

Act No. 50 (S.122). Motor vehicles

An act relating to miscellaneous changes to laws related to motor vehicles, motorboats, and other vehicles

This act:

- Amends the general definition of “dealer” to include snowmobile, motorboat, and ATV dealers; adds minimum sales requirements to qualify as a snowmobile, motorboat, ATV, trailer, semi-trailer, trailer coach, motorcycle, or motor-driven cycle dealer; amends a provision that disqualifies persons from registering as a dealer as a result of convictions; and makes technical, organizational, terminology, and conforming changes to the definition of dealer and the laws governing dealers.
- Expands the definition of “transporter” and the authorized users of transporter plates, and makes technical and organizational changes to the definition of and laws governing transporters.
- Grants the Commissioner of the Department of Motor Vehicles (DMV) the authority to adopt rules governing the standards for insurance identification cards. This authority will take effect if and when five northeastern states require that insurance identification cards include machine-readable technology.
- Clarifies the law governing parking in spaces designated for persons with disabilities.
- Adds “multifunction school activity buses” (MFSAB) to the list of vehicles required to stop at railroad grade crossings and reorganizes the section requiring certain vehicles to stop at such crossings.
- Authorizes the use of a MFSAB in a road test for a school bus license endorsement on a commercial driver license and restricts the resulting endorsement to operation of MFSABs.
- Expands three of Vermont’s distracted driving laws to prohibit the use of a portable electronic device on a public highway maintained by the State or by towns when the vehicle is temporarily stationary, unless the operator has moved the vehicle to the side of or off the highway in a location where it can safely and lawfully remain stationary.
- In Vermont’s law prohibiting the handheld use of a portable electronic device while driving, eliminates the requirement that the device be in a cradle or otherwise securely mounted in order for the driver to qualify for an exception for activating or deactivating hands-free use of the device.

- Limits the circumstances under which use of a GPS system is allowed as an exception to laws governing the use of a portable electronic device while driving.
- Reorganizes and clarifies the law prohibiting obstructions on windshields and side windows; codifies the Vermont Supreme Court's March 6, 2015 decision in *State v. Hurley*; and creates a new exception for electronic toll-collection transponders.
- Requires that a person applying for reinstatement of his or her driver's license under the Total Abstinence Program authorize a urinalysis test to be conducted prior to reinstatement under the Program.
- Eliminates requirements that motor vehicle, snowmobile, motorboat, and ATV titles contain specific language related to lienholders and to the return of a vehicle under a lemon law, and that duplicate titles include specific language regarding the title's status as a duplicate. Amends the brands required on the titles of rebuilt vehicles.
- Substitutes DMV for the Transportation Board and for the Agency of Transportation in the law governing the towing of vehicles that are illegally parked and the collection and forwarding of information regarding towed vehicles and ownership of towed vehicles, and clarifies that Vermont's abandoned motor vehicle law may govern the disposition of the towed vehicles.
- Updates a provision of the salvage yard law that governs notice of removal and disposition of junk motor vehicles that are ordered to be removed, in order to reference the notice and disposition process provided for under the abandoned motor vehicle law.
- Increases the authorized width of ATVs from 60" to 64"; authorizes an ATV operator to pay for a Trail Access Decal electronically and allows receipts of electronic transactions to be used as proof of payment for a 10-day period; and eliminates reciprocity as a precondition to recognizing out-of-state ATV registrations.
- Extends from 90 days to 12 months the skills test waiver period for former military drivers applying for a commercial driver license.
- Eliminates a requirement that the Commissioner of DMV prepare and furnish a list of registered motor vehicles, and that the Commissioner prepare monthly a list of persons under suspensions.
- Repeals a provision requiring nonresident motor truck registration in Vermont.

- Eliminates the requirement for an arbitration hearing to be held when a case brought under the New Motor Vehicle Arbitration Law is uncontested, and specifies the time frame for the Motor Vehicle Arbitration Board to issue a decision in an uncontested matter.
- Extends from September 1, 2015 to September 1, 2017, the period during which the Commissioner of DMV may authorize pilot program participants to operate Type II school buses retrofitted with an auxiliary fuel tank to enable the use of biodiesel, waste vegetable oil, or straight vegetable oil.
- Authorizes and adopts standards governing the issuance of an “exempt vehicle title” that a Vermont resident may request for a motor vehicle that is more than 25 years old, and makes related conforming changes to the laws governing motor vehicle titles.

Multiple effective dates, beginning on June 3, 2015