

Brief Section-by-Section Summary of [S.99](#) (Misc. Motor Vehicles Bill)

Sec. 1 – New Motor Vehicle Arbitration (“Lemon Law”): Amends codified law to provide that consumer continues to have one year following the expiration of the express warranty to recommence proceedings under the new motor vehicle arbitration law (“lemon law”) if proceedings are terminated because manufacturer performs corrective work satisfactory to consumer prior to scheduled hearing. **EFFECTIVE ON PASSAGE.**¹

Sec. 2 – Definition of Mail: Adds to codified law a definition of mail for all of Title 23. Would give the Commissioner of Motor Vehicles the authority to authorize methods of delivery. **EFFECTIVE ON PASSAGE.**

Sec. 3 – Mobile Identification: Adds to codified law a mobile identification, which the Commissioner of Motor Vehicles may issue, in addition to and not in lieu of, to an individual who holds a Department of Motor Vehicles credential.

Secs. 4–13 – Validation Stickers: Eliminates the annual (or biennial) validation sticker that the Commissioner of Motor Vehicles currently issues to go on license plates (and makes related technical changes). **EFFECTIVE ON NOVEMBER 1, 2023.**

Sec. 14 – Electronic Proof of Registration: Allows an operator to show proof of registration electronically on a portable electronic device and allows an operator cited for failing to carry proof of registration to produce proof after-the-fact (within seven days after). **EFFECTIVE ON PASSAGE.**

Secs. 15 and 16 – Plug-In Electric Vehicle (PEV) Registration Fees: Codifies current practice to charge the pleasure car and motorcycle registration fees, respectively, for pleasure cars and motorcycles that are plug-in electric vehicles (not the specialized motor vehicle registration fees (1.75x the pleasure car or motorcycle registration fees, respectively)). **EFFECTIVE ON PASSAGE.**

Secs 17 and 18 – Statutory Default Speed Limits: Changes the statutory default speed limit for unpaved and unposted town highways to 35 mph (as opposed to the current State-wide statutory default speed limit of 50 mph) and requires outreach materials from the Agency of Transportation. **NEW STATUTORY DEFAULT SPEED LIMITS EFFECTIVE ON JULY 1, 2024.**

¹ Section effective on July 1, 2023, if not specified.

Brief Section-by-Section Summary of [S.99](#) (Misc. Motor Vehicles Bill)

Secs. 19 & 20 – Total Abstinence Program (TAP):

- Amends codified law to define what “total abstinence” from drugs and alcohol means for purposes of participating in the Total Abstinence Program (TAP) and require from passage forward, without regard to when the participant applies for and/or gets a license/privilege to operate reinstated, that failure to maintain total abstinence precludes entrance into and participation in TAP.
- Requires the Commissioner of Motor Vehicles to provide written notice of the amendments in Sec. 19 to all TAP participants and applicants not later than September 1, 2023 and dictates that the “total abstinence means total abstinence as defined in statute” standard applies after passage to all existing and future TAP participants (belts/suspenders approach with effective date in Sec. 47(b)).

EFFECTIVE ON PASSAGE (EXPLANATION IN SEC. 47(b)).

Sec. 21 – Motor Vehicle Noise; Motorcycles: Amends codified law to require that motorcycles have a stamp with federal Environmental Protection Agency required labeling (states that the exhaust system meets the 80-decibel standard at 50 feet) when operated on State and town highways

Sec. 22 – Overweight Permits: Amends codified law to eliminate a milk hauler specific permit structure and instead require milk haulers that want to carry milk at 90,000 lbs to either register at 90,000 lbs or register at 80,000 lbs and get an all products permit to carry at 90,000 lbs.

Secs. 23 and 24 – Electronic Permits: Amends codified law to:

- (1) repeal the one subdivision in the subchapter on truck permits that requires permits be carried; and
- (2) add a new section that requires all permits issued under the subchapter to be carried by the operator, including in electronic form (preserves civil penalty from repealed subdivision).

EFFECTIVE ON PASSAGE.

Secs. 25–28 – Exempt Vehicle/Certificate of Title: Amends codified law to:

- (1) grandfather in motor vehicles that are more than 15 years old on January 1, 2024, from needing to have a certificate of title (currently 15 years old in general);
- (2) repeal the concept of exempt vehicle title for motor vehicles that are more than 15 years old;

Brief Section-by-Section Summary of [S.99](#) (Misc. Motor Vehicles Bill)

- (3) authorize the Commissioner of Motor Vehicles to issue a certificate of title for a motor vehicle without regard to the age of the motor vehicle; and
- (4) authorize the Commissioner of Motor Vehicles to issue electronic certificates of title if the applicant is entitled to a non-electronic certificate of title.

EFFECTIVE UPON COMPLETION OF THE VEHICLE SERVICES MODULE (~NOV. 2023).

Sec. 29 – Nonresident Certificate of Title: Amends codified law applicable when the Commissioner of Motor Vehicles is not satisfied as to the ownership of the motor vehicle or that there are no undisclosed security interests so that the DMV can no longer register the motor vehicle and issue a certificate of title to a nonresident based on the filing of a bond (and other related requirements). Bond will still be an option for a resident of Vermont and nonresidents will still be able to register the vehicle/get a certificate of title if no issues regarding ownership or undisclosed security interests.

Secs. 30–34 – Towing: Amends codified law to:

- (1) define towing business for purposes of Title 23;
- (2) allow a vehicle to meet the definition of “abandoned” if a law enforcement officer requests that the vehicle be removed by a towing business;
- (3) define law enforcement officer and what sorts of motor vehicles can be abandoned (basically anything with an identification plate/number or that is titleable) for purposes of the abandoned motor vehicle subchapter;
- (4) clarify that the landowner (defined) of the property where an abandoned motor vehicle is located—which could be the towing business if the vehicle is relocated—can apply for an abandoned motor vehicle certification and expands both the time to file the certification from 30 to 90 days and who can certify the VIN of the abandoned motor vehicle;
- (5) increases the State-reimbursement rate for towing an abandoned motor vehicle from public property from \$40 to \$125 and eliminates the existing \$16,000 cap for total reimbursements in a fiscal year; and
- (6) creates a towing storage lien that is held by a towing business for the towing business’s reasonable towing, storage, and remediation charges and allows for the towing business to retain the vehicle and its contents until the reasonable charges are paid or bond provided.

Sec. 35 – Snowmobiles; Proof of Insurance: Amends codified law to require a snowmobile operator to carry proof of insurance, but allows that to be done electronically on a portable electronic device and allows an operator cited for

Brief Section-by-Section Summary of [S.99](#) (Misc. Motor Vehicles Bill)

failing to carry proof of insurance to produce proof after-the-fact (within seven days after).

Sec. 36 – Commercial Driver’s Licenses Drug and Alcohol Clearinghouse:

Amends codified law to require the Commissioner of Motor Vehicles to check the federal Commercial Driver’s License Clearinghouse before issuing a commercial driver’s license or commercial learner’s permit and establishes denial criteria based on that search. **EFFECTIVE ON NOVEMBER 18, 2024 (WHEN FEDERAL REQUIREMENT IS EFFECTIVE).**

Sec. 37 – Purchase and Use Tax – Taxable Cost Definition: Amends codified law to allow the total cost to exclude the value of a vehicle that was previously registered OR titled (titling being the addition) because there are a limited number of motor vehicles that do not need to be registered and title only transactions also trigger the payment of purchase and use tax.

Sec. 38 – Purchase and Use Tax – Exceptions from Purchase and Use Tax:

Amends codified law to expand the exception for a motor vehicle registered to an applicant in a jurisdiction that imposes a state sales and use tax on motor vehicles to apply if the motor vehicle has been registered to the applicant in such a jurisdiction for any amount of time, as opposed to 3+ years.

Sec. 39 – Gross Weight Limits on Highways Report: Requires the Secretary of Transportation or designee, in consultation with other individuals, to examine adding one or more special annual permits to statute to allow for the operation of motor vehicles over 99,000 pounds with a report due back to the House and Senate Committees not later than January 15, 2024. Includes minimum areas that need to be addressed, including a permit that allows 107,000 pounds on six axles or 117,000 pounds on seven axles.

Secs. 40–43 – DMV Core System Modernization: Allows the Commissioner of Motor Vehicles to make reasonable changes to existing Department of Motor Vehicles’ processes related to driver services as part of implementing the DMV Core System Modernization project provided that the Commissioner gets approval from the Joint Transportation Oversight Committee (JTOC) under a process that is established with deadlines and no disapproval (so silence) from JTOC within 30 calendar days being deemed approval. This authority expires on July 1, 2025 (requires a modification to the statutory authority of JTOC, which is reverted on July 1, 2025).

Brief Section-by-Section Summary of [S.99](#) (Misc. Motor Vehicles Bill)

Secs. 44–46 – ATV Split: Preserves the 90 (Department of Forests, Parks and Recreation)/10 (Transportation Fund) split of ATV fees and penalties, with the 90% share going to VASA.

Sec. 47 – Effective Dates