

S.314

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

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

* * * Nondriver Identification Cards * * *

Sec. 1. 23 V.S.A. § 115 is amended to read:

§ 115. NONDRIVER IDENTIFICATION CARDS

(a) Any Vermont resident may make application to the Commissioner and be issued an identification card which is attested by the Commissioner as to true name, correct age, residential address unless the listing of another address is requested by the applicant or is otherwise authorized by law, and any other identifying data as the Commissioner may require which shall include, in the case of minor applicants, the written consent of the applicant's parent, guardian, or other person standing in loco parentis. Every application for an identification card shall be signed by the applicant and shall contain such evidence of age and identity as the Commissioner may require, consistent with subsection (1) of this section. New and renewal application forms shall include a space for the applicant to request that a "veteran" designation be placed on his or her identification card. If a veteran, as defined in 38 U.S.C. § 101(2), requests a veteran designation and provides a Department of Defense Form 214 or other proof of veteran status specified by the Commissioner, and

the Office of Veterans Affairs confirms his or her status as an honorably discharged veteran or a veteran discharged under honorable conditions, the identification card shall include the term "veteran" on its face. The Commissioner shall require payment of a fee of \$20.00 at the time application for an identification card is made, except that an initial nondriver identification card shall be issued at no charge to a person who surrenders his or her license in connection with a suspension or revocation under subsection 636(b) of this title due to a physical or mental condition.

(b) ~~Except as provided in subsection (1) of this section, every~~ Every identification card shall expire, unless earlier canceled, on the fourth birthday of the applicant following the date of original issue, and may be renewed every four years upon payment of a \$20.00 fee. At least 30 days before an identification card will expire, the Commissioner shall mail first class to the cardholder an application to renew the identification card.

* * *

(1)(1) The Commissioner shall issue identification cards to Vermont residents who are not U.S. citizens but are able to establish lawful presence in the United States if an applicant follows the procedures and furnishes documents as required under subsection 603(d) of this title and any policies or rules adopted thereunder, and otherwise satisfies the requirements of this

section. The identification cards shall expire consistent with subsection 603(d) of this title.

* * *

(4) A non-REAL ID compliant identification card issued under subdivision (2) or (3) of this subsection shall:

~~(A)~~ bear on its face text indicating that it is not valid for federal identification or official purposes; ~~and~~

~~(B)~~ expire at midnight on the eve of the second birthday of the applicant following the date of issuance.

* * * Vehicles Eligible to Display Vanity Plates * * *

Sec. 2. 23 V.S.A. § 304(b) is amended to read:

(b) The authority to issue vanity motor vehicle number plates or special number plates for safety organizations and service organizations shall reside with the Commissioner. Determination of compliance with the criteria contained in this section shall be within the discretion of the Commissioner. Series of number plates for safety and service organizations which are authorized by the Commissioner shall be issued in order of approval, subject to the operating considerations in the Department as determined by the Commissioner. The Commissioner shall issue vanity and special organization number plates in the following manner:

(1) Vanity plates. Subject to the restrictions of this section, vanity plates shall be issued at the request of the registrant of a motor vehicle ~~registered at the pleasure car rate or of a truck registered for less than 26,001 pounds (but excluding trucks~~ unless the vehicle is registered under the International Registration Plan), upon application and upon payment of an annual fee of \$45.00 in addition to the annual fee for registration. The Commissioner shall not issue two sets of plates bearing the same initials or letters unless the plates also contain a distinguishing number. Vanity plates are subject to reassignment if not renewed within 60 days of expiration of the registration.

* * *

* * * Registration Validation Stickers; Proof of Temporary Registration * * *

Sec. 3. 23 V.S.A. § 305 is amended to read:

§ 305. REGISTRATION PERIODS

(a) The Commissioner of Motor Vehicles shall issue registration certificates, validation stickers, and number plates upon initial registration, and registration certificates and validation stickers for the each succeeding renewal period of registration, upon payment of the registration fee. ~~Except as otherwise provided, number~~ Number plates so issued will become void one year from the first day of the month following the month of issue unless a longer initial registration period is authorized by law, or unless this period is extended through renewal. Registrations issued for motor trucks shall become

void one year from the first day of the month following the month of issue.

The fees for annual special excess weight permits issued to these vehicles pursuant to section 1392 of this title shall be prorated so as to coincide with registration expiration dates.

(b) The Commissioner of ~~Motor Vehicles~~ shall issue a registration certificate, validation sticker, and number plates for each motor vehicle owned by the State, that shall be valid for a period of five years. Such motor vehicle shall be considered as properly registered while the plates so issued are attached thereto. The Commissioner may replace such number plates when in his or her discretion their condition requires.

(c) ~~The Commissioner may issue number plates to be used for a period of two or more years. One validating sticker shall be issued by the Department of Motor Vehicles upon payment of the registration fee for the second and each succeeding year the plate is used.~~ Except as otherwise provided in subsection (d) of this section, no plate is valid for ~~the second and~~ succeeding years unless the sticker is affixed to the rear plate in the manner prescribed by the Commissioner in section 511 of this title.

(d) When a registration for a motor vehicle, snowmobile, motorboat, or all-terrain vehicle is processed electronically, a receipt shall be available electronically and for printing. ~~The~~ An electronic or printed receipt shall serve as a temporary registration. ~~To be valid, the temporary registration shall be in~~

~~the possession of the operator at all times, and it shall expire for~~ ten days after
the date of the transaction. An electronic receipt may be shown to an
enforcement officer using a portable electronic device. Use of a portable
electronic device to display the receipt does not in itself constitute consent for
an officer to access other contents of the device.

Sec. 4. 23 V.S.A. § 511 is amended to read:

§ 511. MANNER OF DISPLAY

(a) A motor vehicle operated on any highway shall have displayed in a
conspicuous place either one or two number plates as the ~~commissioner of~~
~~motor vehicles~~ Commissioner may require. Such number plates shall be
furnished by the ~~commissioner of motor vehicles, showing~~ Commissioner and
shall show the number assigned to such vehicle by the ~~commissioner~~
Commissioner. If only one number plate is furnished, the same shall be
securely attached to the rear of the vehicle. If two are furnished, one shall be
securely attached to the rear and one to the front of the vehicle. The number
plates shall be kept entirely unobscured, and the numerals and the letters
thereon shall be plainly legible at all times. They shall be kept horizontal, shall
be so fastened as not to swing, excepting however, there may be installed on a
motor truck or truck tractor a device which would, upon contact with a
substantial object, permit the rear number plate to swing toward the front of the
vehicle, provided such device automatically returns the number plate to its

original rigid position after contact is released, and the ground clearance of the lower edges thereof shall be established by the ~~commissioner~~ Commissioner pursuant to the provisions of 3 V.S.A. chapter 25 ~~of Title 3~~.

(b) Validation stickers on pleasure cars and on motor trucks shall be unobstructed and affixed in the lower right corner of the rear number plate.

(c) A person shall not operate a motor vehicle unless number plates and a validation sticker are displayed as provided in this section.

* * * Reciprocal Recognition of Learner's Permits * * *

Sec. 5. 23 V.S.A. § 411 is amended to read:

§ 411. RECIPROCAL PROVISIONS

As determined by the ~~commissioner of motor vehicles~~ Commissioner, a motor vehicle owned by a nonresident, shall be considered as registered and a nonresident operator shall be considered as licensed or permitted in this ~~state~~, State if the nonresident owner or operator has complied with the laws of the foreign country or state of his or her residence relative to the registration of motor vehicles and the granting of operators' licenses or learner's permits.

Any exemptions provided in this section shall, however, be operative as to an owner or operator of a motor vehicle only to the extent that under the laws of the foreign country or state of his residence like exemptions and privileges are granted to operators duly licensed or permitted and to owners of motor vehicles duly registered under the laws of this ~~state~~ State. If the owner or

operator is a resident of a country not adjoining the United States, such exemptions shall be operative for a period of 30 days for vacation purposes, notwithstanding that such country does not grant like privileges to residents of this ~~state~~ State. Such exemptions shall not be operative as to the owner of a motor truck used for the transportation of property for hire or profit between points within the ~~state~~ State or to the owner of any motor vehicle carrying an auxiliary fuel tank or tanks providing an additional supply of motor fuel over and above that provided in the standard equipment of such vehicle.

Sec. 6. 23 V.S.A. § 615 is amended to read:

§ 615. UNLICENSED OPERATORS

(a)(1) An unlicensed person 15 years of age or older may operate a motor vehicle if he or she possesses a valid learner's permit issued to him or her by the Commissioner, or by another jurisdiction in accordance with section 411 of this title, and if his or her licensed parent or guardian, licensed or certified driver education instructor, or licensed person at least 25 years of age rides beside him or her. Nothing in this section shall be construed to permit a person against whom a revocation or suspension of license is in force, or a person ~~less~~ younger than 15 years of age, or a person who has been refused a license by the Commissioner to operate a motor vehicle.

* * * Out-of-state Junior Operators * * *

Sec. 6a. 23 V.S.A. § 614 is amended to read:

§ 614. RIGHTS UNDER LICENSE

* * *

(b) A junior operator's license shall entitle the holder to operate a registered motor vehicle with the consent of the owner, but shall not entitle him or her to operate a motor vehicle in the course of his or her employment or for direct or indirect compensation for one year following issuance of the license, except that the holder may operate a farm tractor with or without compensation upon a public highway in going to and from different parts of a farm of the tractor's owner or to go to any repair shop for repair purposes. A junior operator's license shall not entitle the holder to carry passengers for hire.

(c) During the first three months of operation, the holder of a junior operator's license is restricted to driving alone or with a licensed parent or guardian, licensed or certified driver education instructor, or licensed person at least 25 years of age. During the following three months, a junior operator may additionally transport family members. No person operating with a junior operator's license shall transport more passengers than there are safety belts unless he or she is operating a vehicle that has not been manufactured with a federally approved safety belt system. A person convicted of operating a motor vehicle in violation of this subsection shall be subject to a penalty of not

more than \$50.00, and his or her license shall be recalled for a period of 90 days. The provisions of this subsection may be enforced only if a law enforcement officer has detained the operator for a suspected violation of another traffic offense.

(d) A nonresident under age 18 who is privileged to operate on Vermont highways under section 411 of this title shall be subject to the restrictions of subsections (b) and (c) of this section.

* * * Driving Privilege Cards; Expiration * * *

Sec. 7. 23 V.S.A. § 603(h) is amended to read:

(h) A privilege card issued under this section shall:

* * *

(2) expire at midnight on the eve of the second birthday of the applicant following the date of issuance or, at the option of an applicant for an operator's privilege card and upon payment of the required four-year fee, at midnight on the eve of the fourth birthday of the applicant following the date of issuance.

Sec. 8. 23 V.S.A. § 608 is amended to read:

§ 608. FEES

(a) The four-year fee required to be paid the Commissioner for licensing an operator of motor vehicles or for issuing an operator's privilege card shall be \$48.00. The two-year fee required to be paid the Commissioner for licensing an operator or for issuing an operator's privilege card shall be \$30.00 and the

two-year fee for licensing a junior operator or for issuing a junior operator's privilege card shall be \$30.00.

* * * Driver's Training School Licensees * * *

Sec. 9. 23 V.S.A. § 704 is amended to read:

§ 704. QUALIFICATIONS FOR TRAINING SCHOOL LICENSE

~~Each applicant in order to~~ To qualify for a driver's training school license, ~~each applicant shall meet the following requirements:~~

* * *

(3) ~~provide evidence that he or she maintains~~ maintain bodily injury and property damage liability insurance on each motor vehicle being used in driver training, insuring the liability of the driver training school and the operator of each motor vehicle for each instructor and of any person while using any such motor vehicle with the permission of the named insured in at least the following amount: \$300,000.00 for bodily injury or death of one person in any one accident and, subject to said limit for one person, \$500,000.00 for bodily injury or death of two or more persons in any one accident, and \$100,000.00 for damage to property of others in any one accident. Evidence of such insurance coverage shall be in the form of a certificate from an insurance company authorized to do business in this state filed with the commissioner setting forth the amount of coverage and providing that the policy of insurance

shall be noncancelable except after 15 days' ~~written~~ notice to the commissioner;

* * *

* * * Definition of Business Day or Working Day * * *

Sec. 9a. 23 V.S.A. § 4 is amended to read:

§ 4. DEFINITIONS

Except as may be otherwise provided herein, and unless the context otherwise requires in statutes relating to motor vehicles and enforcement of the law regulating vehicles, as provided in this title and 20 V.S.A. part 5, the following definitions shall apply:

* * *

(83) "Business day" or "working day" means any calendar day except Saturday, Sunday, or any day classified as a holiday under 1 V.S.A. § 371.

* * * Proof of Financial Responsibility * * *

Sec. 10. 23 V.S.A. § 800 is amended to read:

§ 800. MAINTENANCE OF FINANCIAL RESPONSIBILITY

(a) No owner of a motor vehicle required to be registered, or operator required to be licensed or issued a learner's permit, shall operate or permit the operation of the vehicle upon the highways of the State without having in effect an automobile liability policy or bond in the amounts of at least \$25,000.00 for one person and \$50,000.00 for two or more persons killed or

injured and \$10,000.00 for damages to property in any one ~~accident~~ crash. In lieu thereof, evidence of self-insurance in the amount of \$115,000.00 must be filed with the Commissioner of Motor Vehicles, and shall be maintained and evidenced in a form prescribed by the Commissioner. The Commissioner may require that evidence of financial responsibility be produced before motor vehicle inspections are performed pursuant to the requirements of section 1222 of this title.

(b) A person who violates subsection (a) of this section shall be assessed a civil penalty of not more than \$500.00, and such violation shall be a traffic violation within the meaning of chapter 24 of this title.

(c) Every operator of a vehicle required to be registered shall have proof of financial responsibility as required by subsection (a) of this section when operating such vehicle on the highways of this State. A person may prove financial responsibility using a portable electronic device; however, use of a device for this purpose does not in itself constitute consent for an enforcement officer to access other contents of the device. An operator cited for violating this subsection shall not be convicted if he or she sends or produces to the issuing enforcement agency within five business days of the traffic stop proof of financial responsibility that was in effect at the time of the traffic stop.

(d) A person who violates subsection (c) of this section shall be subject to a fine of not more than \$100.00.

* * * Possession of License Certificate; Grace Period * * *

Sec. 11. 23 V.S.A. § 611 is amended to read:

§ 611. POSSESSION OF LICENSE CERTIFICATE

Every licensee shall have his or her operator's license certificate in his or her immediate possession at all times when operating a motor vehicle.

However, ~~no a person charged~~ cited with violating this section or section 610 of this title shall not be convicted if he or she sends a copy of or produces in court or to the enforcement officer to the issuing enforcement agency within five business days of the traffic stop an operator's license certificate ~~theretofore issued to him or her which, at the time of his or her citation, that~~ was valid or had expired within ~~the prior~~ 14 days prior to the traffic stop.

* * * Out-of-State Fuel User's License; Repeal * * *

Sec. 12. 23 V.S.A. § 415 is amended to read:

§ 415. NONDIESEL FUEL USER'S LICENSE

* * *

(c) ~~In addition to any other provision of law relating to registration of motor vehicles, or fees paid for registration, a person owning or operating upon the highways of this state a motor truck with a gross weight of 18,000 pounds or over, powered by gasoline or other nondiesel fuel and not base registered in this state, shall apply to the commissioner for a nondiesel fuel user's license for each motor truck to be so operated. Application shall be made upon a form~~

~~prescribed by the commissioner and shall set forth such information as he or she may require. The application shall be accompanied by a license fee of \$6.50 for each motor truck listed in the application, the fee being for the purpose of paying the cost of issuing the license, cab card and sticker. The commissioner shall issue a license, cab card and identification tag, plate, or sticker for each motor truck, which tag, plate or sticker shall be of the size and design and contain such information as the commissioner shall prescribe. Except as otherwise provided, any license, cab card and tag, plate or sticker shall become void on January 1 next following the date of issue or, when determined by the commissioner, 12 months from the first day of the month of issue. Licenses and cab cards shall be carried in the motor truck and the tag, plate or sticker shall be affixed to the motor truck and at all times be visible and legible. For emergency purposes, the commissioner may by telegram, identifying the motor truck, authorize its operation without the attachment of a tag, plate or sticker for a period not to exceed 21 days from the date of issue of the license. The telegram must be kept with the truck while being so operated. This section shall not apply to motor trucks owned by federal, state, provincial, or municipal governments. [Repealed.]~~

* * *

Sec. 13. 23 V.S.A. § 3007 is amended to read:

§ 3007. DIESEL FUEL USER'S LICENSE

(a) In addition to any other provision of law relating to registration of motor vehicles, or fees paid therefore, a person owning or operating upon the highways of the ~~state~~ State a motor truck, ~~which that~~ that is registered in the ~~state,~~ using State and uses fuel as defined in section 3002 of this title, shall, for each motor truck to be so operated, apply to the ~~commissioner~~ Commissioner for a diesel fuel user license, which shall be renewed at the time of renewal of the truck's registration. Application shall be made upon a form prescribed by ~~such commissioner~~ the Commissioner and shall set forth such information as the ~~commissioner~~ Commissioner may require. Applications filed at the time of the initial registration or renewal of a registration shall be accompanied by a \$6.50 annual license fee for each motor truck listed in the application, except that no fee shall be required for motor trucks with a gross weight of less than 26,001 pounds.

(b) ~~In addition to any other provisions of law relating to registration of motor vehicles, or fees paid for registration, a person owning or operating upon the highways of the state a motor truck which is not base registered in this state, using fuel as defined in section 3002 of this title shall for each such motor truck apply to the commissioner for a diesel fuel user license. Application shall be made upon a form prescribed by the commissioner and~~

~~shall set forth such information as the commissioner may require. Except for motor trucks with a gross weight of less than 26,001 pounds, and vehicles licensed under section 415 of this title, the application for issuance of initial and renewal licenses shall be accompanied by a \$6.50 license fee for each motor truck listed in the application, the fee being for the cost of the license, cab card and tag, plate or sticker. The commissioner shall issue a license, cab card and an identification tag, plate or sticker for each motor truck which tag, plate or sticker shall be of the size and design and contain such information as the commissioner shall prescribe. Except as otherwise provided any license, cab card and tag, plate or sticker shall become void on each January 1 thereafter or, when determined by the commissioner, 12 months from the first day of the month of issue. Licenses and cab cards shall be carried in the motor vehicle and the tag, plate or sticker shall be affixed to the motor vehicle and at all times be visible and legible. [Repealed.]~~

(c) This section shall not apply to users' vehicles exempt from reporting requirements under section 3014 of this title or to users' vehicles exempt from taxation under ~~subdivisions~~ subdivision 3003(d)(3) and (5)(1)(C) of this title, or to users' vehicles that are being operated under the provisions of ~~sections~~ section 463 or 516 of this title.

* * * Total Abstinence; Out-of-State Applicants * * *

Sec. 14. 23 V.S.A. § 1209a(b) is amended to read:

(b) Abstinence.

(1) Notwithstanding any other provision of this subchapter, a person whose license has been suspended for life under this subchapter may apply to the Driver Rehabilitation School Director and to the Commissioner for reinstatement of his or her driving privilege. The person shall have completed three years of total abstinence from consumption of alcohol or drugs, or both. The beginning date for the period of abstinence shall be no sooner than the effective date of the suspension from which the person is requesting reinstatement and shall not include any period during which the person is serving a sentence of incarceration to include furlough. The application to the Commissioner shall be accompanied by a fee of \$500.00. The Commissioner shall have the discretion to waive the application fee if the Commissioner determines that payment of the fee would present a hardship to the applicant.

* * *

(5) A person shall be eligible for reinstatement under this subsection only once following a suspension for life.

(6) If an applicant for reinstatement under this subsection resides in a jurisdiction other than Vermont, an investigation will not be conducted. The Commissioner may provide a letter to the applicant's jurisdiction of residence

stating that Vermont does not object to that jurisdiction issuing a license, provided that the person is authorized only to operate vehicles equipped with an ignition interlock device and is required to complete any alcohol rehabilitation or treatment requirements of the licensing jurisdiction.

* * * Single Trip Permits * * *

Sec. 15. 23 V.S.A. § 1400 is amended to read:

§ 1400. PERMIT TO OPERATE IN EXCESS OF WEIGHT AND SIZE
LIMITS; STATE HIGHWAYS

(a) A person or corporation owning or operating a traction engine, tractor, trailer, motor truck, or other motor vehicle that desires to operate it over ~~state~~ State highways or class 1 town highways in excess of the weight and size limits provided by this subchapter shall ~~make application for such a permit to the commissioner of motor vehicles~~ apply to the Commissioner for a permit. In his or her discretion, with or without hearing, the ~~commissioner~~ Commissioner may issue to the person or corporation a permit authorizing the person to operate the traction engine, tractor, trailer, motor truck, or other motor vehicle upon ~~state~~ State highways and class 1 town highways as he or she may designate and containing the regulation subject to which the traction engine, tractor, trailer, motor truck, or other motor vehicle is to be operated. The permit shall not be granted until satisfactory proof is furnished to the ~~commissioner~~ Commissioner that the traction engine, tractor, trailer, motor

truck, or other motor vehicle has been registered and the prescribed fee paid for a gross weight equal to a maximum legal load limit for its class. No additional registration fee shall be payable to authorize the use of the traction engine, tractor, trailer, motor truck, or other motor vehicle in accordance with the terms of the permit. The approval may be ~~given for a limited or unlimited length of time, may be~~ withdrawn for cause, and may be withdrawn without cause any time after March 31 next following the date of issuance. When approval is withdrawn for cause or on March 31, the ~~commissioner of motor vehicles~~ Commissioner shall forthwith revoke the permit; when approval is withdrawn otherwise he or she shall revoke the permit within one month.

* * *

Sec. 16. 23 V.S.A. § 1402 is amended to read:

§ 1402. OVERWEIGHT, WIDTH, HEIGHT, AND LENGTH PERMITS;
FEES

(a) Overweight, overwidth, indivisible overlength, and overheight permits. Overweight, overwidth, indivisible overlength, and overheight permits shall be signed by the Commissioner or by his or her agent and a copy shall be kept in the Office of the Commissioner or in a location approved by the Commissioner. Except as provided in subsection (c) of this section, a copy shall also be available in the towing vehicle and must be available for inspection on demand of a law enforcement officer. Before operating a

traction engine, tractor, trailer, motor truck, or other motor vehicle, the person to whom a permit to operate in excess of the weight, width, indivisible overlength, and height limits established by this title is granted shall pay a fee of \$35.00 for each single trip permit or \$100.00 for a blanket permit, except that the fee for a fleet blanket permit shall be \$100.00 for the first unit and \$5.00 for each unit thereafter. At the option of a carrier, an annual permit for the entire fleet, to operate over any approved route, may be obtained for \$100.00 for the first tractor and \$5.00 for each additional tractor, up to a maximum fee of \$1,000.00. The fee for a fleet permit shall be based on the entire number of tractors owned by the applicant. An applicant for a fleet permit may apply for any number of specific routes, each of which shall be reviewed with regard to the characteristics of the route and the type of equipment operated by the applicant. When the weight or size of the vehicle-load are considered sufficiently excessive for the routing requested, the Agency of Transportation shall, on request of the Commissioner, conduct an engineering inspection of the vehicle-load and route, for which a fee of \$300.00 will be added to the cost of the permit if the load is a manufactured home. For all other loads of any size or with gross weight limits less than 150,000 pounds, the fee shall be \$800.00 for any engineering inspection that requires up to eight hours to conduct. If the inspection requires more than eight hours to conduct, the fee shall be \$800.00 plus \$60.00 per hour for each

additional hour required. If the vehicle and load weigh 150,000 pounds or more but not more than 200,000 pounds, the engineering inspection fee shall be \$2,000.00. If the vehicle and load weigh more than 200,000 pounds but not more than 250,000 pounds, the engineering inspection fee shall be \$5,000.00. If the vehicle and load weigh more than 250,000 pounds, the engineering inspection fee shall be \$10,000.00. The study must be completed prior to the permit being issued. Prior to the issuance of a permit, an applicant whose vehicle weighs 150,000 pounds or more, or is 15 or more feet in width or height, shall file with the Commissioner a special certificate of insurance showing minimum coverage of \$250,000.00 for death or injury to one person, \$500,000.00 for death or injury to two or more persons, and \$250,000.00 for property damage, all arising out of any one ~~accident~~ crash.

(b) Overlength permits. Except as provided in subsections 1432(c) and (e) of this title, it shall be necessary to obtain an overlength permit as follows:

(1) For vehicles with a trailer or semitrailer longer than 75 feet anywhere in the State on highways approved by the Agency of Transportation. In such cases, the vehicle may be operated with a single trip overlength permit issued by the Department of Motor Vehicles for a fee of \$25.00. If the vehicle is 100 feet or more in length, the permit applicant shall file with the Commissioner of Motor Vehicles, a special certificate of insurance showing minimum coverage of \$250,000.00 for death or injury to one person,

\$500,000.00 for death or injury to two or more persons, and \$250,000.00 for property damage, all arising out of any one ~~accident~~ crash.

(2) Notwithstanding the provisions of this section, the Agency of Transportation may erect signs at those locations where it would be unsafe to operate vehicles in excess of 68 feet in length.

* * *

~~(d) Permit for shipment of mobile or manufactured homes. The Commissioner may from time to time designate a specific route as being pre-approved for the shipment of mobile or manufactured homes which are greater than 14 feet but not greater than 16 feet in overall width. Any person to whom a permit is issued under subsection (a) of this section, to transport a mobile or manufactured home which is greater than 14 feet but not greater than 16 feet overall width, over routes that have been pre-approved shall pay in lieu of the fees established in that subsection, a single trip permit fee of \$40.00.~~

[Repealed.]

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(f) A single trip permit issued under this section shall be valid for seven business days.

* * * Diesel Fuel Sales Reporting * * *

Sec. 17. 23 V.S.A. § 3014(a) is amended to read:

(a) Every distributor or dealer, on or before the ~~last~~ 25th day of each month, shall file with the ~~commissioner~~ Commissioner on forms prescribed by him or her a report for the preceding month which shall include the number of gallons of fuel sold or delivered. A distributor's report shall also include the identity of the person to whom the fuel was sold or delivered, the amount of the tax collected and by whom, and the monthly total of fuel sold or delivered. The report shall be filed even though no fuel was sold or delivered.

* * * Gasoline Distributor Bond Requirement * * *

Sec. 18. 23 V.S.A. § 3102 is amended to read:

§ 3102. LICENSING AND BONDING OF DISTRIBUTORS

(a) Before commencing business, on application, a distributor shall first procure a license from the ~~commissioner of motor vehicles~~ Commissioner permitting him or her to continue or to engage in business as a distributor. Before the ~~commissioner~~ Commissioner issues a license, the distributor shall file with the ~~commissioner~~ Commissioner a surety bond in a sum and form and with sureties as the ~~commissioner~~ Commissioner may require in a sum not to exceed ~~\$400,000.00~~ \$700,000.00 conditioned upon the issuance of the report, and the payment of the tax ~~and~~, penalties, and fines provided in this subchapter. Upon approval of the application and bond, the ~~commissioner~~

Commissioner shall issue to the distributor a nonassignable license which shall continue in force until surrendered or revoked.

(b) The amount of the surety bonds required shall be reviewed annually in September. The minimum amount required shall be the sum of the highest two months' payment during the preceding year or \$1,000.00, whichever is greater, but in no case shall it exceed ~~\$400,000.00~~ \$700,000.00. For new licenses, the bond amount shall be based on an estimate of the tax liability for a two-month period.

(c) The amount of the bonds as established in accordance with subsection (b) of this section shall be increased whenever the ~~commissioner~~ Commissioner deems it necessary to protect the revenues of the ~~state~~ State. In addition, if payments and reports are delinquent for more than 10 days for more than one reporting period in a calendar year, the bond amount shall be increased to be the sum of the tax liability for the highest four months of the year.

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* * * Trails Maintenance Assessments * * *

Sec. 19. 23 V.S.A. § 3202 is amended to read:

§ 3202. REGISTRATION AND TMA DECAL REQUIRED; EXCEPTIONS

(a) Registration and decal required. A person shall not operate a snowmobile in this State unless it is registered and numbered by the State of

Vermont or another state or province and displays a valid Vermont ~~trails maintenance assessment (“TMA”)~~ Trails Maintenance Assessment (TMA) decal adjacent to the registration decal on the left side of the snowmobile in accordance with this chapter, except when operated:

- (1) ~~on~~ On the property of the owner of the snowmobile; ~~or.~~
- (2) ~~off~~ Off the highway, in a ski area while being used for the purpose of packing snow, or in rescue operations; ~~or.~~
- (3) ~~for~~ For official use by a federal, ~~state~~ State, or municipal agency and only if the snowmobile is identified with the name or seal of the agency in a manner approved by the Commissioner; ~~or.~~
- (4) ~~solely~~ Solely on privately owned land when the operator has the written consent of the owner, or his or her agent, of the property; ~~or.~~
- (5) ~~on~~ On frozen bodies of water as designated by the Agency of Natural Resources under the provisions of 10 V.S.A. § 2607. For purposes of this subdivision, a snowmobile shall not be required to display a ~~trails maintenance assessment~~ TMA decal if not operating on a portion of the Statewide Snowmobile Trail System. Liability insurance as provided for in subdivision 3206(b)(19) of this title and a valid registration decal are required; ~~or.~~
- (6) ~~for~~ For emergency use by fire service personnel.
- (7) By a person who possesses a completed TMA form processed electronically and either printed out or displayed on a portable electronic

device. The printed or electronic TMA form shall be valid for 10 days after the electronic transaction. Use of a portable electronic device to display a completed TMA form does not in itself constitute consent for an enforcement officer to access other contents of the device.

* * *

* * * Allocation of Snowmobile Registration Proceeds * * *

Sec. 20. 23 V.S.A. § 3214 is amended to read:

§ 3214. ALLOCATION OF FEES AND PENALTIES; LIABILITY
INSURANCE; AUTHORITY TO CONTRACT FOR LAW
ENFORCEMENT SERVICES

(a) The amount of \$5.00 from the sale of every resident and nonresident snowmobile registration shall be allocated to the ~~transportation fund~~ Transportation Fund. The balance of fees and penalties collected under this subchapter, except interest, shall be remitted to the ~~agency of natural resources~~ Agency of Natural Resources, which may retain for its use up to \$11,500.00 during each fiscal year for ~~the oversight of the state snowmobile trail program~~ State Snowmobile Trail Program, and the remainder shall be allocated to VAST for:

(1) ~~development~~ Development and maintenance of the ~~state snowmobile trail program~~ State Snowmobile Trail Program (SSTP);

(2) ~~procuring~~ Procuring trails' liability insurance in accordance with subsection (b) of this section, ~~and~~.

(3) ~~contracting~~ Contracting for law enforcement services with any constable, sheriff's department, municipal police department, the ~~department of public safety~~ Department of Public Safety, ~~and or the department of fish and wildlife for purposes of trail compliance pursuant to~~ Department of Fish and Wildlife to ensure compliance with the provisions of this chapter. The allocation for snowmobile law enforcement services shall be an amount equal to \$5.00 from the sale of every resident and nonresident snowmobile registration, ~~and~~. If this allocation for law enforcement services is not fully expended, the unexpended amount carried forward may be used to purchase capital equipment to aid law enforcement in the provision of services. VAST shall be included include proposed spending on law enforcement services and on capital equipment as a part of the annual expenditure plan required by section 3215 of this chapter. The ~~departments of public safety and fish and wildlife~~ Departments of Public Safety and of Fish and Wildlife are authorized to contract with VAST to provide ~~these~~ law enforcement services.

* * *

(d) Any fees and penalties allocated pursuant to subsection (a) of this section shall not revert but shall be available until spent. Any accrued interest shall be deposited in the ~~transportation fund~~ Transportation Fund.

* * * Commercial Motor Vehicles; Serious Traffic Violations * * *

Sec. 21. 23 V.S.A. § 4103(16) is amended to read:

(16) “Serious traffic violation” means a conviction, when operating a commercial motor vehicle, or, if applicable, when operating a noncommercial motor vehicle when the conviction results in the revocation, cancellation, or suspension of the operator’s license or operating privilege, of:

* * *

(J) using a handheld mobile telephone while driving a commercial motor vehicle in violation of section 4125 of this chapter.

* * * Commercial Motor Vehicles; Disqualifications * * *

Sec. 22. 23 V.S.A. § 4116(k) is amended to read:

(k) A person shall be disqualified for a term concurrent with any disqualification or suspension issued by the administrator of the Federal Motor Carrier Safety Administration ~~pursuant to 49 C.F.R. § 383.52.~~

* * * Vermont Strong Plates * * *

Sec. 23. 2012 Acts and Resolves No. 71, Sec. 1, as amended by 2012 Acts and Resolves No. 143, Sec. 13, is amended to read:

Sec. 1. VERMONT STRONG MOTOR VEHICLE PLATES

* * *

(c) Use. An approved Vermont Strong commemorative plate may be displayed on a motor vehicle registered in Vermont as a pleasure car or on a

motor truck registered in Vermont for less than 26,001 pounds (but excluding vehicles registered under the International Registration Plan) by covering the front registration plate with the commemorative plate any time from the effective date of this act until June 30, ~~2014~~ 2016. The regular front registration plate shall not be removed. The regular rear registration plate shall be in place and clearly visible at all times.

(d) Price and allocation of revenue. The retail price of the plate shall be \$25.00, except that on or after July 1, 2016, plates may be sold by the Commissioner for \$5.00. Funds received from the sale of plates for \$5.00 shall be allocated to the Department; funds received from the sale of the plates for \$25.00 shall be allocated as follows:

- (1) \$5.00 to the ~~department~~ Department;
- (2) \$18.00 to the Vermont Disaster Relief Fund; and
- (3) \$2.00 to the Vermont Foodbank.

* * *

* * * Nonresident Registration; Repeals * * *

Sec. 24. REPEAL

The following sections of Title 23 are repealed:

- (1) § 417 (motor truck trip permits);
- (2) § 418 (collection of tax; regulations);
- (3) § 419 (reciprocal agreements for waiver of motor truck permit fees);

(4) § 422 (motor bus identification marker).

Sec. 25. 23 V.S.A. § 421 is amended to read:

§ 421. PENALTIES

(a) It shall be unlawful for any person:

(1) to operate a motor truck subject to the provisions of this chapter upon any public highway in the ~~state~~ State without first obtaining the license, emergency telegram, or single trip license and tag, plate, or marker required under section 415 of this title or to so operate without carrying the license, emergency telegram, or single trip license and displaying the tag, plate, or marker if issued;

(2) ~~to violate any regulation issued by the commissioner pursuant to the authority granted hereunder;~~ [Repealed.]

(3) to fail to file any return or report required by ~~said commissioner~~ the Commissioner; or

(4) to make a false return or fail to keep records of operations as may be required by the ~~commissioner~~; or

~~(5) to operate a motor bus subject to the provisions of this chapter upon any public highway in the state without first obtaining the marker or single trip permit required under section 422 of this title or to so operate without displaying said marker or without the single trip permit with the vehicle~~
Commissioner.

* * *

* * * Dealer Plates * * *

Sec. 26. 23 V.S.A. § 453 is amended to read:

§ 453. FEES AND NUMBER PLATES

(a)(1) An application for dealer's registration shall be accompanied by a fee of \$370.00 for each certificate issued in such dealer's name. The Commissioner shall furnish free of charge with each dealer's registration certificate ~~five sets of~~ three number plates showing the distinguishing number assigned such dealer. ~~In his or her discretion, he or she~~ The Commissioner may furnish ~~further sets of~~ additional plates ~~at a fee of \$40.00 per set~~ according to the volume of the dealer's sales in the prior year or, in the case of an initial registration, according to the dealer's reasonable estimate of expected sales, as follows:

- (A) under 20 sales: 0 additional plates;
- (B) 20–49 sales: 1 additional plate;
- (C) 50–99 sales: up to 5 additional plates;
- (D) 100–249 sales: up to 12 additional plates;
- (E) 250–499 sales: up to 17 additional plates;
- (F) 500–749 sales: up to 27 additional plates;
- (G) 750–999 sales: up to 37 additional plates;
- (H) 1000–1,499 sales: up to 47 additional plates;

(1) 1,500 or more: up to 57 additional plates.

(2) If the issuance of additional plates is authorized under subdivision (1) of this subsection, up to two plates shall be provided free of charge, and the Commissioner shall collect \$40.00 for each additional plate.

Sec. 27. TRANSITION PROVISION

The Commissioner may enforce compliance with Sec. 26 of this act on a rolling basis as dealer registrations expire over the 24-month period following the effective date of Sec. 26 of this act. Over this 24-month period, upon receiving the renewal application of a dealer who has been issued plates in excess of the limits established in 23 V.S.A. § 453(a)(1), the Commissioner shall require the dealer to return plates that exceed the limits established in 23 V.S.A. § 453(a)(1).

Sec. 28. MORATORIUM ON ISSUANCE OF DEALER PLATES; REPEAL

(a) Except for replacement of damaged dealer plates, no dealer registration plates may be issued under 23 V.S.A. § 453(a) to an existing dealer in addition to the number of plates already issued to that dealer, unless the dealer would be eligible for additional plates under 23 V.S.A. § 453(a) as amended by Sec. 26 of this act.

(b) This section shall be repealed on July 1, 2014.

Sec. 29. STUDY OF USE OF DEALER PLATES ON TOWING VEHICLES

(a) The Commissioner of Motor Vehicles shall study the use of dealer plates on towing service vehicles and formulate recommendations as to whether the existing law authorizing such use should be repealed, amended, or retained in its existing form. In conducting this study, the Commissioner shall review the laws of other jurisdictions and consult with interested persons, including a cross-section of dealers.

(b) On or before January 15, 2015, the Commissioner shall report his or her findings and recommendations to the House and Senate Committees on Transportation.

* * * Effective Dates * * *

Sec. 30. EFFECTIVE DATES

(a) This section and Sec. 28 shall take effect on passage.

(b) All other sections shall take effect on July 1, 2014.