

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Transportation to which was referred Senate Bill No.
3 272 entitled “An act relating to miscellaneous changes to laws related to motor
4 vehicles” respectfully reports that it has considered the same and recommends
5 that the House propose to the Senate that the bill be amended by striking out all
6 after the enacting clause and inserting in lieu thereof the following:

7 * * * Special Plates and Placards for Persons with Disabilities * * *

8 Sec. 1. 23 V.S.A. § 304a(b) is amended to read:

9 (b) Special registration plates or removable windshield placards, or both,
10 shall be issued by the Vermont Commissioner of Motor Vehicles. The placard
11 shall be issued without a fee to a person who is blind or has an ambulatory
12 disability. One set of plates shall be issued without additional fees for a
13 vehicle registered or leased to a person who is blind or has an ambulatory
14 disability or to a parent or guardian of a person with a permanent disability.

15 The Commissioner shall issue these placards or plates under rules adopted by
16 him or her after proper application has been made to the Commissioner by any
17 person residing within the State of Vermont. Application forms shall be
18 available on request at the Department of Motor Vehicles.

19 * * *

1 * * * Eliminating Requirements to Return License Plates * * *

2 Sec. 2. 23 V.S.A. § 326 is amended to read:

3 § 326. REFUND UPON LOSS OF VEHICLE

4 The Commissioner may cancel the registration of a motor vehicle when the
5 owner thereof proves to his or her satisfaction that it has been totally destroyed
6 by fire, or, through accident or wear, has become wholly unfit for use and has
7 been dismantled. ~~Upon the cancellation of such~~ After the Commissioner
8 cancels the registration and the ~~return~~ owner returns to the Commissioner ~~of~~
9 either the registration certificate, or the number plates and the validation
10 sticker ~~(if issued for that year)~~, the Commissioner shall certify to the
11 Commissioner of Finance and Management the fact of ~~such~~ the cancellation,
12 giving the name of the owner of ~~such~~ the motor vehicle, his or her address, the
13 amount of the registration fee paid, and the date of ~~such~~ cancellation. The
14 Commissioner of Finance and Management shall issue his or her warrant in
15 favor of the owner for such percent of the registration fee paid as the unexpired
16 term of the registration bears to the entire registration period, but in no case
17 shall the Commissioner retain less than \$5.00 of the fee paid.

18 Sec. 3. 23 V.S.A. § 327 is amended to read:

19 § 327. REFUND WHEN PLATES NOT USED

20 Subject to the conditions set forth in subdivisions (1), (2), and (3) of this
21 section, the Commissioner may cancel the registration of a motor vehicle,

1 snowmobile, or ~~motor boat~~ motorboat when the owner returns to the
2 Commissioner either the number plates, if any, ~~and~~ or the registration
3 certificate ~~to the Commissioner~~. Upon cancellation of the registration, the
4 Commissioner shall notify the Commissioner of Finance and Management,
5 who shall issue a refund as follows:

6 (1) For registrations cancelled prior to the beginning of the registration
7 period, the refund is the full amount of the fee paid, less a ~~fee~~ charge of \$5.00.

8 (2) For registrations cancelled within 30 days of the date of issue, the
9 refund is the full amount of the fee paid, less a charge of \$5.00. The owner of
10 a motor vehicle must prove to the Commissioner's satisfaction that the number
11 plates have not been used or attached to a motor vehicle.

12 (3) For registrations cancelled prior to the beginning of the second year
13 of a two-year registration period, the refund is one-half of the full amount of
14 the two-year fee paid, less a charge of \$5.00.

15 * * * Veterans; Fee Exemptions * * *

16 Sec. 4. 23 V.S.A. § 378 is amended to read:

17 § 378. VETERANS' EXEMPTIONS

18 No fees shall be charged an honorably discharged ~~veterans~~ veteran of the
19 U.S. Armed Forces, who ~~are residents~~ is a resident of the State of Vermont for
20 the registration of a motor vehicle ~~granted that~~ the veteran by the Veterans²
21 Administration has acquired with financial assistance from the U.S.

1 Department of Veterans Affairs, or for the registration of a motor vehicle
2 owned by him or her during his or her lifetime obtained as a replacement
3 thereof, when his or her application is accompanied by a ~~certificate~~ copy of an
4 approved VA Form 21-4502 issued by the ~~Veterans' Administration center~~
5 U.S. Department of Veterans Affairs certifying him or her to be entitled to
6 ~~such exemption~~ the financial assistance.

7 Sec. 5. 23 V.S.A. § 609 is amended to read:

8 § 609. VETERANS' EXEMPTION

9 No fees shall be charged an honorably discharged ~~veterans~~ veteran of the
10 U.S. Armed Forces; who ~~are residents~~ is a resident of the State of Vermont; for
11 a license to operate a motor vehicle, when the veteran has ~~received~~ acquired a
12 motor vehicle with financial assistance from the ~~Veterans' Administration~~ U.S.
13 Department of Veterans Affairs and he or she is otherwise eligible to be
14 granted ~~such~~ the license, and when his or her application is accompanied by a
15 ~~certificate~~ copy of an approved VA Form 21-4502 issued by the ~~Veterans'~~
16 ~~Administration center~~ U.S. Department of Veterans Affairs certifying him or
17 her to be entitled to ~~such exemption~~ the financial assistance.

18 Sec. 6. 23 V.S.A. § 2002(a) is amended to read:

19 (a) The Commissioner shall be paid the following fees:

20 (1) for any certificate of title, including a salvage certificate of title, or
21 an exempt vehicle title, \$35.00;

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(11) for a certificate of title for a motor vehicle ~~granted~~ acquired by a veteran by with financial assistance from the Veterans' Administration U.S. Department of Veterans Affairs and exempt from registration fees pursuant to section 378 of this title, no fee;

* * *

Sec. 7. 32 V.S.A. § 8911 is amended to read:

§ 8911. EXCEPTIONS

The tax imposed by this chapter shall not apply to:

* * *

(14) A motor vehicle ~~granted~~ acquired by a veteran by with financial assistance from the Veterans' Administration U.S. Department of Veterans Affairs, or a vehicle obtained as a replacement to one ~~granted~~ acquired with such assistance, when accompanied by a ~~certificate~~ copy of an approved VA Form 21-4502 issued by the ~~Veterans' Administration Center~~ U.S. Department of Veterans Affairs certifying the veteran to be entitled to the ~~exemption~~ financial assistance.

* * *

* * * Restoration of Driving Privileges Under Total Abstinence Program * * *

Sec. 8. 23 V.S.A. § 1209a(b) is amended to read:

(b) Abstinence.

1 (1)(A) Notwithstanding any other provision of this subchapter, a person
2 whose license or privilege to operate has been suspended or revoked for life
3 under this subchapter may apply to the ~~Driver Rehabilitation School Director~~
4 ~~and to the~~ Commissioner for reinstatement of his or her driving privilege. The
5 person shall have completed three years of total abstinence from consumption
6 of alcohol ~~or~~ and nonprescription regulated drugs, ~~or both~~. The use of a
7 regulated drug in accordance with a valid prescription shall not disqualify an
8 applicant for reinstatement of his or her driving privileges unless the applicant
9 used the regulated drug in a manner inconsistent with the prescription label.

10 (B) The beginning date for the period of abstinence shall be ~~no~~
11 ~~sooner~~ not earlier than the effective date of the suspension or revocation from
12 which the person is requesting reinstatement and shall not include any period
13 during which the person is serving a sentence of incarceration to include
14 furlough. The application shall include the applicant's authorization for a
15 urinalysis examination, or another examination if it is approved as a
16 preliminary screening test under this subchapter, to be conducted prior to
17 reinstatement under this subdivision. The application to the Commissioner
18 shall be accompanied by a fee of \$500.00. The Commissioner shall have the
19 discretion to waive the application fee if the Commissioner determines that
20 payment of the fee would present a hardship to the applicant.

1 reinstatement under this subsection, the person shall be conclusively presumed
2 to be in violation of the conditions of his or her reinstatement.

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

5 * * *

6 * * * Means of Transmitting Fuel Tax Payments * * *

7 Sec. 9. 23 V.S.A. § 3015 is amended to read:

8 § 3015. COMPUTATION AND PAYMENT OF TAX

9 Each report required under section 3014 of this title from licensed
10 distributors, dealers, or users shall be accompanied by evidence of an
11 electronic funds transfer payment or a remittance payable to the Department of
12 Motor Vehicles for the amount of tax due, which shall be computed and
13 transmitted in the following manner:

14 * * *

15 (3)(A) Distributors and dealers with a tax liability of more than
16 \$25,000.00 filing a report required under subsection 3014(a) of this title shall
17 transmit payment of taxes due to the Department of Motor Vehicles by means
18 of an electronic funds transfer.

19 (B) Distributors and dealers with a tax liability of \$25,000.00 or less
20 filing a report required under subsection 3014(a) of this title, and users filing a
21 report required under subsection 3014(b) of this title, shall transmit payment of

1 taxes due to the Department of Motor Vehicles by means of an electronic funds
2 transfer payment or by a remittance through the U.S. mail. If a remittance ~~to~~
3 ~~cover payment of taxes due as shown by a report required by this chapter~~ is
4 sent through the U.S. mail properly addressed to the Department of Motor
5 Vehicles, it shall be deemed received on the date shown by the postmark on the
6 envelope containing the report only for purposes of avoiding penalty and
7 interest. In the event a mailing date is affixed to the envelope by a machine
8 owned or under the control of the person submitting the report, and the U.S.
9 Post Office has corrected or changed the date stamped thereon by causing the
10 official U.S. Post Office postmark to also be imprinted on the envelope, the
11 date shown by the official Post Office postmark shall be the accepted date if
12 different from the original postmark.

13 * * *

14 Sec. 10. 23 V.S.A. § 3015 is amended to read:

15 § 3015. COMPUTATION AND PAYMENT OF TAX

16 Each report required under section 3014 of this title from licensed
17 distributors, dealers, or users shall be accompanied by evidence of an
18 electronic funds transfer payment or a remittance payable to the Department of
19 Motor Vehicles for the amount of tax due, which shall be computed and
20 transmitted in the following manner:

21 * * *

1 Sec. 11. 23 V.S.A. § 3106(b) is amended to read:

2 (b)(1) ~~If a remittance to cover~~ On or before the due date established by
3 section 3108 of this title, payment of taxes due as shown by a report required
4 by this chapter shall be transmitted to the Department of Motor Vehicles as
5 follows:

6 (A) If the tax liability is more than \$25,000.00, it shall be sent by
7 means of an electronic funds transfer payment.

8 (B) If the tax liability is \$25,000.00 or less, payment shall be sent by
9 means of an electronic funds transfer payment or by a remittance through the
10 U.S. mail.

11 (2) If payment is sent through the U.S. mail properly addressed to the
12 Department of Motor Vehicles, it shall be deemed received on the date shown
13 by the postmark on the envelope containing the report only for purposes of
14 avoiding penalty and interest. In the event a mailing date is affixed to the
15 envelope by a machine owned or under the control of the person submitting the
16 report, and the U.S. Post Office has corrected or changed the date stamped by
17 causing the official U.S. Post Office postmark to also be imprinted on the
18 envelope, the date shown by the official post office postmark shall be the
19 accepted date if different from the original postmark.

1 Sec. 12. 23 V.S.A. § 3106(b) is amended to read:

2 (b)~~(1)~~ On or before the due date established by section 3108 of this title,
3 payment of taxes due as shown by a report required by this chapter shall be
4 transmitted to the Department of Motor Vehicles ~~as follows:~~

5 ~~(A) If the tax liability is more than \$25,000.00, it shall be sent by~~
6 ~~means of an electronic funds transfer payment.~~

7 ~~(B) If the tax liability is \$25,000.00 or less, payment shall be sent by~~
8 ~~means of an electronic funds transfer payment or by a remittance through the~~
9 ~~U.S. mail.~~

10 ~~(2) If payment is sent through the U.S. mail properly addressed to the~~
11 ~~Department of Motor Vehicles, it shall be deemed received on the date shown~~
12 ~~by the postmark on the envelope containing the report only for purposes of~~
13 ~~avoiding penalty and interest. In the event a mailing date is affixed to the~~
14 ~~envelope by a machine owned or under the control of the person submitting the~~
15 ~~report, and the U.S. Post Office has corrected or changed the date stamped by~~
16 ~~causing the official U.S. Post Office postmark to also be imprinted on the~~
17 ~~envelope, the date shown by the official post office postmark shall be the~~
18 ~~accepted date if different from the original postmark.~~

1 tractors, motorized highway building equipment, road-making appliances,
2 snowmobiles, motorcycles, motor-driven cycles, or the living portion of
3 recreation vehicles, or trucks with a gross vehicle weight rating over 12,000
4 pounds.

5 (7) “Manufacturer” means any person, resident or nonresident, ~~who~~ that
6 manufactures or assembles new motor vehicles or imports for distribution
7 through distributors of motor vehicles or any partnership, firm, association,
8 joint venture, corporation, or trust, resident or nonresident, ~~which~~ that is
9 controlled by a manufacturer. In the case of the portion of a recreation vehicle
10 subject to this chapter, and except as otherwise provided in subdivision
11 4172(e)(2) of this title, “manufacturer” means the final stage assembler of the
12 completed recreation vehicle. Additionally, the term “manufacturer” shall
13 include:

14 (A) “distributor,” meaning any person, resident or nonresident, ~~who~~
15 that in whole or in part offers for sale, sells, or distributes any new motor
16 vehicle to new motor vehicle dealers or new motor vehicle lessors or maintains
17 factory representatives or ~~who~~ that controls any person, firm, association,
18 corporation, or trust, resident or nonresident, ~~who~~ that in whole or in part
19 offers for sale, sells, or distributes any new motor vehicle to new motor vehicle
20 dealers or new motor vehicle lessors; and

1 (B) “factory branch,” meaning any branch office maintained by a
2 manufacturer for the purpose of selling, leasing, or offering for sale or lease,
3 vehicles to a distributor or new motor vehicle dealer or for directing or
4 supervising, in whole or in part, factory distributor representatives.

5 * * *

6 (9) A “new motor vehicle” means a ~~passenger~~ motor vehicle ~~which that~~
7 is still under the manufacturer’s express warranty or, in the case of the portion
8 of a recreation vehicle that is subject to this chapter, that is still under an
9 express warranty for the relevant component.

10 * * *

11 Sec. 15. 9 V.S.A. § 4172 is amended to read:

12 § 4172. ENFORCEMENT OF WARRANTIES

13 * * *

14 (e)(1) If, after a reasonable number of attempts, the manufacturer, its agent,
15 or authorized dealer or its delegate is unable to conform the motor vehicle to
16 any express warranty by repairing or correcting any defect or condition
17 covered by the warranty ~~which that~~ substantially impairs the use, market value,
18 or safety of the motor vehicle to the consumer, the manufacturer shall, at the
19 option of the consumer within 30 days of the effective date of the Board’s
20 order, either:

1 (A) ~~replace~~ Replace the motor vehicle with a new motor vehicle from
2 the same manufacturer, if available, of comparable worth to the same make
3 and model with all options and accessories with appropriate adjustments being
4 allowed for any model year differences ~~or shall~~.

5 (B) ~~accept~~ Accept return of the vehicle from the consumer and refund
6 to the consumer the full purchase price or to the lessee in the case of leased
7 vehicles, as provided in subsection (i) of this section. In those instances in
8 which a refund is tendered, the manufacturer shall refund to the consumer the
9 full purchase price as indicated in the purchase contract and all credits and
10 allowances for any trade-in or downpayment, finance charges, credit charges,
11 registration fees, and any similar charges and incidental and consequential
12 damages or, in the case of leased vehicles, as provided in subsection (i) of this
13 section. Refunds shall be made to the consumer and lienholder, if any, as their
14 interests may appear or to the motor vehicle lessor and lessee as provided in
15 subsection (i) of this section. A reasonable allowance for use shall be that
16 amount directly attributable to use by the consumer prior to his or her first
17 repair attempt and shall be calculated by multiplying the full purchase price of
18 the vehicle by a fraction having as its denominator 100,000 and having as its
19 numerator the number of miles that the vehicle traveled prior to the first
20 attempt at repairing the vehicle. If the manufacturer refunds the purchase price
21 or a portion of the price to the consumer, any Vermont motor vehicle purchase

1 and use tax paid shall be refunded by the State to the consumer in the
2 proportionate amount. To receive a refund, the consumer must file a claim
3 with the Commissioner of Motor Vehicles within 90 days of the effective date
4 of the order.

5 (2) In the case of a recreation vehicle, the warrantor of the chassis shall
6 be responsible for any refund under subdivision (1)(B) of this subsection or
7 under subsection (i) of this section, even if the consumer's or lessee's right to
8 the refund results from a nonconformity caused by the final stage assembler of
9 the completed recreation vehicle or by another warranted component subject to
10 this chapter.

11 * * *

12 Sec. 16. 9 V.S.A. § 4173 is amended to read:

13 § 4173. PROCEDURE TO OBTAIN REFUND OR REPLACEMENT;

14 WAIVER OF RIGHTS VOID

15 (a)(1) After reasonable attempt at repair or correction of the nonconformity,
16 defect, or condition, or after the vehicle is out of service by reason of repair of
17 one or more nonconformities, defects, or conditions for a cumulative total of
18 30 or more calendar days as provided in this chapter, the consumer shall notify
19 the manufacturer and lessor in writing, on forms to be provided by the
20 manufacturer at the time the new motor vehicle is delivered, of the
21 nonconformity, defect, or condition and the consumer's election to proceed

1 under this chapter. The forms shall be made available by the manufacturer to
2 any public or nonprofit agencies that shall request them. Notice of consumer
3 rights under this chapter shall be conspicuously displayed by all authorized
4 dealers and agents of the manufacturer.

5 (2) The consumer shall in the notice elect whether to use the dispute
6 settlement mechanism or the arbitration provisions established by the
7 manufacturer or to proceed under the Vermont Motor Vehicle Arbitration
8 Board as established under this chapter. Except in the case of a settlement
9 agreement between a consumer and manufacturer, and unless federal law
10 otherwise requires, any provision or agreement that purports to waive, limit, or
11 disclaim the rights set forth in this chapter or that purports to require a
12 consumer not to disclose the terms of the provision or agreement is void as
13 contrary to public policy.

14 (3) The consumer's election of whether to proceed before the Board or
15 the manufacturer's mechanism shall preclude his or her recourse to the method
16 not selected.

17 * * *

18 * * * Three-wheeled Motorcycles * * *

19 Sec. 17. 23 V.S.A. § 601(f) is amended to read:

20 (f) Operators of autocycles shall be exempt from the requirements to obtain
21 a motorcycle learner's permit or a motorcycle endorsement. The

1 Commissioner shall offer operators of three-wheeled motorcycles that are not
2 autocycles the opportunity to obtain a motorcycle endorsement that authorizes
3 the operation of three-wheeled motorcycles only.

4 Sec. 18. 23 V.S.A. § 617 is amended to read:

5 § 617. LEARNER'S PERMIT

6 * * *

7 (b)(1) Notwithstanding the provisions of subsection (a) of this section, any
8 licensed person may apply to the Commissioner of Motor Vehicles for a
9 learner's permit for the operation of a motorcycle in the form prescribed by the
10 Commissioner. The Commissioner shall offer both a motorcycle learner's
11 permit that authorizes the operation of three-wheeled motorcycles only and a
12 motorcycle learner's permit that authorizes the operation of any motorcycle.

13 The Commissioner shall require payment of a fee of \$20.00 at the time
14 application is made.

15 (2) After the applicant has successfully passed all parts of the applicable
16 motorcycle endorsement examination, other than a skill test, the Commissioner
17 may issue to the applicant a learner's permit ~~which~~ that entitles the applicant,
18 subject to subsection 615(a) of this title, to operate a three-wheeled motorcycle
19 only, or to operate any motorcycle, upon the public highways for a period of
20 120 days from the date of issuance. The fee for the examination shall be
21 \$9.00.

1 The instructor shall immediately forward to the Commissioner the application
2 and fee together with such additional information as the Commissioner may
3 require.

4 (2) The Commissioner shall maintain a list of approved in-state and out-
5 of-state motorcycle rider training courses, successful completion of which the
6 Commissioner shall deem to satisfy the skill test requirement. This list shall
7 include courses that provide training on three-wheeled motorcycles.

8 * * * Dealer Records of Sales * * *

9 Sec. 19. 23 V.S.A. § 466 is amended to read:

10 § 466. RECORDS; CUSTODIAN

11 (a) On a form prescribed or approved by the Commissioner, every licensed
12 dealer shall maintain and retain for six years a record containing the following
13 information, which shall be open to inspection by any law enforcement officer
14 or motor vehicle inspector or other agent of the Commissioner during
15 reasonable business hours:

16 (1) Every vehicle or motorboat ~~which~~ that is bought, sold, or exchanged
17 by the licensee or received or accepted by the licensee for sale or exchange.

18 (2) Every vehicle or motorboat ~~which~~ that is bought or otherwise
19 acquired and dismantled by the licensee.

20 (3) The name and address of the person from whom such vehicle or
21 motorboat was purchased or acquired, the date thereof, the name and address

1 of the person to whom any such vehicle or motorboat was sold or otherwise
2 disposed of and the date thereof, and a sufficient description of every such
3 vehicle or motorboat by name and identifying numbers thereon to identify the
4 same.

5 (4) ~~If the vehicle or motorboat is sold or otherwise transferred to a~~
6 ~~consumer, the cash price. As used in this section, “consumer” shall be as~~
7 ~~defined in 9 V.S.A. § 2451a(a) and “cash price” shall be as defined in 9 V.S.A.~~
8 ~~§ 2351(6). [Repealed.]~~

9 * * *

10 * * * Seatbelt Law for Adults; Primary Enforcement * * *

11 Sec. 20. 23 V.S.A. § 1259 is amended to read:

12 § 1259. SAFETY BELTS; PERSONS AGE 18 YEARS OF AGE AND
13 OVER

14 * * *

15 (e) ~~This section may be enforced only if a law enforcement officer has~~
16 ~~detained the operator of a motor vehicle for another suspected traffic violation.~~
17 ~~An operator shall not be subject to the penalty established in this section unless~~
18 ~~the operator is required to pay a penalty for the primary violation. [Repealed.]~~

19 * * *

1 Sec. 21. PRIMARY ENFORCEMENT OF SEATBELT LAW; PUBLIC
2 EDUCATION CAMPAIGN

3 (a) To inform highway users of the requirements of Sec. 20 of this act
4 (primary enforcement of the seatbelt law for adults) and the October 1, 2018
5 effective date of Sec. 20, the Secretary of Transportation shall conduct a public
6 education campaign to commence on or before July 1, 2018.

7 (b) At a minimum, the Secretary shall:

8 (1) notify media outlets throughout the State of the change in the law to
9 primary enforcement of the adult seatbelt law and the October 1, 2018
10 effective date of the change in the law;

11 (2) update the website of the Agency of Transportation and the website
12 of the Department of Motor Vehicles to provide notice of the change in the law
13 and its effective date; and

14 (3) consistent with the Manual on Uniform Traffic Control Devices and
15 any other applicable federal law, post messages on changeable message signs
16 of the Agency that inform highway users of the change in the law and its
17 effective date.

1 the approval of the Commissioner. If a fee is charged for inspection, it shall be
2 based upon the hourly rate charged by each official inspection station or it may
3 be a flat rate fee and, in either instance, the fee shall be prominently posted and
4 displayed beside the official inspection station certificate. In addition, the
5 official inspection station may disclose the State inspection certificate charge
6 on the repair order as a separate item and collect the charge from the consumer.

7 * * *

8 Sec. 23. RULEMAKING; TRANSITION

9 (a)(1) As soon as practicable after the effective date of this section, and not
10 later than May 1, 2018, the Commissioner of Motor Vehicles (Commissioner)
11 shall file with the Secretary of State a proposed amended rule governing motor
12 vehicle inspections (C.V.R. 14-050-022) that:

13 (A) is consistent with the permissible scope of safety inspections
14 under the amendments to 23 V.S.A. § 1222 in Sec. 22 of this act; and

15 (B) clarifies ambiguous language in the rule.

16 (2) The amended rule described in subdivision (1) of this subsection
17 shall be adopted so as to take effect no later than July 1, 2019.

18 (3) As soon as practicable after the effective date of this section, the
19 Commissioner shall update the content of inspections conducted through the
20 Automated Vehicle Inspection Program to exclude any requirement of C.V.R.
21 14-050-022 that is inconsistent with the permissible scope of safety inspections

1 under the amendments to 23 V.S.A. § 1222 in Sec. 22 of this act, with the
2 result that no vehicle will fail inspection as a result of any such inconsistent
3 requirement.

4 (b) In the proposed rule amendments, the Commissioner may direct
5 inspection stations to identify advisory, recommended repairs that are not
6 required for the vehicle to pass inspection.

7 (c) Except as provided in subdivision (a)(2) and subsection (d) of this
8 section, nothing in this section or Sec. 22 of this act is intended to affect the
9 emissions-related requirements of the rule governing motor vehicle
10 inspections.

11 (d) Notwithstanding 10 V.S.A. § 567 and C.V.R. 14-050-022, the
12 Commissioner may establish criteria to allow vehicles that would otherwise
13 fail inspection as a result of the emissions component of the inspection to pass
14 inspection and receive an inspection sticker, provided that the vehicle satisfies
15 all inspection requirements that are relevant to the vehicle's safe operation.

16 The authority conferred in this subsection shall expire on January 15, 2019.

17 (e) On November 30, 2018, the Commissioners of Motor Vehicles and of
18 Environmental Conservation shall send a written update to the Joint
19 Transportation Oversight Committee that includes:

20 (1) a copy of any criteria developed under the authority granted in
21 subsection (d) of this section;

1 (2) if the authority granted in subsection (d) of this section is exercised:

2 (A) whether the authority is still being exercised; and

3 (B) the number of conditional passes issued since the effective date
4 of this section;

5 (3) a summary of the status of efforts to amend the Department’s rule as
6 required under subsection (a) of this section, and an estimate of the likely
7 effective date of the amended rule if not yet adopted; and

8 (4) a summary of the status of any efforts to develop a program of
9 waivers related to the emissions component of the State’s inspection program
10 and to educate consumers and inspection stations about issues related to
11 emissions inspections, including: the availability of any such waivers;
12 manufacturer warranties available for emissions components for certain
13 vehicle models and model years; and vehicle readiness for emissions testing.

14 * * * Effective Dates * * *

15 Sec. 24. EFFECTIVE DATES

16 (a) This section and Secs. 16 (new motor vehicle arbitration), 19 (dealer
17 records), 21 (education campaign; primary enforcement), and 22–23 (motor
18 vehicle inspections) shall take effect on passage, except that notwithstanding
19 1 V.S.A. § 214, in Sec. 23, subsection (d) shall take effect retroactively on
20 January 1, 2017.

1 (b) Sec. 20 (primary enforcement of adult seatbelt law) shall take effect on
2 October 1, 2018.

3 (c) Secs. 9 and 11 (means of transmitting fuel tax payments) shall take
4 effect on July 1, 2019.

5 (d) Secs. 10 and 12 (means of transmitting fuel tax payments) shall take
6 effect on July 1, 2020.

7 (e) All other sections shall take effect on July 1, 2018.

8

9

10 (Committee vote: _____)

11

12

Representative _____

13

FOR THE COMMITTEE