



Senate

General Assembly

File No. 251

January Session, 2023

Substitute Senate Bill No. 1083

Senate, March 28, 2023

The Committee on Transportation reported through SEN. COHEN of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT ESTABLISHING A TRANSPORTATION CARBON BUDGET FOR THE STATE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2023*) (a) Not later than July 1,
2 2030, and annually thereafter, the Commissioner of Transportation, in
3 consultation with the Commissioner of Energy and Environmental
4 Protection, shall establish a transportation carbon budget for the state
5 that sets the maximum amount of greenhouse gas emissions permitted
6 from the transportation sector. The commissioners shall consider the
7 long-term emission reductions required by section 22a-200a of the
8 general statutes when establishing the transportation carbon budget.

9 (b) The Commissioner of Transportation shall adopt regulations, in
10 accordance with the provisions of chapter 54 of the general statutes, to
11 ensure transportation projects undertaken by the Department of
12 Transportation, metropolitan planning organizations, as defined in 23
13 USC 134, as amended from time to time, and municipalities do not
14 exceed the maximum amount of greenhouse gas emissions established

15 in the transportation carbon budget for the state pursuant to subsection
16 (a) of this section. The regulations shall include, but need not be limited
17 to, (1) a definition of "transportation project" that excludes
18 transportation projects that are necessary for safety reasons or
19 maintenance, (2) the methodology to calculate the greenhouse gas
20 emissions expected from future transportation projects, (3) where such
21 projects are estimated to increase net greenhouse gas emissions, the
22 ways to offset such emissions by undertaking greenhouse gas mitigation
23 transportation projects that will reduce such emissions, and (4) a
24 description of such greenhouse gas mitigation transportation projects,
25 including, but not limited to, improving public transportation,
26 constructing bikeways, pedestrian walkways or other multiuse trails or
27 paths and installing electric vehicle charging infrastructure. Not later
28 than July 1, 2028, the commissioner shall submit the regulations to the
29 standing legislative regulation review committee for consideration
30 under section 4-170 of the general statutes.

31 (c) The Commissioner of Transportation, in consultation with the
32 Commissioner of Energy and Environmental Protection, shall
33 implement a public outreach plan to ensure sufficient public and
34 stakeholder engagement in the development of the transportation
35 carbon budget and the regulations required under subsection (b) of this
36 section.

37 (d) On or before January 1, 2025, and annually thereafter until
38 January 1, 2030, the Commissioner of Transportation shall submit, in
39 accordance with the provisions of section 11-4a of the general statutes,
40 a report to the joint standing committees of the General Assembly
41 having cognizance of matters relating to transportation and the
42 environment. Such report shall include, but need not be limited to, the
43 status of the development of the transportation carbon budget for the
44 state and the regulations required under subsection (b) of this section,
45 the level of collaboration among various stakeholders, and a description
46 and the results of any public outreach conducted pursuant to subsection
47 (c) of this section.

48 (e) On or before July 1, 2030, and annually thereafter, the
 49 Commissioner of Transportation shall submit, in accordance with the
 50 provisions of section 11-4a of the general statutes, to the joint standing
 51 committees of the General Assembly having cognizance of matters
 52 relating to transportation and the environment, a copy of the
 53 transportation carbon budget for the state and any recommendations for
 54 legislation to implement such budget.

| | | |
|---|-----------------|-------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | October 1, 2023 | New section |

Statement of Legislative Commissioners:

In Subsec. (b), the first sentence was redrafted for clarity.

TRA *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

| Agency Affected | Fund-Effect | FY 24 \$ | FY 25 \$ | Out Years |
|------------------------------|-------------|----------|----------|-----------|
| Department of Transportation | TF - Cost | None | None | See Below |

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

The bill requires the Department of Transportation (DOT) to establish, beginning in FY 31 and annually thereafter, a transportation carbon budget that sets the maximum amount of greenhouse gas emissions permitted from the transportation sector. Under the bill, DOT must develop and submit implementing regulations to the Regulations Review Committee by July 2028 and implement a public outreach plan to inform relevant stakeholders. Given the extended time frames for implementation, the bill is not expected to result in a cost during the biennium; however, out year costs are expected to increase as described below.

The Out Years

It is expected that DOT will incur additional costs beginning around FY 28 as it drafts the implementing regulations and continuing through at least FY 31 as the department begins to implement and oversee the program. The magnitude of the cost, beyond DOT's existing expertise, is expected to be equivalent to approximately two new full-time positions or comparable consultant services.

OLR Bill Analysis**sSB 1083*****AN ACT ESTABLISHING A TRANSPORTATION CARBON BUDGET FOR THE STATE.*****SUMMARY**

Starting by July 1, 2030, this bill requires the Department of Transportation (DOT), in consultation with the Department of Energy and Environmental Protection (DEEP), to annually establish a transportation carbon budget for the state that sets the maximum amount of greenhouse gas (GHG) emissions allowed from the transportation sector. When setting the budget, the agencies must consider the state's long-term emissions reductions requirements (see BACKGROUND).

Under the bill, DOT must adopt regulations to ensure that transportation projects the state, metropolitan planning organizations, and municipalities undertake do not exceed the carbon budget's GHG emissions limit. The regulations must include, at a minimum:

1. a definition of "transportation project" that excludes projects necessary for maintenance or safety;
2. a methodology to calculate the GHG emissions expected from future transportation projects;
3. ways to offset the emissions for projects estimated to increase net emissions by undertaking GHG mitigation transportation projects that will reduce emissions; and
4. a description of the GHG mitigation transportation projects, such as public transportation improvements; bikeway, walkway, or other multiuse trail or path construction; and electric vehicle

charging installation.

Under the bill, DOT, in consultation with DEEP, must implement a public outreach plan to sufficiently engage the public and stakeholders in developing the transportation carbon budget and associated regulations. The DOT commissioner must submit the regulations to the Regulation Review Committee by July 1, 2028.

From 2025 through 2030, DOT must, annually by January 1, submit a report to the Transportation and Environment committees that includes (1) a status update on development of the carbon budget and regulations and (2) a description of the level of stakeholder collaboration and a description of the public outreach done and its results.

The bill also requires DOT to annually submit, starting by July 1, 2030, a copy of the transportation carbon budget and any related legislative recommendations to the Transportation and Environment committees.

EFFECTIVE DATE: October 1, 2023

BACKGROUND

GHG Emissions Reductions Requirements

By law, the state must reduce its GHG emissions to a level that is at least (1) 10% below 1990's emission level by January 1, 2020; (2) 45% below 2001's emissions level by January 1, 2030; and (3) 80% below 2001's emissions level by January 1, 2050 (CGS § 22a-200).

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 27 Nay 8 (03/10/2023)