

## **Act No. 189 (S.314). Motor vehicles**

### **An act relating to miscellaneous amendments to laws related to motor vehicles**

This act:

- Requires the Commissioner of Motor Vehicles (“Commissioner”) to issue nondriver identification cards at no charge to persons whose licenses are revoked or suspended due to a physical or mental condition, and provides for non-REAL ID compliant identification cards to be valid for a four-year period.
- Authorizes the display of vanity plates on any Vermont registered motor vehicle not registered under the International Registration Plan.
- Authorizes the Commissioner to issue low number plates to registrants of motorcycles.
- Clarifies the law governing the issuance and expiration of registration plates and registration validation stickers in order to reflect existing practice, and authorizes a motor vehicle operator to use a portable electronic device to provide proof of a temporary registration.
- Requires that registration validation stickers be unobstructed and specifies where the stickers must be placed on rear license plates.
- Requires that learner’s permits issued by other jurisdictions be reciprocally recognized in Vermont.
- Specifies that a holder of a learner’s permit issued by another jurisdiction who operates a motor vehicle in Vermont must operate according to the same law that applies to holders of Vermont-issued learner’s permits.
- Clarifies that a licensed nonresident under 18 years of age who operates a motor vehicle in Vermont must follow the same graduated license restrictions that apply to holders of Vermont-issued junior operator’s licenses.
- Authorizes the issuance of four-year operator’s privilege cards.
- Specifies the two-year and four-year fees for driving privilege cards.
- Authorizes DMV to credit holders of privilege cards for the price premium for the two-year cards if certain conditions are met, and authorizes DMV to swap out an eligible applicant’s driving privilege card for a REAL ID-compliant license at no cost if the privilege card was issued from January 1, 2014 until December 31, 2015.
- Eliminates the requirement that new or renewal driver training school license applicants provide evidence of insurance coverage for each motor vehicle used in driver training and that insurance carriers provide the Department of Motor Vehicles (DMV) advance notice of a cancellation or nonrenewal of coverage.
- Adds a definition of the phrases “business day” and “working day,” which are defined interchangeably.

- Specifies that the operator of a vehicle required to be registered must have proof of financial responsibility when operating the vehicle on a Vermont highway, and that he or she may prove financial responsibility using a portable electronic device.
- Reduces the grace period during which a person who fails to carry a driver's license while driving may provide proof of licensure after a traffic stop and thereby avoid conviction for a traffic violation.
- Repeals requirements that operators of motor trucks registered outside Vermont obtain a \$6.50 nondiesel fuel user's license or a diesel fuel user's license.
- Authorizes DMV to waive a one-year requirement that a person whose license is reinstated under the Total Abstinence Program operate under an ignition interlock restricted driver license, if the person furnishes proof that he or she is medically unable to use an ignition interlock device.
- Specifies that DMV may elect not to conduct an investigation if a nonresident applies for license reinstatement under the Total Abstinence Program, but requires DMV to provide a letter to the applicant's jurisdiction of residence stating that DMV does not object to issuance of a license, provided that the person is required to operate only vehicles equipped with an ignition interlock device and to complete any alcohol treatment requirements.
- Eliminates a reference to DMV issuing overweight and overdimension commercial motor vehicle permits for a limited or unlimited length of time.
- Repeals a section of law regarding designation of routes to transport mobile homes, and specifies that single trip permits for overweight and overdimension vehicles shall be valid for seven business days.
- Changes the date for diesel fuel distributors or dealers to report diesel fuel sales to the 25th of each month, rather than the last day of each month.
- Increases from \$400,000.00 to \$700,000.00 the maximum amount of the bond that the Commissioner may require a gasoline distributor to maintain, establishes a default amount of the bond required for gasoline distributors in the years after their initial licensure, authorizes the Commissioner to reduce or eliminate the required bond for a distributor that complies with all licensing and reporting requirements for a three-year period, and fixes the circumstances under which the Commissioner may increase a bond because of a distributor's noncompliance with payment and reporting requirements.
- Authorizes completed snowmobile Trails Maintenance Assessment (TMA) forms to be used for a 10-day period as proof of payment of the TMA assessment.
- Authorizes snowmobile registration proceeds allocated for expenditure on law enforcement services, but that are unexpended and carried forward to

subsequent fiscal years, to be used for the purchase of capital equipment to aid law enforcement.

- Amends the definition of “serious traffic violation” in the commercial driver license chapter to include the use of a handheld mobile telephone while driving a commercial motor vehicle (CMV).
- Expands the authority of the State to disqualify a person from driving a CMV at the same time that the person is subject to a disqualification issued by the Federal Motor Carrier Safety Administration.
- Extends from July 1, 2014, to July 1, 2016, the period during which Vermont registered vehicles may display Vermont Strong commemorative plates, and authorizes the Commissioner to sell Vermont Strong plates for \$5.00 on or after July 1, 2016.
- Repeals entry tax and identification marker provisions related to vehicles registered outside Vermont, and makes conforming changes to reflect these repeals.
- Reduces from five to three the number of dealer plates that car and truck dealers are issued with their dealer registrations, limits the issuance of additional dealer plates according to the dealer’s volume of sales, and addresses the transition to compliance with these limits.
- Requires the Commissioner to study and make recommendations to the House and Senate Committees on Transportation on the use of dealer plates by towing service vehicles.
- Specifies the circumstances when a nonresident who holds a valid license issued by a foreign country may operate a motor vehicle on Vermont highways.
- Defines the terms “autocycle” and “fully enclosed autocycle” and includes both of these terms within the definition of motorcycle, exempts operators of autocycles from the requirement to obtain a motorcycle endorsement, exempts occupants of autocycles and sidecars from the general requirement for motorcycle operators or passengers to sit astride their seats, and exempts the occupants of fully enclosed autocycles from the requirement to wear a helmet
- Provides that a certified inspection mechanic of a school bus does not need to have a commercial driver license if he or she uses automated brake testing equipment in lieu of a road test or if he or she only operates the bus at a safe location that is not a highway as needed to conduct an inspection road test.
- Amends the definition of “portable electronic device” to exclude two-way and Citizens Band radios and devices used by licensed amateur radio operators in accordance with FCC regulations.
- Expands an existing law which prohibits the use of a portable electronic device while operating a moving motor vehicle in a work zone in order to prohibit the use of a portable electronic device while operating a moving motor vehicle on

a highway generally, whether the operator is within a work zone or not. This law establishes four exceptions to the prohibition, including an exception which allows for hands-free use.

- Requires the Agency of Transportation to conduct an educational campaign to inform highway users of the prohibition on handheld use of portable electronic devices while driving and of the October 1, 2014 effective date of this prohibition.

Multiple effective dates, beginning on June 12, 2014