

Compilation of Complementary Transportation Policies in TCI Jurisdictions that Advance Goals of Equity and Environmental Justice

Connecticut

Public Transit/ Transit Oriented Development (TOD)

- Connecticut Department of Transportation (CTDOT) is focused on integrating battery electric buses (BEBs) into transit fleets across the state to improve air quality in communities burdened by transportation pollution. The Connecticut General Assembly passed [Public Act 19-71](#) establishing the goal to electrify 30 percent of the state's heavy-duty fleet purchases, including transit buses, by 2030.
- The Connecticut General Assembly directed \$12 million to support TOD along the CTrail Hartford Line and CTfastrak with a focus on housing choice and affordability. Over 900 new residential units built along the Hartford Line in the last 5 years, and 400 residential units along CTfastrak.
- CTDOT is completing a [Federal Transit Administration TOD 5339](#) Study that examines the challenges and opportunities of realizing TOD along CTrail's Hartford Line.

Electric Vehicles

- Connecticut's [CHEAPR](#) rebate program includes an MSRP cap on incentives. The CHEAPR board is evaluating program design for income eligible rebates for used EVs, and supplemental rebates for new EVs for qualified LMI residents.
- The Connecticut Public Utilities Regulatory Authority (PURA) is currently exploring EV charging in docket [17-12-03RE04](#). An [RFP](#) was issued in May, 2020 for program design proposals to include elements which increase access to EVSE in LMI and underserved communities.
 - o *LMI Customer Electrified Mobility Study*- Intended to increase awareness of current LMI mobility obstacles, and identify which electrified transportation strategies are best suited to LMI needs.
- The Connecticut Green Bank, through its [Smart-E Loan](#) program, provides for home energy improvements including residential Level 2 EV charging.

Bike/ Pedestrian

- Connecticut awarded 80 construction grants through the Community Connectivity Grant Program that aims to improve safety for pedestrians. Recent third round solicitation designed to support equity, and address impacts on EJ and title VI communities.
- CTDOT adopted a Complete Streets Policy and is in the process of updating its highway design manual to include bicycle and pedestrian elements into every project.
- Every CTDOT project undergoes a bicycle and pedestrian review to identify opportunities to support non-motorized transportation users.

Governor's Executive Order 3

- On September 3, 2019, Governor Ned Lamont issued [Executive Order No. 3](#), re-establishing and expanding the membership and responsibilities of the [Governor's Council on Climate Change](#) (GC3), including transportation adaptation and mitigation strategies.
- [The Equity and Environmental Justice Working Group of the GC3](#) was created to implement a robust stakeholder engagement process with vulnerable and disproportionately impacted communities. The Equity and Environmental Justice Working Group is applying an equity lens to the recommendations made in the 2018 GC3 report, as well as recommendations from the recently expanded GC3, to identify impacts on vulnerable communities.
 - 2020 weekly GC3 Webinar series - [Equity and Environmental Justice Working Group Special Series](#)

Delaware

- Delaware seeks to prioritize projects in environmental justice areas for competitive grant funding under Delaware's VW settlement fund. Delaware has issued two competitive RFPs for this funding to date and each required applicants to detail benefits to disadvantaged communities for use in award selection.
- Delaware's public transit agency recently re-implemented its Get a Job/Get a Ride Program. The program provides a free 30-day bus pass to recently hired employees of partner businesses. Lack of transportation can be one of the biggest barriers to employment and Get a Job/Get a Ride provides the opportunity to improve career options and revitalize Delaware's workforce.
- Through the Delaware Clean Transportation Incentive Program, businesses and individuals are eligible for rebates to offset the upfront cost of purchasing an electric vehicle or electric vehicle charging station. Access to charging stations at multi-family dwellings is a barrier for electric vehicle ownership. To help address this barrier, the state rebates 90 percent of the cost of a charging station installed at a multi-unit dwelling. To ensure that vehicle rebates are targeting those who need it most, MSRP caps are in effect. State staff are evaluating the feasibility of additional incentives for low- and moderate-income individuals.
- Delaware recently passed a law to incentivize the creation of Complete Community Enterprise Districts. These districts are intended to encourage economic development and deploy transportation funding that increases mobility options.
- Delaware's Community Environmental Project Fund provides money to support the restoration of the environment in communities that were damaged by environmental pollution. The fund was created in 2004 and establishes a grant program by withholding 25 percent of funds collected as penalties for violations of environmental regulations. Grant awards are reviewed by a Community Involvement Advisory Committee.

- Delaware's Department of Transportation is continually reviewing project prioritization criteria to best fit potential projects with the overall needs of the state. Prioritization criteria include safety, operating effectiveness, multi-modal transportation, economic development, environmental impacts, state and local priorities, and impacts to the public including social disruption and economic justice.

District of Columbia

- On July 15, 2020, the D.C. Council Committee on Government Operations approved the Racial Equity Achieves Results (REACH) Act. The Act establishes an Office of Racial Equity to provide racial equity training materials for District employees, requires a Racial Equity Impact Assessment for Council legislation, calls for the design and implementation of a racial equity tool to help District agencies incorporate racial equity, and creates a Commission on Racial Equity, Social Justice, and Economic Inclusion consisting of nine members to oversee the District's efforts.¹
- The District of Columbia identified priority neighborhoods based on income levels, asthma rates, and mortality rates from cancer and heart disease in deciding to prioritize projects in Wards 5, 7, and 8 within its Volkswagen settlement spending plan, which includes the following projects: Locomotive Switcher Engine Replacement, District Electrification and Low-NOx Program, and Rebates for Tailpipe Pollution Reduction Retrofits.²

Maine

- Under its statutory mandate, the Maine Climate Council must give consideration to ensuring equity for all sectors and regions of the state and that the broadest group of residents benefit from the achievement of GHG emissions reductions.³
- Efficiency Maine, a quasi-state agency trust administering energy conservation programs, created an EV incentive program with increased rebates for low and moderate-income state residents. Individuals can receive \$1,000 or \$2,000 toward their purchase or lease of a plug-in hybrid electric vehicle or battery electric vehicle, respectively, and this increases for eligible low and moderate-income residents to \$1,500 to \$3,000.⁴

¹ B23-0038 - *Racial Equity Achieves Results Amendment Act of 2019*, <https://lims.dccouncil.us/Legislation/B23-0038>

² Department of Energy & Environment, *The District of Columbia's Spending Plan for Volkswagen Settlement Funds (Beneficiary Mitigation Plan)*, (July 6, 2018), https://doee.dc.gov/sites/default/files/dc/sites/doee/page_content/attachments/The%20District%20of%20Columbia%27s%20Spending%20Plan%20for%20Volkswagen%20Settlement%20Funds.pdf.

³ *An Act to Promote Clean Energy Jobs and To Establish the Maine Climate Council*, S.P 550 – L.D. 1679, (June 26, 2019), <https://legislature.maine.gov/legis/bills/getPDF.asp?paper=SP0550&item=3&snum=129>.

⁴ Efficiency Maine, *Electric Vehicle Instant Rebates*, <https://www.efficiencymaine.com/ev/electric-vehicle-rebates/> (Sept. 4, 2020).

Maryland

- The Commission on Environmental Justice and Sustainable Communities (CEJSC), established in statute in 2001, advises state government agencies on EJ issues and develops criteria to assess which communities may be experiencing EJ issues.⁵
- The Maryland Public Service Commission (PSC) approved an EV charging infrastructure pilot program proposed by four of the state's largest electric utilities. The program includes EV supply equipment (EVSE) rebate incentives for multi-unit dwellings with the aim of expanding equitable access to EV charging to underserved residents. It will also spur utility investment in EVSE for ride-hailing services, which often operate in low and moderate-income communities.⁶

Massachusetts

- The Massachusetts Environmental Justice (EJ) Viewer is an interactive map showing which Census 2010 block groups qualify as EJ populations according to the state's 2017 EJ Policy identifying geographic areas with substantial concentrations of non-white people, low-income residents, and English-isolation areas.⁷
- The Massachusetts Department of Environmental Protection (MassDEP) Air Assessment Branch operates an air quality monitoring network of 22 monitoring stations located in 17 cities and towns. Some monitoring sites are selected because they are probable pollution hot spots, whereas others are chosen to provide data representative of wider areas. MassDEP also provides an Air Quality Index (AQI) that gives local air quality information.⁸ EPA plans to loan the state up to nine air quality sensors to place around Chelsea, which has increased air pollution rates but no permanent monitoring equipment.⁹
- The Massachusetts Electric Vehicle Incentive Program (MassEVIP) provides funding for owners of multi-unit dwellings to acquire EV charging stations.¹⁰

⁵ Maryland Department of Planning, *Commission on Environmental Justice & Sustainable Communities*, <https://planning.maryland.gov/Pages/OurWork/CommissionEnvJustice.aspx> (last visited Sept. 3, 2020).

⁶ Maryland Public Service Commission, *Maryland PSC Approves Modified Utility Electric Vehicle Portfolio*, (Jan. 14, 2019), https://www.psc.state.md.us/wp-content/uploads/MD-PSC-Approves-Modified-Utility-EV-Charging-Portfolio_01142019-1.pdf.

⁷ Massachusetts Department of Environmental Protection, *Environmental Justice Communities in Massachusetts*, <https://www.mass.gov/info-details/environmental-justice-communities-in-massachusetts#interactive-map-> (last visited July 20, 2020). Massachusetts defines an “Environmental Justice community” as any “block group whose annual median household income is equal to or less than 65 percent of the statewide median (\$62,072 in 2010); or 25% or more of the residents identify as a race other than white; or 25% or more of households have no one over the age of 14 who speaks English only or very well. *Id.*

⁸ Massachusetts Environmental Public Health Tracking, *Outdoor Air Quality*, Mass.gov, <https://matracking.ehs.state.ma.us/Environmental-Data/Air-Quality/index.html> (last visited Sept. 3, 2020).

⁹ Dennis Deziel, Regional Administrator, U.S. Envtl. Prot. Agency, Letter to Senator Edward J. Markey (Aug. 05, 2020), <https://www.markey.senate.gov/imo/media/doc/R1%20Response%20to%20Congressional%20Ltr%20Chelsea%20Air%20Monitors.pdf>.

¹⁰ *Apply for MASSEVIP Multi-Unit Dwelling Charging Incentives*, Mass.gov, <https://www.mass.gov/how-to/apply-for-massevip-multi-unit-dwelling-charging-incentives> (last visited Sept. 4, 2020).

- The Massachusetts Department of Transportation (MassDOT) operates its programs, services, and activities in compliance with federal nondiscrimination laws including Title VI of the Civil Rights Act of 1964 (*Title VI*), the Civil Rights Restoration Act of 1987, and related statutes and regulations. Additionally, MassDOT complies with state nondiscrimination protections.
- The investments included in MassDOT's Capital Investment Plan are determined through a collaborative process among many stakeholders (cities and towns, private and public agencies, advocates, *etc.*), representing diverse constituencies with an array of perspectives and goals for the future of public transportation. As part of MassDOT's commitment to civil rights and nondiscrimination, MassDOT evaluates proposed investments and projects to assure that they are equitable with respect to both geography and to the population groups that benefit. MassDOT, and the MBTA, continue to develop and refine the analysis used to determine equity of capital investments.

New Jersey

- On September 18, 2020, Gov. Phil Murphy signed environmental justice legislation (S232/A2212) into law, requiring the New Jersey Department of Environmental Protection (NJDEP) to identify overburdened communities and only grant or renew permits for covered facilities after determining there is no disproportionate, cumulative environmental impacts on those communities. Permit applicants must submit an environmental justice-specific impact statement and hold public hearings if the facility is located near overburdened communities.¹¹
- New Jersey's Executive Order No. 7 requires RGGI funds to be directed to projects that will benefit communities that are disproportionately impacted by the effects of environmental degradation and climate change, and which will alleviate the negative effects on human health and the environment resulting from that impact.¹²
- New Jersey has a statutory goal to build 400 fast charging stations at 200 locations along major highways and throughout NJ's communities by 2025. The statute also has specific goals for charging stations at multi-family homes and hotels.¹³
- The *It Pay\$ to Plug In* program's eMobility component offers grant funding to help offset the cost of purchasing Level 1, Level 2, and DC fast charging stations to support EVs in low and moderate-income communities. NJDEP seeks to fund projects benefitting communities disproportionately impacted by air pollution and that will help meet identified community transportation needs.¹⁴

¹¹Senate Bill 232, New Jersey State Legislature, <https://www.njleg.state.nj.us/bills/BillView.asp?BillNumber=S232>

¹² New Jersey Executive Order No. 7, <https://www.nj.gov/infobank/eo/056murphy/pdf/EO-7.pdf>

¹³ Drive Green New Jersey, <https://www.drivegreen.nj.gov/index.html> (last visited Sept. 3, 2020).

¹⁴ *It Pay\$ to Plug In*, <https://www.drivegreen.nj.gov/plugin.html> (last visited Sept. 4, 2020).

New York

- The State's Climate Leadership and Community Protection Act (CLCPA), which took effect in January 2020, requires that no less than 35 percent of clean energy/transportation investments benefit disadvantaged communities. Participating agencies are encouraged to achieve a goal of 40 percent. The Act also established a Climate Justice Working Group, comprised of representatives from Environmental Justice communities statewide, to ensure all New Yorkers are represented in the State's transition to a cleaner energy future and benefit from investments and opportunities from this transition. CLCPA also requires the state to develop a program for community air monitoring starting with at least four communities by October 1, 2022.¹⁵
- New York's *Clean Transportation NY* plan for investing proceeds from the 2016 Volkswagen settlement directs funding to maximize NOx emission reductions, particularly in Environmental Justice communities.²¹ Pursuant to the Plan. The State will invest more than 60 percent of the \$127.7 million in settlement funds for electric vehicles, including new buses, trucks, and locomotives.¹⁶
- In July 2020, the New York Public Service Commission (PSC) published a landmark order which allocated \$701 million in electric ratepayer funding to develop a make-ready Electric Vehicle Supply Equipment infrastructure incentive program, with \$206 million directly benefiting disadvantaged communities. This includes \$85 million for three innovative clean transportation prize competitions. The order further requires a minimum of 20 percent of each electric utility's budget for charging stations must be spent on charging stations located within 1-2 miles of a disadvantaged community. The order also covers up to 100 percent of eligible make-ready utility costs for publicly accessible Level 2 and DC fast chargers installed within 1-2 miles of a disadvantaged communities.¹⁷

Pennsylvania

- Pennsylvania Department of Transportation (PennDOT) is working to improve equity in transportation through its PennDOT Connects initiative for public engagement and by expanding access to broadband. Both initiatives aim to make use of valuable, shared roadways for maximum community benefit.
- PennDOT Connects requires agency collaboration with community stakeholders, such as local governments, Metropolitan Planning Organizations, and Rural Planning Organizations, before project scopes and cost estimates are developed.¹⁸

¹⁵ Senate Bill S6599, New York State Senate, <https://www.nysenate.gov/legislation/bills/2019/s6599> (last visited Sept. 2, 2020).

¹⁶ Governor Cuomo Announces New York to Invest \$127.7 Million Volkswagen Settlement in Clean Vehicles, Governor Andrew Cuomo's Press Office, (Sept. 5, 2018), <https://www.governor.ny.gov/news/governor-cuomo-announces-new-york-invest-1277-million-volkswagen-settlement-clean-vehicles>.

¹⁷ Order Establishing Electric Vehicle Infrastructure Make-Ready Program and Other Programs, (July 16, 2020), <http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?Mattercaseno=18-E-0138>.

¹⁸ Pennsylvania Secretary of Transportation Leslie S. Richards, *PennDOT Connects Policy*, (Dec.19, 2016), <https://www.penndot.gov/ProjectAndPrograms/Planning/Documents/PennDOTConnects/PennDOT%20Connects%20Policy%20Statement.pdf>.

- Restore Pennsylvania, a \$4.5 billion proposal funded through a severance tax on natural gas, includes funding to support the installation of infrastructure to bring high speed internet to every part of the state, including rural areas.¹⁹
- Pennsylvania's Alternative Fuel Vehicle Rebate Program offers an additional \$500 rebate to low-income applicants.²⁰

Rhode Island

- The State of Rhode Island is focusing on developing clean transportation options and addressing the environmental conditions at and around the Port of Providence. At the northern end of Narragansett Bay, the Port of Providence generates a lot of truck traffic and is adjacent to often congested Routes I-95 and I-195. The Port and highways are proximate to a large health care industry cluster, including Rhode Island and Hasbro Children's Hospitals, and the historically underserved neighborhoods of South Providence and Washington Park. The residents in these neighborhoods are primarily people of color. Through a multi-agency effort, the State, along with the City and U.S. EPA, are focused on clean air, enhanced monitoring, planning response to climate change, and clean transportation for this community, coupled with enhanced processes for outreach and empowerment of the area residents. Much initial work has been done to establish partnerships, build trust, and set a path forward. This is very much a work in progress, and efforts here will be closely aligned with Governor Raimondo's Mobility Innovation Plan, which is being developed now, and the regional Transportation and Climate Initiative.
- The Rhode Island Department of Environmental Management (DEM) has established a partnership with the Rhode Island Racial and Environmental Justice Coalition, to collaboratively develop an environmental vision for communities surrounding Providence's major port facility.
- The Rhode Island Public Transit Authority (RIPTA) is utilizing Volkswagen settlement funds to conduct a pilot study using three electric buses to assess if the vehicles can meet the demands and range of RIPTA's fossil-fuel and hybrid buses. RIPTA is expanding the pilot with the purchase of 17 additional vehicles to be deployed on RIPTA's busiest route, the R-Line, which will translate to one in five RIPTA passengers riding on a zero-emissions vehicle.
- The Rhode Island Department of Transportation (RIDOT) co-hosts an annual RhodeWorks Construction Career Days event, which has become a valuable workforce development tool for the state's transportation construction industry. The goal is to introduce high school students to careers in the industry to support the pipeline that will provide the construction professionals of tomorrow. RIDOT joins forces with the Construction Industries of Rhode Island (CIRI) member companies, the URI

¹⁹ *Restore Pennsylvania*, Pa. Governor Tom Wolf, <https://www.governor.pa.gov/restore-pennsylvania/>

²⁰ *Alternative Fuels Incentive Grant Program: Alternative Fuel Vehicle (AFV) Rebates*, Pa. Dep't of Envtl. Prot., <https://www.dep.pa.gov/Citizens/GrantsLoansRebates/Alternative-Fuels-Incentive-Grant/Pages/Alternative-Fuel-Vehicles.aspx> (last visited February 13, 2019).

Transportation Center and trade unions to show students of all backgrounds the career opportunities in the construction field.

Vermont

- Vermont's Agency of Transportation (VTrans) offers up to \$4,000 in rebates to low- to moderate-income consumers for purchasing or leasing new EVs or plug-in hybrids.²¹ The Agency of Transportation has contracted with Drive Electric Vermont and Vermont's electric distribution utilities to help administer the program, including by maintaining a webpage on the program, answering consumer and dealer questions, updating the guidelines, keeping records, etc. Dealers take the amount of the incentive off the down payment and then obtain reimbursement from the consumer's distribution utility, which in turn obtains reimbursement from VTrans. Alternatively, eligible consumers may purchase the EV without an incentive and then provide proof of purchase to their distribution utility, which will provide the incentive to the consumer and then obtain reimbursement from VTrans. Incentives are greater for lower-income consumers and for consumers who purchase or lease a battery electric vehicle rather than a plug-in hybrid. Eligible vehicles must have a base MSRP of no more than \$40,000.
- Vermont's MileageSmart Program provides point-of-sale financial assistance to income-eligible Vermonters to purchase used fuel-efficient vehicles. MileageSmart can contribute up to 25% to the purchase price. Vermont plans to launch an emissions-repair program that will provide point-of-repair financial assistance to income-eligible Vermonters to help repair vehicles that failed emissions testing.²²
- Vermont has been drawing down about \$2.8 million in grants available from the Volkswagen settlement to install EV charging stations throughout the state.²³ The 2020 Legislature appropriated an additional \$750,000 of general funds to continue the State's EVSE grant program.
- Vermont's Global Warming Solutions Act requires the Secretary of Natural Resources to consider public input from communities that have the most significant exposure to the impacts of climate change, including disadvantaged, low-income, and rural communities and areas, prior to promulgating rules to mitigate GHG emissions. The Vermont Climate Council must include a Just Transitions Subcommittee to ensure that GHG mitigation strategies consider the disproportionate impact of climate change on rural, low income,

²¹ Purchase Incentives, Drive Electric Vt., <https://www.driveelectricvt.com/why-go-electric/purchase-incentives> (last visited February 13, 2020).

²² Agency of Transportation, *Statewide Vehicle Incentives Program*, <https://vtrans.vermont.gov/planning/projects-programs/vehicle-incentives> (last visited February 13, 2020).

²³ Electric Vehicle Supply Equipment (EVSE) Grant Program, Vermont.gov, <https://accd.vermont.gov/community-development/funding-incentives/electric-vehicle-supply-equipment-evse-grant-program> (last visited February 13, 2020).

and marginalized communities and that programs and incentives for building resilience are designed to be accessible to all Vermonters and do not unfairly burden any groups, communities, geographic locations, or economic sectors. The Climate Action Plan must minimize negative impacts on marginalized and rural communities and individuals with low and moderate incomes, ensure that all areas of the State benefit from GHG reductions, including economic, quality-of-life, and public-health benefits, and support economic sectors and regions of the State that face the greatest barriers to emissions reductions, especially rural and economically distressed regions and industries.

Virginia

- Recently passed legislation and executive action by Governor Northam has put Environmental and Racial Justice the forefront of Virginia policy-making. In 2019, the Governor appointed the Commonwealth's first cabinet-level Chief Diversity Officer - the first position of its kind in the nation.
- The 2020 Environmental Justice Act was among several pieces of legislation this year to codify environmental justice into state law by defining environmental justice communities and stating it is the policy of the Commonwealth to pursue environmental justice.²⁴
- On March 3, 2020, Virginia made permanent its Virginia Council on Environmental Justice, consisting of 27 members, to advise the Governor on environmental justice policies.²⁵
- While the Virginia Department of Environmental Quality (DEQ) has an ongoing Environmental Justice study, recent legislation created an Interagency Environmental Justice Working Group to assess environmental justice policies and procedures across all state agencies.

Regional and Multi-state Policies:

- The Multi-State Medium- and Heavy-Duty Zero Emissions Vehicle Memorandum of Understanding (MOU) signed in July 2020 by fifteen states and the District of Columbia explicitly recognizes that emissions from medium-and heavy-duty vehicles (MHDVs) are an environmental justice problem that directly and disproportionately impacts disadvantaged communities located near freight corridors, ports and distribution centers. The MOU signatories set a target of 30 percent of new medium- and heavy-duty vehicles being zero-emission by 2030, and 100 percent zero-emission vehicles by 2050. The signatory jurisdictions have pledged to focus on disadvantaged communities and seek to accelerate the deployment of MHDVs to benefit in particular those communities who

²⁴ *Virginia Environmental Justice Act*, Virginia's Legislative Information System, <https://lis.virginia.gov/cgi-bin/legp604.exe?201+ful+CHAP1257> (last visited Sept. 2, 2020).

²⁵ *Virginia Council on Environmental Justice*, Virginia's Legislative Information System, <https://lis.virginia.gov/cgi-bin/legp604.exe?201+ful+CHAP0113> (last visited Sept. 2, 2020).

have been historically burdened with higher levels of pollution. In developing an action plan for zero emissions MHDVs, they will explore opportunities to cooperate, coordinate and partner, as appropriate, with community and environmental advocates.

This list includes examples of complementary transportation policies in TCI jurisdictions that advance goals of equity and environmental justice. It is not comprehensive or inclusive of all policies currently enacted or pending. TCI jurisdictions welcome input and engagement regarding the policies on this list.