

1 H.517

2 Introduced by Representatives Shaw of Pittsford, Burditt of West Rutland,  
3 Hebert of Vernon, Helm of Fair Haven, Howrigan of Fairfield,  
4 McAllister of Highgate, McNeil of Rutland Town, Potter of  
5 Clarendon and Savage of Swanton and Shand of Weathersfield

6 Referred to Committee on

7 Date:

8 Subject: Municipal and county government; regulatory provisions; right to  
9 recover expenses for emergency services; motor vehicles; closed  
10 highways; flooded highways

11 Statement of purpose: This bill proposes to prohibit motorists from operating  
12 vehicles on flooded highways and to authorize municipalities to recover the  
13 costs associated with aiding stranded motorists and moving disabled vehicles.

14 An act relating to prohibiting operation of vehicles on flooded highways  
15 and authorizing recovery of expenses for emergency services

16 It is hereby enacted by the General Assembly of the State of Vermont:

1 Sec. 1. 23 V.S.A. § 1112 is amended to read:

2 § 1112. CLOSED AND FLOODED HIGHWAYS

3 (a) Except by the written permit of the authority responsible for the closing,  
4 no person shall drive any vehicle over any highway across which there is a  
5 barrier or a sign indicating that the highway is closed to public travel.

6 (b) Except for operators of authorized emergency vehicles, motorized  
7 highway building equipment, or road-making appliances, no person shall  
8 operate a vehicle on a flooded highway. For the purposes of this subsection, a  
9 “flooded” highway means those portions of a highway covered by four or more  
10 inches of standing water, and shall not be construed to include highway  
11 potholes or other isolated recesses containing four or more inches of standing  
12 water.

13 Sec. 2. 24 V.S.A. § 2296a is added to read:

14 § 2296a. RIGHT TO RECOVER EXPENSES FOR EMERGENCY

15 SERVICES

16 A municipality that deploys police, fire, ambulance, rescue, or other  
17 services to aid stranded operators of vehicles or to move disabled vehicles may  
18 recover from the operator the costs of providing the services.

1 Sec. 3. 23 V.S.A. § 2502 is amended to read:

2 § 2502. POINT ASSESSMENT; SCHEDULE

3 (a) Any person operating a motor vehicle shall have points assessed against  
4 his or her driving record for convictions for moving violations of the indicated  
5 motor vehicle statutes in accord with the following schedule: (All references  
6 are to Title 23 of the Vermont Statutes Annotated.)

7 (1) Two points assessed for:

8 \* \* \*

9 (LL) § 1095. ~~Operating with television set installed~~  
10 Entertainment picture visible to the operator;

11 (MM) § 1099. Texting prohibited—first offense;

12 (NN) § 1112. Closed and flooded highways;

13 ~~(NN)~~(OO) § 1113. Illegal backing;

14 ~~(OO)~~(PP) § 1114. Illegal riding on motorcycles;

15 ~~(PP)~~(QQ) § 1115. Illegal operation of motorcycles on  
16 roadways laned for traffic;

17 ~~(QQ)~~(RR) § 1116. Clinging to other vehicles;

18 ~~(RR)~~(SS) § 1117. Illegal footrests and handlebars;

19 ~~(SS)~~(TT) § 1118. Obstructing the driver's view;

20 ~~(TT)~~(UU) § 1119. Improper opening and closing vehicle  
21 doors;



1 weight of less than 1,700 pounds, when used for cross-country travel on trails  
2 or on any one of the following or a combination thereof: land, water, snow, ice,  
3 marsh, swampland, and natural terrain. An ATV on a public highway shall be  
4 considered a motor vehicle, as defined in section 4 of this title, only for the  
5 purposes of those offenses listed in subdivisions 2502(a)(1)(H), (N), (R), (U),  
6 (Y), (FF), (GG), (II), and ~~(ZZ)~~(BBB); (2)(A) and (B); (3)(A), (B), (C), and  
7 (D); (4)(A) and (B) and (5) of this title and as provided in section 1201 of this  
8 title. An ATV shall not include an electric personal assistive mobility device.

9 Sec. 5. EFFECTIVE DATE

10 This act shall take effect on July 1, 2012.