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S.127

Introduced by Committee on Transportation

Date:

Subject: Motor vehicles; snowmobiles; vessels

Statement of purpose of bill as introduced: This bill proposes to make
miscellaneous changes to laws related to vehicles and vessels.

An act relating to miscellaneous changes to laws related to vehicles and
vessels

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

* * * Special Plates and Placards for Persons With Disabilities * * *

Sec. 1. 23 V.S.A. § 304a is amended to read:

§ 304a. SPECIAL REGISTRATION PLATES AND PLACARDS FOR
PEOPLE WITH DISABILITIES

(a) The following definitions shall apply to this section:

* * *

(6) “Eligible person” means:

(A) a person who is blind or has an ambulatory disability and has
been issued a special registration plate or a windshield placard by this State or
another state;

1 (B) a person who is transporting a person described in subdivision
2 (A) of this subdivision (6); or

3 (C) a person transporting a person who is blind or has an ambulatory
4 disability on behalf of an organization that has been issued a special
5 registration plate or a windshield placard by this State or another state for the
6 purpose of transporting a person who is blind or has an ambulatory disability.

7 * * *

8 (e)(1) A person, other than an eligible person, who for his or her own
9 purposes parks a vehicle in a space for persons with disabilities shall be ~~fin~~
10 subject to a civil penalty of not less than \$200.00 for each violation and shall
11 be liable for towing charges.

12 (2) A person, other than an eligible person, who displays a special
13 registration plate or removable windshield placard not issued to him or her
14 under this section and parks a vehicle in a space for persons with disabilities,
15 shall be subject to a civil penalty of not less than \$400.00 for each violation
16 and shall be liable for towing charges.

17 (3) He or she shall A person who violates this section also shall be liable
18 for storage charges not to exceed \$12.00 per day, and an artisan's lien may be
19 imposed against the vehicle for payment of the charges assessed.

1 (4) The person in charge of the parking space or spaces for persons with
2 a disability or any duly authorized law enforcement officer shall cause the
3 removal of a vehicle parked in violation of this section.

4 (5) A violation of this section shall be considered a traffic violation
5 within the meaning of 4 V.S.A. chapter 29.

6 * * *

7 * * * Special License Plates * * *

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

9 § 304b. CONSERVATION MOTOR VEHICLE REGISTRATION PLATES

10 (a) The Commissioner shall, upon application, issue conservation
11 registration plates for use only on vehicles registered at the pleasure car rate,
12 on trucks registered for less than 26,001 pounds, and on vehicles registered to
13 State agencies under section 376 of this title, but excluding vehicles registered
14 under the International Registration Plan. ~~Plates so acquired shall be mounted~~
15 ~~on the front and rear of the vehicle.~~ The Commissioners of Motor Vehicles
16 and of Fish and Wildlife shall determine the graphic design of the special
17 plates in a manner which serves to enhance the public awareness of the State's
18 interest in restoring and protecting its wildlife and major watershed areas. The
19 Commissioners of Motor Vehicles and of Fish and Wildlife may alter the
20 graphic design of these special plates provided that plates in use at the time of
21 a design alteration shall remain valid subject to the operator's payment of the

1 annual registration fee. Applicants shall apply on forms prescribed by the
2 Commissioner and shall pay an initial fee of \$26.00 in addition to the annual
3 fee for registration. In following years, in addition to the annual registration
4 fee, the holder of a conservation plate shall pay a renewal fee of \$26.00. The
5 Commissioner may adopt rules under 3 V.S.A. chapter 25 to implement the
6 provisions of this subsection.

7 (b) Initial fees collected under subsection (a) of this section shall be
8 allocated as follows:

9 (1) ~~\$12.00~~ 46 percent to the Transportation Fund.

10 (2) ~~\$7.00~~ 27 percent to the Department of Fish and Wildlife for deposit
11 into the Nongame Wildlife Account created in 10 V.S.A. § 4048.

12 (3) ~~\$7.00~~ 27 percent to the Department of Fish and Wildlife for deposit
13 into the Watershed Management Account created in 10 V.S.A. § 4050.

14 (c) Renewal fees collected under subsection (a) of this section shall be
15 allocated as follows:

16 (1) ~~\$11.00~~ 42 percent to the Department of Fish and Wildlife for deposit
17 into the Nongame Wildlife Account created in 10 V.S.A. § 4048.

18 (2) ~~\$11.00~~ 42 percent to the Department of Fish and Wildlife for deposit
19 into the Watershed Management Account created in 10 V.S.A. § 4050.

20 (3) ~~\$4.00~~ 16 percent to the Transportation Fund.

1 (d) The Commissioner of Fish and Wildlife is authorized to deposit fees
2 collected by the Department of Fish and Wildlife under subsections (b) and (c)
3 of this section into the Conservation Camp Fund when the fees collected
4 exceed the annual funding needs of the Nongame Wildlife Account and the
5 Watershed Management Account.

6 Sec. 3. 23 V.S.A. § 304c is amended to read:

7 § 304c. MOTOR VEHICLE REGISTRATION PLATES: BUILDING
8 BRIGHT SPACES FOR BRIGHT FUTURES FUND

9 (a) The Commissioner shall, upon application, issue “Building Bright
10 Spaces for Bright Futures Fund,” hereinafter referred to as “the Bright Futures
11 Fund,” registration plates for use only on vehicles registered at the pleasure car
12 rate, on trucks registered for less than 26,001 pounds, on vehicles registered to
13 State agencies under section 376 of this title, and excluding vehicles registered
14 under the International Registration Plan. ~~Plates so acquired shall be mounted~~
15 ~~on the front and rear of the vehicle.~~ The Commissioner of Motor Vehicles
16 shall utilize the graphic design recommended by the Commissioner for
17 Children and Families for the special plates to enhance the public awareness of
18 the State’s interest in supporting children’s services. Applicants shall apply on
19 forms prescribed by the Commissioner of Motor Vehicles, and shall pay an
20 initial fee of \$24.00 in addition to the annual fee for registration. In following
21 years, in addition to the annual registration fee, the holder of a Bright Futures

1 Fund plate shall pay a renewal fee of \$24.00. The Commissioner shall adopt
2 rules under 3 V.S.A. chapter 25 to implement the provisions of this subsection.

3 (b) Fees collected under subsection (a) of this section shall be allocated as
4 follows:

5 (1) ~~\$7.00~~ 29 percent to the Transportation Fund.

6 (2) ~~\$17.00~~ 71 percent to the Department for Children and Families for
7 deposit in the Bright Futures Fund created in 33 V.S.A. § 3531.

8 (c) Renewal fees collected under subsection (a) of this section shall be
9 allocated as follows:

10 (1) ~~\$19.00~~ 79 percent to the Department for Children and Families for
11 deposit in the Bright Futures Fund in 33 V.S.A. § 3531.

12 (2) ~~\$5.00~~ 21 percent to the Transportation Fund.

13 (d) The Department of Motor Vehicles shall be charged by the Department
14 of Corrections for the production of the Bright Futures Fund license plates.

15 * * * Annual Special Excess Weight Permits * * *

16 Sec. 4. 23 V.S.A. § 305 is amended to read:

17 § 305. REGISTRATION PERIODS

18 (a) The Commissioner of Motor Vehicles shall issue registration
19 certificates, validation stickers, and number plates upon initial registration, and
20 registration certificates and validation stickers for each succeeding renewal
21 period of registration, upon payment of the registration fee. Number plates so

1 issued will become void one year from the first day of the month following the
2 month of issue unless a longer initial registration period is authorized by law,
3 or unless this period is extended through renewal. Registrations issued for
4 motor trucks shall become void one year from the first day of the month
5 following the month of issue. ~~The fees for annual special excess weight~~
6 ~~permits issued to these vehicles pursuant to section 1392 of this title shall be~~
7 ~~prorated so as to coincide with registration expiration dates.~~

8 * * *

9 * * * Temporary Registration * * *

10 Sec. 5. 23 V.S.A. § 312 is amended to read:

11 § 312. TEMPORARY REGISTRATION PENDING ISSUANCE OF
12 CERTIFICATE OF TITLE

13 (a) In his or her discretion, the Commissioner may issue a temporary
14 registration certificate to a person required to obtain a certificate of title in
15 accordance with chapter 21 of this title upon payment of the registration fee
16 provided in subchapter 2 of this chapter and of the title fee. The temporary
17 registration certificate and the number plate shall be valid for 60 days and shall
18 not be renewed. At the expiration of the temporary registration, a permanent
19 registration certificate and ~~a set of number plates~~ plate shall be issued provided
20 that all documents and information required by law are filed with the
21 Commissioner.

1 (b) The registration fee paid in accordance with subsection (a) of this
2 section shall not be refunded, except that the fee shall be deemed the fee for
3 the permanent registration, if one is issued, or shall be deemed the fee for
4 ~~another~~ an application for registration to register another vehicle, if the title
5 requirements are met during that registration period. Likewise, the title fee
6 shall be deemed the fee for the title, if one is issued, or shall be deemed the fee
7 for an application to title another vehicle.

8 * * * Registration Transfers * * *

9 Sec. 6. 23 V.S.A. § 321 is amended to read:

10 § 321. PROCEDURE UPON TRANSFER

11 Upon the transfer of ownership of any registered motor vehicle its
12 registration shall expire. The person in whose name the transferred vehicle
13 was registered shall immediately return direct to the Commissioner the
14 registration certificate assigned to the transferred vehicle, with the date of sale
15 and the name and residence of the new owner endorsed on the back. However,
16 the Commissioner may accept any other satisfactory evidence of the above
17 required information. The transferor shall forthwith remove the registration
18 number plates from the transferred vehicle and may attach the same to another
19 unregistered motor vehicle owned by him or her. Upon the transfer of
20 registration plates from a motor vehicle, the registration of which has expired
21 as above provided, to another motor vehicle, owned by the ~~transferer~~

1 transferor, the owner or operator shall not, for a period of ~~30~~ 60 days, be
2 subject to a fine for the operation of the latter motor vehicle without the proper
3 registration certificate, provided he or she has, within 24 hours of the transfer,
4 made application, as provided in section 323 of this title, for transfer of the
5 registration number plates. If such application for transfer is not so received
6 by the Commissioner, the number plates shall be returned to the Commissioner
7 at the end of five days after the transfer of ownership.

8 * * * Registration Fees; Local Transit Buses * * *

9 Sec. 7. 23 V.S.A. § 372a is amended to read:

10 § 372a. LOCAL TRANSIT PUBLIC TRANSPORTATION SERVICE

11 (a) The annual registration fee for any motor bus used in local transit or
12 public transportation service shall be \$62.00, except for those vehicles owned
13 by a municipality for such service that are subject to the provisions of section
14 376 of this title. In the event a bus registered for local transit or public
15 transportation service is thereafter registered for general use during the same
16 registration year, such fee shall be applied towards the fee for general
17 registration.

18 (b) As used in this section, a motor bus used in public transportation
19 service ~~bus~~ is a bus used by a nonprofit public transit system as defined in
20 24 V.S.A. § 5088(3), and a motor bus used in local transit ~~bus~~ is a motor bus

1 used entirely within or not more than ~~40~~ 100 miles beyond the boundaries of a
2 city or town.

3 * * * Exhibition Vehicles * * *

4 Sec. 8. 23 V.S.A. § 373 is amended to read:

5 § 373. EXHIBITION VEHICLES; YEAR OF MANUFACTURE PLATES

6 (a) The annual fee for the registration of a motor vehicle which is
7 maintained ~~solely~~ for use in exhibitions, club activities, parades, and other
8 functions of public interest and which is not used for ~~the~~ general daily
9 transportation of passengers or property on any highway, ~~except to attend such~~
10 ~~functions~~, shall be \$21.00, in lieu of fees otherwise provided by law. Permitted
11 use shall include occasional transportation of passengers or property not more
12 than one day per week.

13 * * *

14 * * * Licenses and Permits to Operate; Refusals to Issue * * *

15 Sec. 9. 23 V.S.A. § 603(c) is amended to read:

16 (c) An ~~operator~~ operator's license, junior ~~operator~~ operator's license, or
17 ~~learner~~ learner's permit shall not be issued to an applicant whose license ~~or~~
18 ~~learner~~, learner's permit, or privilege to operate is suspended, revoked, or
19 canceled in any jurisdiction.

1 Sec. 10. CONFORMING CHANGES

2 (a) In 23 V.S.A. § 601(b), the phrase “operator licenses” shall be replaced
3 with “operator’s licenses” wherever it appears.

4 (b) In 23 V.S.A. § 603(b) and (d), wherever they appear:

5 (1) The phrase “operator license” shall be replaced with “operator’s
6 license.”

7 (2) The phrase “junior operator license” shall be replaced with “junior
8 operator’s license.”

9 (3) The phrase “learner permit” shall be replaced with “learner’s
10 permit.”

11 * * * Learner’s Permits; Operation Under * * *

12 Sec. 11. 23 V.S.A. § 615 is amended to read:

13 § 615. UNLICENSED OPERATORS

14 (a)(1) An unlicensed person 15 years of age or older may operate a motor
15 vehicle if he or she possesses a valid learner’s permit issued to him or her by
16 the Commissioner, or by another jurisdiction in accordance with section 208 of
17 this title, and if his or her licensed parent or guardian, licensed or certified
18 driver education instructor, license examiner of the Department, or licensed
19 person at least 25 years of age rides beside him or her. Nothing in this section
20 shall be construed to permit a person against whom a revocation or suspension

1 of license is in force, or a person younger than 15 years of age, or a person who
2 has been refused a license by the Commissioner to operate a motor vehicle.

3 * * *

4 * * * Distracted Driving * * *

5 Sec. 12. 23 V.S.A. § 1095b is amended to read:

6 § 1095b. HANDHELD USE OF PORTABLE ELECTRONIC DEVICE

7 PROHIBITED

8 * * *

9 (c) Penalties.

10 (1) A person who violates this section commits a traffic violation and
11 shall be subject to a fine of not less than \$100.00 and not more than \$200.00
12 for a first violation, and of not less than \$250.00 and not more than \$500.00 for
13 a second or subsequent violation within any two-year period.

14 (2) A person convicted of violating this section while operating within a
15 ~~properly designated work zone in which construction, maintenance, or utility~~
16 ~~personnel are present~~ the following areas shall have ~~two~~ four points assessed
17 against his or her driving record for a first conviction and five points assessed
18 for a second or subsequent conviction:

19 (A) a properly designated work zone in which construction,
20 maintenance, or utility personnel are present; or

1 (B) a school zone marked with warning signs conforming to the
2 Manual on Uniform Traffic Control Devices.

3 (3) A person convicted of violating this section outside ~~a work zone in~~
4 ~~which personnel are present~~ the areas designated in subdivision (2) of this
5 subsection shall not have two points assessed against his or her driving record.

6 * * *

7 Sec. 13. 23 V.S.A. § 2502 is amended to read:

8 § 2502. POINT ASSESSMENT; SCHEDULE

9 (a) Unless the assessment of points is waived by a Superior judge or a
10 Judicial Bureau hearing officer in the interests of justice and in accordance
11 with subsection 2501(b) of this title, a person operating a motor vehicle shall
12 have points assessed against his or her driving record for convictions for
13 moving violations of the indicated motor vehicle statutes in accord with the
14 following schedule: (All references are to Title 23 of the Vermont Statutes
15 Annotated.)

16 (1) Two points assessed for:

17 * * *

18 (LL)(i) § 1095. Entertainment picture visible to
19 operator;

1 (ii) § 1095b(c)~~(2)~~(3) Use of portable electronic device
2 ~~in outside work or school zone—first~~
3 ~~offense;~~

4 * * *

5 (3) Four points assessed for:

6 (A) § 1012. Failure to obey enforcement officer;

7 (B) § 1013. Authority of enforcement officers;

8 (C) § 1051. Failure to yield to pedestrian;

9 (D) § 1057. Failure to yield to persons who are

10 blind;

11 (E) § 1095b(c)(2) Use of portable electronic device in

12 work or school zone—first offense;

13 (4) Five points assessed for:

14 (A) § 1050. Failure to yield to emergency

15 vehicles;

16 (B) § 1075. Illegal passing of school bus;

17 (C) § 1099. Texting prohibited;

18 (D) § 1095b(c)(2) Use of portable electronic device in

19 work or school zone—second and

20 subsequent offenses;

21 * * *

1 * * * DUI-Related Provisions * * *

2 Sec. 14. 23 V.S.A. chapter 13, subchapter 13 is amended to read:

3 Subchapter 13. Drunken Driving

4 § 1200. DEFINITIONS

5 As used in this subchapter:

6 * * *

7 (10) “Random retest” means a test of a vehicle operator’s blood alcohol
8 concentration, other than a test required to start the vehicle, that is required at
9 random intervals during operation of a vehicle equipped with an ignition
10 interlock device.

11 * * *

12 § 1209a. CONDITIONS OF REINSTATEMENT; ALCOHOL AND
13 DRIVING EDUCATION; SCREENING; THERAPY PROGRAMS

14 * * *

15 (b) Abstinance.

16 (1)(A) Notwithstanding any other provision of this subchapter, a
17 person whose license or privilege to operate has been suspended or revoked for
18 life under this subchapter may apply to the Driver Rehabilitation School
19 Director and to the Commissioner for reinstatement of his or her driving
20 privilege. The person shall have completed three years of total abstinence
21 from consumption of alcohol or nonprescription regulated drugs, or both. The

1 use of a regulated drug in accordance with a valid prescription shall not
2 disqualify an applicant for reinstatement of his or her driving privileges unless
3 the applicant used the regulated drug in a manner inconsistent with the
4 prescription label.

5 (B) The beginning date for the period of abstinence shall be no sooner
6 than the effective date of the suspension or revocation from which the person is
7 requesting reinstatement and shall not include any period during which the
8 person is serving a sentence of incarceration to include furlough. The
9 application shall include the applicant's authorization for a urinalysis
10 examination to be conducted prior to reinstatement under this subdivision. The
11 application to the Commissioner shall be accompanied by a fee of \$500.00.
12 The Commissioner shall have the discretion to waive the application fee if the
13 Commissioner determines that payment of the fee would present a hardship to
14 the applicant.

15 * * *

16 § 1213. IGNITION INTERLOCK RESTRICTED DRIVER'S LICENSE OR
17 CERTIFICATE; PENALTIES

18 * * *

19 (e) ~~Except as provided in subsection (m) of this section, the~~ The holder of
20 an ignition interlock RDL or ignition interlock certificate shall pay the costs of
21 installing, purchasing or leasing, and removing the ignition interlock device as

1 well as calibrating the device and retrieving data from it periodically as may be
2 specified by the Commissioner.

3 * * *

4 (1)(1) The Commissioner, in consultation with any individuals or entities
5 the Commissioner deems appropriate, shall adopt rules and may enter into
6 agreements to implement the provisions of this section. The Commissioner
7 shall not approve a manufacturer of ignition interlock devices as a provider in
8 this State unless the manufacturer agrees to reduce the cost of installing,
9 leasing, and deinstalling the device by at least 50 percent for persons who
10 furnish proof of receipt of 3SquaresVT, LIHEAP, or Reach Up benefits or like
11 benefits in another state.

12 (2) The rules shall establish uniform performance standards for ignition
13 interlock devices including required levels of accuracy in measuring blood
14 alcohol concentration, efficacy in distinguishing valid breath samples, the
15 occurrence of random retests while the vehicle is running, and automatic
16 signaling by the vehicle if the operator fails such a retest. After an initial
17 random retest to occur within 15 minutes of the vehicle starting, subsequent
18 random retests shall occur on average not more often than once every 30
19 minutes. The Commissioner shall certify devices that meet these standards,
20 specify any periodic calibration that may be required to ensure accuracy of the
21 devices, and specify the means and frequency of the retrieval and sharing of

1 data collected by ignition interlock devices. ~~Persons who elect to obtain an~~
2 ~~ignition interlock RDL or certificate following a conviction under this~~
3 ~~subchapter when the person's blood alcohol concentration is proven to be 0.16~~
4 ~~or more shall be required to install an ignition interlock device with a Global~~
5 ~~Positioning System feature.~~ The rules also shall establish a schedule of
6 extensions of the period prior to eligibility for reinstatement as authorized
7 under subsection (h) of this section.

8 * * *

9 * * * Length of Vehicles * * *

10 Sec. 15. 23 V.S.A. § 1402(b)(2) is amended to read:

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

14 Sec. 16. 23 V.S.A. § 1432 is amended to read:

15 § 1432. LENGTH OF VEHICLES; ~~AUTHORIZED HIGHWAYS~~

16 * * *

17 (f) ~~List of approved highways. The Commissioner shall prepare a list of~~
18 ~~each highway that has been approved for travel by vehicles referred to in~~
19 ~~subsection (a) of this section. The list shall be furnished, without charge, to~~
20 ~~each permitting service, electronic dispatching service, or other similar service~~

1 ~~authorized to do business in this State and, upon request, to any interested~~
2 ~~person.~~ [Repealed.]

3 * * * Transfer of Title, Registration; Vessels, Snowmobiles, and ATVs * * *

4 Sec. 17. 23 V.S.A. § 3816 is amended to read:

5 § 3816. TRANSFER OF INTEREST IN VESSEL, SNOWMOBILE, OR
6 ALL-TERRAIN VEHICLE

7 (a) If an owner transfers his or her interest in a vessel, snowmobile, or all-
8 terrain vehicle, other than by the creation of a security interest, he or she shall,
9 at the time of delivery of the vessel, snowmobile, or all-terrain vehicle, execute
10 an assignment and warranty of title to the transferee in the space provided on
11 the certificate or as the Commissioner prescribes, and cause the certificate and
12 assignment to be mailed or delivered to the transferee or to the Commissioner.
13 Where title to a vessel, snowmobile, or all-terrain vehicle is in the name of
14 more than one person, the nature of the ownership must be indicated by one of
15 the following on the certificate of title:

16 * * *

17 (e)(1) Pursuant to the provisions of 14 V.S.A. § 313, whenever the estate of
18 an individual who dies intestate consists principally of a vessel, snowmobile,
19 or all-terrain vehicle, the surviving spouse shall be deemed to be the owner of
20 the vessel, snowmobile, or all-terrain vehicle and title to the vessel,
21 snowmobile, or all-terrain vehicle shall automatically pass to the surviving

1 spouse. ~~The surviving spouse may register~~ Upon request, the Department
2 shall register and title the vessel, snowmobile, or all-terrain vehicle ~~by paying a~~
3 ~~transfer fee not to exceed \$2.00~~ in the name of the surviving spouse, and no fee
4 shall be assessed.

5 (2) Notwithstanding any contrary provision of law, and except as
6 provided in subdivision (3) of this subsection, whenever the estate of an
7 individual consists in whole or in part of a vessel, snowmobile, or all-terrain
8 vehicle, and the person's will or other testamentary document does not
9 specifically address disposition of the same, the surviving spouse shall be
10 deemed to be the owner and title to the vessel, snowmobile, or all-terrain
11 vehicle shall automatically pass to the surviving spouse. Upon request, the
12 Department shall register and title the vessel, snowmobile, or all-terrain
13 vehicle in the name of the surviving spouse, and no fee shall be assessed.

14 (3) This subsection shall not apply if the vessel, snowmobile, or all-
15 terrain vehicle is titled in the name of one or more persons other than the
16 decedent and the surviving spouse.

17 * * * Enforcement of Snowmobile and Boating Violations * * *

18 Sec. 18. REPEAL

19 12 V.S.A. chapter 193 (snowmobile and boating violations) is repealed.

1 Sec. 19. 23 V.S.A. § 3208 is amended to read:

2 § 3208. ADMINISTRATION AND ENFORCEMENT

3 * * *

4 (d) The provisions of this subchapter and the rules adopted pursuant thereto
5 shall be enforced by law enforcement officers as defined in section 3302 of this
6 title in accordance with the provisions of ~~12 V.S.A. chapter 193~~ 4 V.S.A.
7 chapter 29. Testimony of a witness as to the existence of navigation or
8 snowmobile control signs, signals, or markings, shall be prima facie evidence
9 that such control, sign, signal, or marking existed pursuant to a lawful statute,
10 regulation, or ordinance and that the defendant was lawfully required to obey a
11 direction of such device.

12 (e) Law enforcement officers as defined in section 3302 of this title, ~~in~~
13 ~~accordance with the provisions of 12 V.S.A. chapter 193,~~ may conduct safety
14 inspections on snowmobiles stopped for other snowmobile law violations on
15 the Statewide Snowmobile Trail System. Safety inspections may also be
16 conducted in a designated area by law enforcement officials. A designated
17 area shall be warned solely by blue lights either on a stationary snowmobile
18 parked on a trail or on a cruiser parked at a roadside trail crossing.

1 Sec. 20. 23 V.S.A. § 3318 is amended to read:

2 § 3318. ADMINISTRATION AND ENFORCEMENT

3 (a) The administration of the provisions of this chapter, as they pertain to
4 the registration and numbering of vessels and the suspension of the privilege to
5 operate vessels, shall be the responsibility of the Department of Motor
6 Vehicles.

7 * * *

8 (c) The provisions of this subchapter and the rules adopted pursuant to this
9 subchapter shall be enforced by law enforcement officers as defined in section
10 3302 of this title in accordance with the provisions of ~~12 V.S.A. chapter 193~~
11 4 V.S.A. chapter 29. Law enforcement officers as defined in section 3302 of
12 this title may also enforce the provisions of 10 V.S.A. § 1454 and the rules
13 adopted pursuant to 10 V.S.A. § 1424 in accordance with the requirements of
14 10 V.S.A. chapter 50.

15 * * * Motor Vehicle Purchase and Use Tax * * *

16 Sec. 21. 32 V.S.A. § 8902(5) is amended to read:

17 (5) "Taxable cost" means the purchase price as defined in
18 subdivision (4) of this section or the taxable cost as determined under section
19 8907 of this title. For any purchaser who has paid tax on the purchase or use
20 of a motor vehicle that was sold or traded by the purchaser or for which the

1 purchaser received payment under a contract of insurance, the taxable cost of
2 the replacement motor vehicle other than a leased vehicle shall exclude:

3 * * *

4 (B) the amount received from the sale of a motor vehicle last
5 registered in his or her name, the amount not to exceed the ~~average book~~ clean
6 trade-in value of the same make, type, model, and year of manufacture as
7 designated by the manufacturer and as shown in the NADA Official Used Car
8 Guide, ~~National Automobile Dealers Association~~ (New England edition), or
9 any comparable publication, provided such sale occurs within three months of
10 the taxable purchase. However, this three-month period shall be extended
11 day-for-day for any time that a member of a guard unit or of the U.S. Armed
12 Forces, as defined in 38 U.S.C. § 101(10), spends outside Vermont due to
13 activation or deployment, and an additional 60 days following the person's
14 return from activation or deployment. Such amount shall be reported on forms
15 supplied by the Commissioner of Motor Vehicles;

16 * * *

17 Sec. 22. 32 V.S.A. § 8907 is amended to read:

18 § 8907. COMMISSIONER, COMPUTATION OF TAXABLE COSTS

19 (a) The Commissioner may investigate the taxable cost of any motor
20 vehicle transferred subject to the provisions of this chapter. If the motor
21 vehicle is not acquired by purchase in Vermont or is received for an amount

1 which does not represent actual value, or if no tax form is filed or it appears to
2 the Commissioner that a tax form contains fraudulent or incorrect information,
3 the Commissioner may, in his or her discretion, fix the taxable cost of the
4 motor vehicle at the ~~average book~~ clean trade-in value of vehicles of the same
5 make, type, model, and year of manufacture as designated by the manufacturer,
6 as shown in the NADA Official Used Car Guide, ~~National Automobile Dealers~~
7 ~~Association~~ (New England Edition) or any comparable publication, less the
8 lease end value of any leased vehicle. The Commissioner may compute and
9 assess the tax due thereon, and notify the purchaser thereof forthwith by
10 certified mail, and the purchaser shall remit the same within 15 days thereafter.

11 * * *

12 * * * License Plates * * *

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

14 § 511. NUMBER OF PLATES; MANNER OF DISPLAY

15 (a)(1) ~~A motor vehicle operated on any highway shall have displayed in a~~
16 ~~conspicuous place either one or two number plates as the~~ Upon initial
17 registration of a motor vehicle, the Commissioner ~~may require~~ shall furnish
18 one number plate, except that he or she shall furnish two number plates:

19 (A) for motor trucks with a registered weight of 10,100 pounds or
20 more; and

1 (B) for vehicles issued vanity plates pursuant to subdivision
2 304(b)(1) of this title.

3 ~~(2) Such number plates shall be furnished by the Commissioner and~~
4 Number plates shall show the number assigned to ~~such~~ the vehicle by the
5 Commissioner and shall be displayed in a conspicuous place as prescribed by
6 the Commissioner.

7 (3) If only one number plate is furnished, ~~the same~~ it shall be securely
8 attached to the rear of the vehicle. If two are furnished pursuant to subdivision
9 (1)(A) of this subsection, one shall be securely attached to the rear and one to
10 the front of the vehicle. If two are furnished pursuant to subdivision (1)(B) of
11 this subsection, one shall be securely attached to the rear, and the registrant
12 may choose whether to attach the other plate to the front of the vehicle.

13 (4) Registrants may obtain additional plates of the same design and
14 assigned number upon payment of the fee prescribed in section 514 of this
15 title.

16 (5) If a vehicle is only required to display one plate, the registrant may
17 display on the front of the vehicle commemorative plates issued under the
18 former section 515a, 515b, or 515c of this title; Vermont Strong Plates; or any
19 other plate the display of which is consistent with law. The registrant shall not
20 display a registration plate issued by another jurisdiction in North America, or
21 by other jurisdictions as the Commissioner may prescribe. Nothing in this

1 section shall be construed to authorize the display of plates in violation of
2 section 513 of this title.

3 (6) The number plates shall be kept entirely unobscured, and the
4 numerals and the letters thereon shall be plainly legible at all times. They shall
5 be kept horizontal, shall be so fastened as not to swing, ~~excepting however,~~
6 except that there may be installed on a motor truck or truck tractor a device
7 which would, upon contact with a substantial object, permit the rear number
8 plate to swing toward the front of the vehicle, provided ~~such~~ that the device
9 automatically returns the number plate to its original rigid position after
10 contact is released, and the ground clearance of the lower edges thereof shall
11 be established by the Commissioner pursuant to the provisions of 3 V.S.A.
12 chapter 25.

13 * * *

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

16 Sec. 24. 23 V.S.A. § 304(a) is amended to read:

17 (a) The Commissioner shall issue to the registrant of a motor vehicle a
18 certificate of registration in the form the Commissioner may prescribe, on
19 which shall appear the name of the registrant, his or her address, a brief
20 description of the vehicle registered, and the date of registration. The
21 Commissioner shall also assign to each motor vehicle registered a distinctive

1 number and, as prescribed in section 511 of this title, shall issue a number plate
2 or plates showing the assigned number. The number plate or plates issued
3 shall be of the material, size, shape, and color, and with the numerals or letters
4 thereon, the Commissioner may determine, and shall be reflectorized in part or
5 in whole. The certificate and number plates shall be delivered free of charge
6 by the Commissioner to the registrant as soon as may be after receipt and
7 acceptance of application for registration.

8 Sec. 25. 23 V.S.A. § 514 is amended to read:

9 § 514. REPLACEMENT NUMBER PLATES

10 (a) In case of the loss of a number plate, the owner of the motor vehicle to
11 which it was assigned shall forthwith notify the Commissioner ~~of Motor~~
12 ~~Vehicles of such the~~ loss, and he or she shall furnish ~~such the~~ owner with a
13 new plate. The fees charged shall be \$12.00 for each plate. The owner of a
14 motor vehicle required to display front and rear number plates who has lost one
15 ~~number~~ plate may operate his or her vehicle with one ~~number~~ plate attached
16 thereto, until a new plate is furnished him or her, provided he or she has
17 notified the Commissioner ~~of Motor Vehicles~~.

18 * * *

1 * * * Effective Dates; Applicability * * *

2 Sec. 26. EFFECTIVE DATES AND APPLICABILITY

3 (a)(1) This section and Secs. 9 (licenses and permits to operate; refusals to
4 issue), 15 (signs regarding length of vehicles), and 16 (list of approved
5 highways) shall take effect on passage.

6 (2) In Sec. 14, 23 V.S.A. § 1209a(b) (reinstatement under Total
7 Abstinence Program) shall take effect on passage.

8 (b) In Sec. 14, 23 V.S.A. § 1213(l)(2) (timing of random retests and
9 elimination of GPS requirement) shall take effect 60 days after passage of
10 this act.

11 (c) All other sections shall take effect on July 1, 2017.

12 (d) In Sec. 14, 23 V.S.A. § 1213(l)(2) (timing of random retests and
13 elimination of GPS requirement) shall apply to all persons with ignition
14 interlock restricted driver's licenses as of the effective date of this provision
15 and to persons whose underlying DUI offenses occurred prior to the effective
16 date of this act, as well as to persons who obtain ignition interlock RDLs on or
17 after the effective date of this provision.

18 (e) In Sec. 14, 23 V.S.A. § 1209a(b) (reinstatement under Total Abstinence
19 Program) shall apply to persons whose periods of abstinence began prior to the
20 effective date of this provision, as well as to persons who begin a period of
21 abstinence on or after the effective date of this provision. In addition to

1 hardship fee waivers authorized under 23 V.S.A. § 1209a(b), if a person's
2 application for reinstatement under the Program was denied prior to the
3 effective date solely because of use of a drug in accordance with a valid
4 prescription, and the person used the drug in a manner consistent with the
5 prescription label, the Commissioner shall waive the fee for a subsequent
6 application.