

1 H.467

2 Introduced by Representative Consejo of Sheldon

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; super speeders; violations; interstate highways; point
6 system; enhanced penalty; traumatic brain injury fund

7 Statement of purpose: This bill proposes to:

8 (1) extend to interstate highways the statutory point system penalties

9 imposing incrementally higher points for different degrees of speeding; and

10 (2) impose an enhanced penalty for “super speeders” adjudged of operating
11 more than 20 miles per hour in excess of the speed limit, with the proceeds to
12 benefit the Vermont traumatic brain injury fund.

13 An act relating to extending to interstate highways incrementally higher
14 point system penalties for different degrees of speeding and imposing
15 enhanced penalties on super speeders with proceeds to benefit the Vermont
16 traumatic brain injury fund

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

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

19 § 2502. POINT ASSESSMENT; SCHEDULE

20 (a) Any person operating a motor vehicle shall have points assessed against
21 his or her driving record for convictions for moving violations of the indicated

1 motor vehicle statutes in accord with the following schedule: (All references
2 are to Title 23 of the Vermont Statutes Annotated.)

3 * * *

4 (6) Two points assessed for sections 1003 (state speed zones), 1004
5 (interstate highway rules), and 1007. ~~State speed zones and local speed limits,~~
6 ~~more than~~ (local speed limits) for violations of less than 10 miles per hour over
7 ~~and in excess of~~ the speed limit.

8 (7) Three points assessed for sections 1003 (state speed zones), 1004
9 (interstate highway rules), and 1007. ~~State speed zones and local speed limits,~~
10 ~~more than~~ (local speed limits) for violations of 10 to 20 miles per hour over
11 ~~and in excess of~~ the speed limit.

12 (8) Five points assessed for sections 1003 (state speed zones), 1004
13 (interstate highway rules), and 1007. ~~State speed zones and local speed limits,~~
14 ~~more than 20~~ (local speed limits) for violations of 21 to 30 miles per hour over
15 ~~and in excess of~~ the speed limit.

16 (9) Eight points assessed for sections 1003 (state speed zones), 1004
17 (interstate highway rules), and 1007. ~~State speed zones and local speed limits,~~
18 (local speed limits) for violations of more than 30 miles per hour over ~~and in~~
19 ~~excess of~~ the speed limit.

20 * * *

1 Sec. 2. 23 V.S.A. § 1007b is added to read:

2 § 1007b. SUPER SPEEDER VIOLATION; ENHANCED PENALTY

3 (a) In addition to any other fines or penalties imposed for violations of
4 section 1003 (state speed zones), 1004 (interstate highway rules), 1007 (local
5 speed limits), or 1081 (basic rule and maximum limits) of this title, the
6 department of motor vehicles shall administer and collect a fee of \$200.00
7 from any driver adjudged of a violation of more than 20 miles per hour over
8 the speed limit (hereafter “super speeder violation”).

9 (b) Within 30 days of judgment of a super speeder violation, the
10 department of motor vehicles shall send notice of imposition of the fee
11 specified in subsection (a) of this section by first-class mail to the address of
12 the offender shown in the records of the department. The notice shall state that
13 failure to pay the fee within 30 days of the date of the notice shall result in
14 suspension of the offender’s operator’s license or privilege to operate, and the
15 denial, if the offender is the sole registrant, of the offender’s application for
16 renewal of a motor vehicle registration until the amount due is paid or
17 otherwise satisfied. If the offender fails to pay the amount due within the 30
18 days and the case is not pending on appeal, the judicial bureau shall provide
19 electronic notice to the commissioner of motor vehicles who, after 20 days
20 from the date of receiving the electronic notice, shall suspend the offender’s
21 operator’s license or privilege to operate and deny, if the offender is the sole

1 registrant, the offender's application for renewal of a motor vehicle registration
2 until the amount due is paid or otherwise satisfied.

3 (c) The department of motor vehicles shall be authorized to adopt rules to
4 implement the provisions of this section.

5 (d) All fees collected under this section shall be deposited in the Vermont
6 traumatic brain injury fund established by 33 V.S.A. § 7801. The office of the
7 state treasurer shall separately account for all the moneys received and
8 collected under this section.