

1 **H.808 Background: Provisions Cross-Referenced**

2 **A. 10 V.S.A. § 6001(22) definition of “farming”**

3 (22) "Farming" means:

4 (A) the cultivation or other use of land for growing food, fiber, Christmas trees, maple
5 sap, or horticultural and orchard crops; or

6 (B) the raising, feeding, or management of livestock, poultry, fish, or bees; or

7 (C) the operation of greenhouses; or

8 (D) the production of maple syrup; or

9 (E) the on-site storage, preparation and sale of agricultural products principally
10 produced on the farm; or

11 (F) the on-site storage, preparation, production, and sale of fuel or power from
12 agricultural products or wastes principally produced on the farm; or

13 (G) the raising, feeding, or management of four or more equines owned or boarded by
14 the farmer, including training, showing, and providing instruction and lessons in riding, training,
15 and the management of equines.

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17 **B. 10 V.S.A. § 2602 definition of “forestry operations”**

18 (6) "Forestry operation" means activities related to the management of forests, including a
19 timber harvest; pruning; planting; reforestation; pest, disease, and invasive species control;
20 wildlife habitat management; and fertilization. "Forestry operation" includes the primary
21 processing of forest products of commercial value on a parcel where the timber harvest occurs.

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23 **C. Provisions cross-referenced in the “law enforcement officer” definition**

24 1) 23 V.S.A. 4(11)

25 (11) "Enforcement officers" shall include:

26 (A) The following persons certified pursuant to 20 V.S.A. § 2358: sheriffs, deputy
27 sheriffs, constables whose authority has not been limited under 24 V.S.A. § 1936a, police
28 officers, State's Attorneys, Capitol Police officers, motor vehicle inspectors, liquor investigators,
29 State game wardens, and State Police.

30 (B) For enforcement of offenses relating to parking of motor vehicles, meter checkers
31 and other duly authorized employees of a municipality employed to assist in the enforcement of
32 parking regulations.

1 (C) For enforcement of nonmoving traffic violations enumerated in subdivisions
2 2302(a)(1), (2), (3), and (4) of this title, duly authorized employees of the Department of Motor
3 Vehicles. Such employees may issue complaints in accordance with 4 V.S.A. § 1105.

4 2) 10 V.S.A. § 4198

5 § 4198. Police powers; training; State game wardens; deputy game wardens

6 Upon obtaining from the Vermont Criminal Justice Training Council Level II or Level III law
7 enforcement officer certification as established in 20 V.S.A. § 2358, State game wardens and
8 deputy game wardens shall have the same law enforcement authority, duties, and powers as State
9 Police, sheriffs, constables, and municipal police, and shall have all immunities and defenses
10 now or hereafter available to State Police, sheriffs, constables, and municipal police in a suit
11 brought against them in consequence of acts done in the course of their employment. State game
12 wardens and deputy game wardens shall receive their regular compensation during the time they
13 are enrolled in the training program.

14
15 **D. “Trail” definition cross referenced in the definition of “public highway”/ “highway”**

16 (8) “Trail” means a public right-of-way which is not a highway and which:

17 (A) previously was a designated town highway having the same width as the designated
18 town highway, or a lesser width if so designated; or

19 (B) a new public right-of-way laid out as a trail by the selectmen for the purpose of
20 providing access to abutting properties or for recreational use. Nothing in this section shall be
21 deemed to independently authorize the condemnation of land for recreational purposes or to
22 affect the authority of selectmen to reasonably regulate the uses of recreational trails.

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24 **E. 23 V.S.A. § 801(c)**

25 (c) In lieu of the insurance policy or surety bond required under this section, a person may
26 qualify as a self-insurer by obtaining a certificate of self-insurance from the Commissioner, who
27 may, in his or her discretion, upon the application of such person, issue said certificate of self-
28 insurance, when he or she is satisfied that such person is possessed of a net unencumbered
29 capital of at least \$115,000.00. The Commissioner may require annual reports from any self-
30 insurer, which reports must show at least \$115,000.00 unencumbered net worth. Whenever the
31 Commissioner finds that any self-insurer does not possess \$115,000.00 of unencumbered net
32 worth, he or she shall revoke the certificate of self-insurance. Failure to pay any judgment,

1 within statutory limits, after such judgment shall have become final, shall constitute reasonable
2 grounds for the cancellation of a certificate of self-insurance. A certificate of self-insurance
3 obtained by a self-insurer shall insure every person operating a motor vehicle, owned by said
4 self-insurer, with his or her express or implied permission, against loss within statutory limits
5 from the liability imposed by law upon such person arising out of the operation of said motor
6 vehicle and shall be for the benefit of any person suffering personal injuries or property damage
7 arising out of the use of such motor vehicle with such express or implied permission.

- 1 Farming: <https://legislature.vermont.gov/statutes/section/10/151/06001>
- 2 Forestry operation: <https://legislature.vermont.gov/statutes/section/10/083/02602>
- 3
- 4 Law enforcement officer:
 - 5 - <https://legislature.vermont.gov/statutes/section/23/001/00004>
 - 6 - <https://legislature.vermont.gov/statutes/section/10/103/04198>
 - 7
- 8 Self-insurance:
 - 9 <https://legislature.vermont.gov/statutes/section/23/011/00801>