

Distracted Driving Laws - Penalties

Reference: See https://www.vermontjudiciary.org/eforms/Waiver_Penalty_Schedule.pdf

Law	Fine	Points/Suspension
<p>Handheld prohibition for all persons, 23 V.S.A. § 1095b</p>	<p><u>1st offense:</u> Not less than \$100 nor more than \$200. <u>2d offense within 2 years:</u> Not less than \$250 nor more than \$500.</p> <p>Waiver penalties:</p> <ul style="list-style-type: none"> i. \$162 (1st offense, outside work zone) ii. \$392 (2d offense in 2 yrs, outside work zone) iii. \$230 (1st offense, work zone) iv. \$507 (2d offense, work zone) 	<p><u>1st offense:</u></p> <ul style="list-style-type: none"> (1) 2 points if in a work zone (2) 0 points if not in a work zone <p><u>2d offense:</u></p> <ul style="list-style-type: none"> (1) 5 points if in a work zone (2) 0 points if not in a work zone <p>→ For traffic violations, an adult operator who accumulates 10 points or more within a 2-year period is subject to a 10-day suspension, with increasing suspension times for each additional 5 points. → Operators under age 18 are subject to a 90-day recall after 6 points are accumulated.</p>
<p>Texting prohibition, 23 V.S.A. § 1099</p>	<p><u>1st offense:</u> Not less than \$100 nor more than \$200. <u>2d offense within 2 years:</u> Not less than \$250 nor more than \$500.</p> <p>Waiver penalties:</p> <ul style="list-style-type: none"> i. \$230 (1st offense) ii. \$479 (2d offense) 	<p>5 points</p> <p>→ For traffic violations, an adult operator who accumulates 10 points or more within a 2-year period is subject to a 10-day suspension, with increasing suspension times for each additional 5 points. → Operators under age 18 are subject to a 30-day recall after one texting conviction and a 90-day recall after 6 points are accumulated, i.e. after 2 convictions.</p>
<p>Junior operator use of portable electronic device, 23 V.S.A. § 1095a</p>	<p>The fine is not specified in statute, so the maximum fine is \$1,000, plus surcharges.</p> <p>Waiver penalty: \$162.</p>	<p>2 points</p> <p>→ Operators under age 18 are subject to a 90-day recall after 6 points are accumulated, i.e. after 3 convictions.</p>
<p>Texting or using a handheld mobile telephone while operating a commercial motor vehicle</p> <p>23 V.S.A. § 4125</p>	<p>The fine is not specified in statute, so the maximum fine is \$1,000, plus surcharges.</p> <p>Waiver penalty: \$479.</p>	<p>2 points</p> <p>→ In addition, texting or using a handheld mobile telephone while driving is a “serious traffic violation” under the CDL law. If combined with another “serious traffic violation”, 2 or more such violations within a 3-year period triggers a 60-day disqualification, and 3 or more such violations within a 3-year period triggers a 120-day disqualification from operating a commercial motor vehicle.</p>