

S.122: SENATE PROPOSAL OF FURTHER AMEND VS. HOUSE PROPOSAL

Senate Prop Further Amend Sec.	House as Passed Sec. No.	Senate-as-Passed Sec. No.	House Changes Proposed to be Accepted in Yellow Senate Rejection/Further Proposal in Grey
1	1	1	<ul style="list-style-type: none"> The House proposes to reduce minimum sales thresholds required to qualify as a snowmobile, ATV, or motorboat dealer, from 6 sales in the prior year or 12 sales in the prior 2 years, to 1 sale in the prior year or 2 sales in the prior 2 years. The Prop of Further Amendment increases these sales thresholds to 3 sales in the prior year or 6 sales in the prior 2 years. The House proposes to add new minimum sales thresholds required to qualify as a trailer dealer or as a motorcycle/moped dealer, of 1 sale in the prior year or 2 sales in the prior 2 years. The Prop of Further Amendment increases these sales thresholds to 3 sales in the prior year or 6 sales in the prior two years. The Prop of Further Amendment concurs in other changes made by the House involving eligibility to be a dealer and eliminating an unnecessary definition, and adding a new provision reorganizing the definition of "transporter" and expanding it to authorize movement of vehicles on transporter plates by owners of motor vehicle auction sites.
2	2	2	<ul style="list-style-type: none"> The Prop of Further Amendment concurs in changes made by the House: <ol style="list-style-type: none"> to amend dealer eligibility requirements in order to address motorcycle and moped dealers; to clarify the language authorizing the temporary display of dealer vehicles at fairs (§ 451(b)); making further conforming and cleanup changes in the dealer laws; and expanding the law governing transporters to allow use of transporter plates by employees or contractors (§ 491). The Prop of Further Amendment eliminates a provision proposed by the House that would authorize DMV to suspend or revoke a dealer license without a prior hearing for a 15-day period under certain circumstances (§ 462).
3	3	3	No difference between Senate as Passed and House Prop of Amendment (conforming changes to snowmobile dealer law).
4	4	4	No difference between Senate as Passed and House Prop of Amendment (conforming changes to motorboat dealer law).
5	5	5	No difference between Senate as Passed and House Prop of Amendment (conforming changes to ATV dealer law).
6	--	6	The Prop of Further Amendment adds back to the bill a provision in the Senate as Passed version that the House proposes to strike, authorizing the Commissioner of DMV to adopt rules governing the standards for insurance cards.
7	6	--	The Prop of Further Amendment concurs in the House Prop to add a section clarifying the law governing parking in spaces designated for persons with disabilities to ensure that a person who drives a person with a disability who has been issued a placard may benefit from to the law to the same extent as if the vehicle were parked by the person with a disability.
8-10	7-9	7-9	No difference between Senate as Passed and House Prop of Amendment (addressing multifunction school activity buses, railroad crossings, and road tests).
11-13	11-12	10-12	The Prop of Further Amendment adds back to the bill provisions in the Senate as Passed version that the House proposes to strike, amending the distracted driving laws related to portable electronic devices to define "operating" a motor vehicle to include temporary stops and eliminating the requirement that a motor vehicle be "moving" to fall under the prohibitions of those laws.
14	12	--	The Prop of Further Amendment concurs in the House Prop to add a section with legislative intent language about codifying the Vermont Supreme Court's decision in <i>State v. Hurley</i> . This case was decided after the Senate Transportation Committee voted out the bill. In its decision, the Court found that the law prohibiting hanging objects in front of a windshield only prohibits the hanging of objects that materially obstruct the driver's view.
15	13	13	The Prop of Further Amendment concurs in the House Prop to amend the law governing obstructions to windshields and side windows to: <ol style="list-style-type: none"> codify the <i>Hurley</i> decision; and

			ii. add language specifying the allowed location of EZ Passes on motor vehicle windshields.
16	14	14	The Prop of Further Amendment rejects the House proposal to authorize the urinalysis testing of Total Abstinence Program applicants whose licenses have been reinstated under the Program following a lifetime DUI suspension, and proposes to only allow such testing prior to any reinstatement under the Program.
--	15-16	--	The Prop of Further Amendment rejects the House proposal to add sections related to authorizing enforcement officers to obtain permits to use red and amber signal lamps and various emergency responders to obtain a permit to use one blue colored signal lamp.
17-19	17-19	15-17	No difference between Senate as Passed and House Prop of Amendment (giving the Commissioner of DMV discretion regarding motor vehicle title legends).
20-22	20-22	18-20	No difference between Senate as Passed and House Prop of Amendment (giving the Commissioner of DMV discretion regarding snowmobile, ATV, and motorboat title legends).
23	23	21	No difference between Senate as Passed and House Prop of Amendment (cleaning up language of law authorizing towing of vehicles stopped or parked contrary to law).
--	--	22-25	The Prop of Further Amendment concurs in the House proposal to strike sections related to adding a definition of "towing service" to the abandoned motor vehicle law. DMV withdrew its request for these sections on the grounds that they are not needed.
24	24	26	No difference between Senate as Passed and House Prop of Amendment (cleaning up provision in salvage yard law related to towing junk vehicles).
25	25	--	The Prop of Further Amendment concurs in the House proposal to add a new section that increases the authorized width of ATVs from 60 inches to 64 inches. DMV and the Agency of Natural Resources do not object to this increase.
26	26	27	No difference between Senate as Passed and House Prop of Amendment (authorizing proof of electronic ATV registration for a 10-day period and eliminates of ATV registration reciprocity requirement).
27	27	28	No substantive difference between Senate as Passed and House Prop of Amendment (increasing from 90 days to 12 months the period that a military commercial motor vehicle driver may be separated from military employment and still be eligible for an exemption from the CDL road test).
28	28	29	No difference between Senate as Passed and House Prop of Amendment (eliminating language requiring Comm'r of DMV to produce lists of registrations and suspensions).
29-30	29-30	30-31	No difference between Senate as Passed and House Prop of Amendment (repealing the outmoded nonresident motor truck registration law and striking related language in another law).
31-32	31-32	--	The Prop of Further Amendment concurs in the House proposal to add sections eliminating the requirement that an arbitration hearing be held when a new motor vehicle arbitration law matter is uncontested and addressing the timing of a decision in uncontested matters.
33	33	--	The Prop of Further Amendment concurs in the House proposal to add a section extending by two years the end date of a pilot program established in the 2013 Transportation Bill. (The end date is extended from 9/1/15 to 9/1/17). Under the pilot program, 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.
--	34	--	The Prop of Further Amendment rejects the House proposal to add a section creating an "exempt vehicle title" that a Vermont resident may request for vehicles more than 25 years old.
34	35	32	The Prop of Further Amendment concurs with the House proposal to make the lemon law sections effective on passage and make them applicable to matters pending on passage of the law, but eliminates the Jan. 1, 2016 effective date of the exempt vehicle title section proposed to be struck from the bill and adds language creating a 5-northeastern state trigger for authority of the Commissioner of DMV to adopt rules governing insurance id cards.