regional/local option taxes, think local voters will not approve them
- Do not like the regional taxes; 5% tax on gas was too high, because right now that would be an additional \$0.10 per gallon.
- Sales tax on gasoline is the best way to fund this
- Proposal to divert 2% of the JTOC funds is a good idea.
- If we took 2% from JTOC, ultimately, the income tax would need to go up for the General Fund and they thought that was fair.
- Raise the cost to those who ride the bus.
- Did not like the regional impact fee, but would be interested in hearing more.
- We should work out a deal with CLF and the other environmentalists. Every town should use a ½ cent sales tax to support public transportation if they will back off opposition of Circ A&B and work together.
- Some communities may want to use the property tax and others a sales tax.
- Concern that some towns would end up subsidizing others. If the gas tax were assessed people in outlying towns who travel more would pay more but would be receiving less service
- Impressed with the inequity in local funding between CCTA and other providers.
- Bike riders should pay taxes.
- Flat fee for communities?

Comments:

- Appreciated the opportunity to comment on the draft legislation.
- “Thanks for your hard work and coming here tonight, but we don’t like anything that you proposed.”
- Need to focus on Chittenden County as model or pilot for the State and get that implemented within the next year. Focusing on five counties will take us five years.
- No champion for this proposal.
- We need to work with private companies as they are providing some of the service.
- One advantage of the private sector is that public employees can strike
- Community leaders need to do something.
- Our proposal must be realistic.
- We need to educate people on the cost.
- Want us to keep working on this because it is very important.
- Cost to assist some people might be prohibitive and they would need to move.
- I wouldn't mind paying for a system since I may one day need it.

Key Findings

Regional Public Transportation Initiative Community Visits August – October 2004

Need:

- Congestion is an increasing problem
- School transportation is a growing concern
- Employees without cars need to be able to get to work
- Must plan for growing transportation needs over the long-term

Governance:

- Core towns think we should look at just Chittenden County, outlying towns think we must include other counties.
- Large towns want votes to be co-mingled; small towns want each municipality to have its own vote.
- Most towns want appointed board members.
- Fear a new regional entity will disperse power and authority that should be reserved to municipalities.

Funding:

- Need an alternative to the property tax
- No consensus on what alternative funding should be

Overall:

- Interest and engagement in the issue
- Recognition that transportation is vitally important
- Request more concrete data
- Next steps:
 - Thorough assessment of needs in each town
 - Inventory of services being provided in each town

DRAFT LEGISLATIVE FRAMEWORK

1001. Definitions

As used in this chapter:

- (1) "Municipalities" means a town, a city, or an incorporated village
- (2) "Legislative body" means the selectmen in the case of a town, the council or mayor and board of aldermen in the case of a city, and the trustees in the case of an incorporated village.
- (3) "Public Transportation" means the transportation of persons, including groups of the general public with special needs, by all means available to the general public.

1002. Creation of Regional Public Transportation District in Chittenden County

1. There is hereby created a Regional Public Transportation District with authority to plan, implement and manage regional public transportation services in Chittenden County.

The interim board of this district will be comprised of three appointed representatives of the current public transportation grant recipient in the region, three representatives from the CCMPO and three representatives of the CCRPC.

- (a) The regional public transportation district must prepare a report by January 15, 2006 that describes:
 - (1) The makeup of the governing board of the regional public transportation district. At least 60 percent of the board members shall be elected by direct vote of the voters. If the board is to have additional members, who may constitute up to 40 percent of the board, the additional members shall be appointed by the elected and chosen members from member municipalities for the purpose of acquiring expertise in areas they consider desirable;
 - (2) A process for approval of the annual budget which may be by direct vote of the voters in the region, or by a vote of the selectboards of districts in the region;
 - (3) Proposed bylaws
 - (4) The disposition of the existing public transportation land and facilities
 - (5) How existing collective bargaining agreements and employee contracts will be addressed;
 - (6) The term of office of the board members and other officers, and how other officers are selected;
 - (7) The date on which the proposal will be submitted to the voters and whether the votes will be commingled;
 - (8) A process for amending or dissolving the governance structure; and
 - (9) A funding source for services that decreases reliance on the property tax.
 - (10) A mechanism for involving the Transportation Advisory Committees (TAC's) of the CCMPO, in planning the provision of services in the district.
 - (11) Any other matter which the board considers pertinent.

2. Approval by the agency of transportation

The Regional Public Transportation District shall transmit the report to the secretary. The secretary shall respond to the report with his or her recommendations within 90 days. After notice to the interim public transportation district and after giving the interim public transportation district and other interested parties an opportunity to be heard, the Vermont General Assembly shall consider the report and the secretary's recommendations, and decide whether the establishment of a permanent regional public transportation district is in the best interests of the region. The General Assembly may request the secretary or the public transportation district, or both, to make further investigation, and may consider any other information deemed by it to be pertinent. If, after due consideration and any further meetings as it may deem necessary, the general assembly finds that establishment of the regional public transportation district is in the best interests of the region, it shall approve the report submitted by the public transportation district, together with any amendments, as a final, and shall give notice of its action to the district. The chair of the interim regional public transportation board shall file a copy of the final report with the clerk of each town in the region.

3. Effect of certification; application of other laws

- a) Upon certification under this title, the regional public transportation district shall constitute a body politic and corporate, with all the rights and responsibilities pertaining thereto.

4. Interim Board - Dissolution

The interim board of the Regional Public Transportation District will be dissolved once their successors are duly elected and take office.

1003. Creation of Regional Public Transportation Districts Planning Committees

1. In all other regions of the state, except those specified under Section 1002 of this chapter, any of the following may establish a committee to plan the formation of a Regional Public Transportation District; two or more Regional Planning Commissions, or two or more existing public transportation providers. In no event however will there be more than 6 RTD's created in the state.

The planning committee must be comprised of representatives of the grant recipients and RPC's in the region

- (a) The planning committee may prepare a report in the form of an agreement between municipalities and/or existing public transportation providers which are located in the region. The report shall describe:
 - 1) The makeup of the governing board. At least 60 percent of the board members shall be elected by direct vote of the voters. If the board is to have additional members, who may constitute up to 40 percent of the board, the

additional members shall be appointed by the elected and chosen members from member municipalities for the purpose of acquiring expertise in areas they consider desirable;

- 2) A process for approval of the annual budget which may be by direct vote of the voters in the region, or by a vote of the selectboards of districts in the region;
- 3) Proposed bylaws
- 4) The disposition of the existing public transportation land and facilities
- 5) How existing collective bargaining agreements and employee contracts will be addressed;
- 6) The term of office of the board members and other officers, and how other officers are selected;
- 7) The date on which the proposal will be submitted to the voters and whether the votes will be commingled;
- 8) A process for amending or dissolving the governance structure; and
- 9) A mechanism for involving the Transportation Advisory Committees (TAC's) of the RPC's in planning the provision of services in the district.
- 10) Any other matter which the committee considers pertinent

2. Approval by the agency of transportation

The planning committee shall transmit the report to the secretary. The secretary shall respond to the report with his or her recommendations within 90 days. After notice to the planning committee and after giving the committee and other interested parties an opportunity to be heard, the Vermont General Assembly shall consider the report and the secretary's recommendations, and decide whether the establishment of a regional public transportation district is in the best interests of the region. The General Assembly may request the secretary or the planning committee, or both, to make further investigation, and may consider any other information deemed by it to be pertinent. If, after due consideration and any further meetings as it may deem necessary, the general assembly finds that establishment of the regional public transportation district is in the best interests of the region, it shall approve the report submitted by the committee, together with any amendments, as a final report of the planning committee, and shall give notice of its action to the committee. The chair of the planning committee shall file a copy of the final report with the clerk of each town in the region.

3. Effect of certification; application of other laws

- b) Upon certification under this title, the regional public transportation district shall constitute a body politic and corporate, with all the rights and responsibilities pertaining thereto.

1004. Regional Public Transportation District Account

There is hereby created a Regional Public Transportation District Account within the Transportation Fund. Annually the agency shall determine the amount of funds required to cover the operating cost of services provided by Regional Public Transportation Districts and make them available through this account to approved Regional Public Transportation Districts. This fund will be created by reducing the JTOC amount by 2% to 17%.

Basic Access services will have no more than 10% of their operating funding coming from regional sources.

Commuter services will be fully funded with federal and state funds and requires no regional share.

All other routes have no fixed funding allocations.

*** * * JTOC Allocation * * ***

19 V.S.A. § 11a is amended to read:

§ 11a. TRANSPORTATION FUNDS APPROPRIATED FOR SUPPORT OF GOVERNMENT

The maximum amount of transportation funds that may be appropriated for the support of government, other than for the agency of transportation, transportation pay act funds, the cost of maintaining and staffing rest areas, construction of transportation capital facilities used by the agency of transportation, and transportation debt service, shall not exceed 17 percent of the total of the prior fiscal year transportation fund appropriations.

1005. Municipalities joining an established Regional Public Transportation District

Any municipality or private non-profit public transportation provider can vote to join an established Regional Public Transportation District through a petition to the District and upon receiving an affirmative vote of the populace of municipality.

1006. Purposes and powers

- 1) The district shall be a body politic and corporate with the powers incident to a municipal corporation under the laws of the state of Vermont consistent with the purposes of the district, and may exercise all powers necessary, appurtenant, convenient or incidental to the carrying out of its functions, including, but not limited to, the following:

- a) To employ persons and adopt rules, regulations and by-laws as are necessary and proper to effectuate its purposes;
 - b) To purchase, own, operate or provide for the operation of land transportation facilities, and may contract for transportation services, conduct studies and contract with other governmental agencies, private companies and individuals.
 - c) To sue and be sued;
 - d) To adopt an official seal and alter the same at pleasure;
 - e) To borrow money and issue negotiable notes, bonds or other obligations and to provide for the payment thereof and for the rights of the holders;
 - f) To invest any funds held in reserve or sinking funds, or any monies not required for immediate use or disbursement, at the discretion of the authority in the same manner as permitted for investment of funds belonging to the state or held in the treasury;
 - g) To enter into and enforce all contracts, agreements or leases necessary, and to execute all instruments necessary or convenient for the purposes of the authority or for the performance of its duties and the execution or carrying out of any of its powers;
 - h) To acquire, hold and dispose of real or personal property in the exercise of its powers;
 - i) To make plans, surveys, and studies necessary, convenient or desirable to the effectuation of the purposes and powers of the authority and to prepare recommendations in regard thereto;
 - j) To enter upon any lands, waters or premises necessary, convenient or desirable for the purpose of making surveys, soundings, borings and examinations to accomplish any purpose authorized by this chapter. The authority shall be liable for actual damage done;
 - k) To conduct investigations and hearings in the furtherance of its general purposes and to have access to any relevant books, records or papers. If any person, whose testimony is required for the proper performance of the duties of the authority, shall fail or refuse to aid or assist the authority in the conduct of any investigation or hearing, or to produce any relevant books, records or other papers, the authority may apply for process of subpoena, to issue out of any superior court whose process can reach the person, upon due cause shown; and
 - l) To do all things necessary, convenient or desirable to carry out its purposes or the powers expressly granted or necessarily implied.
 - m) To prescribe and promulgate necessary rules and regulations.
 - n) To do all things necessary or convenient for the conduct of its business and the general welfare of the authority in order to carry out the powers granted to it by this chapter or any other law.
 - o) To enter into joint compacts with transportation authorities of other states provided that the compact has been approved by the general assembly of that state and the congress of the United States.
- 2) A regional public transportation district shall elect a chair, vice-chair, treasurer and a secretary, and, at its organization meeting, shall by a two-thirds vote of those representatives present and voting at the meeting, adopt such rules and create and fill such offices as it deems necessary or appropriate for the performance of its functions, including, without limitation, the number and qualification of members, terms of office, provisions for municipal representation and voting and provisions for termination of membership.

- 3) A regional public transportation district may also have other members, who may be elected or appointed in the manner the regional public transportation district prescribes by rule.
- 4) A regional public transportation district and its systems and facilities shall be exempt from the sales, purchase and use taxes and from motor vehicle registration fees except those registration fees applicable to municipalities.

1007. Annual budget and assessments

- 1) Each year the board of commissioners shall prepare a proposed budget for the district for the next fiscal year, which shall include an estimate of the revenue of the district from fares and other sources, except municipal contributions, and the expenses for the next fiscal year, including debt service. The proposed budget shall be sent to the legislative branch of any member municipality by certified mail. The board of commissioners may call a meeting or meetings of the residents of its member municipalities for the purpose of presenting the proposed budget. Any meeting called shall be warned by a notice published in a newspaper of general circulation in the area of operation at least seven days prior to the meeting containing the date, time and place at which the meeting is to be held and a statement of the purpose of the meeting.
- 2) Annually, following the distribution provided in subsection (1), the board of commissioners shall review the proposed budget of the district in light of any discussion, and shall then adopt the budget with or without changes and determine the contributions to be assessed from member municipalities.
- 3) Members of the regional public transportation district board shall not be held personally liable for any actions taken in their capacity as members of the board.
- 4) No tort liability shall attach to individual municipal members of regional public transportation districts.
- 5) Tort liability of the regional public transportation district shall be limited to \$1,000,000.00 for each accident
- 6) The board of commissioners may appoint a transportation director, and such other personnel as is necessary for the conduct of the business of the district. The board of commissioners shall have the power to prescribe their duties, fix their compensation, and delegate to them such responsibilities for the management and control of the operation of the district, as its interest may require.
- 7) The district shall prepare an annual report of its activities, including a financial statement, and submit the report to the legislative bodies of the member municipalities.
- 8) The fiscal year of the district shall commence July 1 in each year.

1008. Incorporation into Regional Plans

A Regional Transportation District's Short Range Transit Plan shall be incorporated into the Regional Plan of the Regional Planning Commissions in their region.

1009. Duties of Selectboards

Add a new 19 VSA Section 304

(24) Provide for reasonable access, consistent with their regional plan, to public transportation. Membership in a Regional Public Transportation District shall serve as de-facto compliance with this provision.

1010. Regional taxes.

- 1) Regional option taxes are authorized under this section for the purpose of affording Regional Public Transportation District an alternative method of raising revenues to facilitate their creation and operation. Accordingly:
- 2) A regional option tax shall be effective beginning on the next tax quarter following 30 days' notice to the department of taxes of the imposition.
- 3) A regional option tax may only be adopted by a Regional Public Transportation District.
- 4) If the Regional Public Transportation District by a majority vote recommends, the voters of a district may, at an annual or special meeting warned for that purpose, by a majority vote of those present and voting, assess any or all of the following:
 - a) A five percent sales tax on motor vehicle fuel
 - b) Short term rental car tax
 - c) Vehicle registration tax
 - d) Driver's license fee
 - e) Vehicle excise tax
 - f) Purchase and use tax
 - g) Personal property tax on cars
- 5) Any tax imposed under the authority of this section shall be collected and administered by the department of taxes, in accordance with state law governing such state tax or taxes; provided however, that a sales tax imposed under this section shall be collected on each sale that is subject to the Vermont sales tax using a destination basis for taxation. Seventy percent of the costs of administration and collection shall be borne by the district, and 30 percent shall be borne by the state.

- 6) Of the taxes reported under this section, 70 percent shall be paid to the district. Such revenues may be expended by the district for transportation services only. Amounts to be paid to a district under this section shall be reduced by five percent to reflect the difference between the amounts reported and collected. Taxes due to a district under this section, less the costs of administration and collection, shall be paid on a quarterly basis.
- 7) Nothing in this section shall affect the validity of any existing provision of law or municipal charter authorizing a municipality to impose a tax similar to the local option taxes authorized in this section.

1011. Impact Fees for Public Transportation

By January 15, 2006, the Agency of Natural Resources, the Agency of Commerce and Community Development, the Agency of Transportation, the Environmental Board, the Vermont Association of Planning and Development Association, the Vermont League of Cities and Towns and the Chittenden County Metropolitan Planning Organization will develop a mechanism for considering assessing impact fees and annual surcharges on development for public transportation.

Regional Public Transportation Initiative Visibility Report

9 Nov 2004

<u>Publication</u>	<u>Headline</u>	Date	Visibility
Hinesburg Record	Hinesburg Select Board: Regional Public Transportation Initiative	2004-11-04	3000
Mountain Gazette	Open house for policymakers gives key findings from local boards	2004-10-21	6000
Burlington Vermont Times	Policymakers hear arguments in favor of regional public transportation	2004-10-20	4000
Charlotte News	Discussion on Charlotte Sewer Rules Tops Meeting	2004-10-07	4000
Mountain Gazette	Jericho Selectboard to hear about regional public transportation initiative	2004-10-07	6000
Hinesburg Record	Regional Public Transportation Initiative	2004-10-02	3000
Champlain Business Journal	Spotlight on Williston: Fast-Growing Town Copes With Increased Need for Infrastructure, Traffic Control	2004-Oct	12,000
Charlotte News	Charlotte Selectboard to Hear about Regional Public Transportation Initiative	2004-09-23	4000
Burlington Free Press	Talking transportation (editorial)	2004-09-20	50,585
Burlington Free Press (online)	Talking transportation (editorial)	2004-09-20	1,300,000
Williston Observer	CCTA manager to present public transportation plan to selectboards	2004-09-16	7000
Shelburne News	Francis resigns Selectboard seat	2004-09-16	4400
Mountain Gazette	Local Selectboards to hear about regional public transportation initiative	2004-09-16	6000
Essex Reporter	Essex Junction Trustees to Hear About Regional Public Transportation Initiative	2004-09-16	7500
The Other Paper	Three-way Stop Proposed for Allen Road and Spear Street (City Council Report)	2004-09-16	7900
Essex Reporter	Regional Planning Director to discuss Public Transportation in Essex	2004-09-09	7500
Colchester Sun	Transportation Planner to Speak to Selectboard	2004-09-09	7000
Williston Observer	CCTA Manager to Speak in St. George	2004-09-09	7000
Seven Days	Tech Wreck (letter to the editor)	2004-09-08	70,200
Colchester Sun	Colchester Rotary meet with CCMPO	2004-09-02	7000
Champlain Business Journal	Completion of Circumferential Highway Is Crucial to Improved Transportation System	2004-Sept	12,000

Mountain Gazette	Public Transportation Placed on Front Burner	2004-08-19	6000
Mountain Gazette	Regional Public Transportation District, Change to Funding Method Recommended	2004-08-19	6000
Shelburne News	Regional Public Transportation District Recommended	2004-08-19	4400
Williston Observer	Task Force Recommends Bus Funding Through Regional District	2004-08-12	7000
Milton Independent	Milton's Glimpse of Future Public Transportation	2004-08-12	6000
Williston Observer	Williston Bus Route Among Most Popular	2004-08-05	7000
Vermont Business Magazine (online)	Regional Public Transportation District Recommended	2004-08-04	N/A
Williston Observer	Funding System Stalls Public Transportation	2004-05-13	7000
Shelburne News	Public Transportation In Vermont Needs To Change	2004-05-07	4400
Shelburne News	Shelburne Residents Hear About Regional Transportation District	2004-05-07	4400
Colchester Sun	Public Transportation In Vermont Needs To Change	2004-05-07	7000
Burlington Vermont Times	Rotarians Hear About Need For Regional Transportation District	2004-05-05	4000
Burlington Vermont Times	Public Transportation In Vermont Needs To Change	2004-04-14	4000
Hinesburg Record	Task Force Targets Regional Transportation Plan	2004-04-02	3000
Vermont Business Magazine	Transportation Changes Needed	2004-04-01	6203
Vermont Business Magazine (online)	Transportation Changes Needed	2004-04-01	N/A
Burlington Free Press	My Turn: Public Transportation Must Grow With Riders' Needs By Bill Knight and Chris Cole	2004-03-31	50,585
Burlington Free Press (online)	My Turn: Public Transportation Must Grow With Riders' Needs By Bill Knight and Chris Cole	2004-03-31	1,300,000
Seven Days	Calendar: Public Transportation Meeting	2004-03-28	70,200
Shelburne News	Task Force Targets Regional Public Transportation Plan	2004-03-25	4400
The Charlotte News	Transportation Issues Take up Selectboard Agenda	2004-03-22	2200
The Burlington Free Press	Burlington-Montpelier Bus is Popular	2004-03-14	50,585
The Colchester Sun	Task Force Targets Regional Public Transportation Plan	2004-03-11	7000
Essex Reporter	Task Force Targets Regional Public Transportation Plan	2004-03-11	7500
The Charlotte News	Selectboard Hears About RTA	2004-02-12	2200