

1 Sec. #. 23 V.S.A. § 1042 is amended to read:

2 § 1042. RESTRICTING THE USE OF TOWN HIGHWAYS

3 (a) The legislative body of a municipality may, with the approval of the
4 Secretary of Transportation, designate highways and bridges under their
5 control, except for class 1 town highways, for use by specified types of motor
6 vehicles based on volume and type of traffic and character of the
7 neighborhood. However, when the legislative body of a municipality requests
8 in writing, the Secretary of Transportation may set the weight limit on a class 1
9 town highway at less than the State highway limit under section 1392 of this
10 title, if a reasonable alternative route is available for those vehicles traveling at
11 the State highway limit. When a highway or bridge has been so restricted,
12 signs shall be placed in accordance with the provisions of section 1397 of this
13 title.

14 (b) In making the determination as to whether a reasonable alternative route
15 is available, the Secretary of Transportation shall, at a minimum, consider the
16 following factors:

17 (1) whether the alternative routing will reduce or relieve traffic
18 congestion in a downtown area;

19 (2) whether the alternative routing will enhance safety;

20 (3) the length of the alternative route, and any increase in time made
21 necessary by use of the alternative route;

1 (4) whether an adverse effect has been created relative to the quiet
2 enjoyment and property values of people living along the alternative route.

3 (c) Any decision of the Secretary made under this section may be appealed,
4 in writing, to the Transportation Board within 30 days of the Secretary's
5 decision. The Transportation Board shall decide the question within 45 days of
6 receipt of the appeal, and may take evidence or testimony.

7 (d) ~~{Repealed.}~~ The legislative body of a municipality may adopt
8 regulations to exclude motor vehicles with a gross vehicle weight rating or
9 gross vehicle weight of 26,001 pounds or more from operation on class 3 or
10 class 4 town highways that start and end entirely within the municipality.
11 However, the regulations shall allow such vehicles to deliver or pickup
12 property or passengers or to furnish services along the highways from which
13 the vehicles would otherwise be excluded.