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Act No. 60 (S.149). Transportation; motor vehicles

An act relating to miscellaneous changes to laws related to vehicles and the Department of Motor Vehicles

This act:

- **Public Records.** Deletes language on what Department of Motor Vehicles (“Department”) records are public records and replaces it with language requiring the Department to comply with the Driver’s Privacy Protection Act, 18 U.S.C. chapter 123 as amended and updates the fee structure for public records requests for Department records requiring custom computer programming.
- **Credentialing.** Eliminates the requirement that renewed junior operator’s licenses meet the requirements of 23 V.S.A. § 610(b), increases how long a photograph for a license lasts from eight years to nine years, and establishes that nondriver identification cards and operator’s licenses expire at midnight on the eve of the second or fourth anniversary of the holder’s birth.
- **Commercial Driver License.** Permits the Commissioner of Motor Vehicles (“Commissioner”) to waive the knowledge test and the tests required for passenger endorsement, tank vehicle endorsement, and hazardous materials endorsement in addition to the skills test if the driver meets certain requirements and extends the commercial learner’s permit length from six months to one year.
- **Reciprocity.** Permits the Commissioner to consider a nonresident operator who does not have a license or permit to operate a motor vehicle issued by another United States jurisdiction as licensed or permitted for vehicle operation in Vermont for one year, as opposed to 30 days for vacation purposes, if the individual meets the following requirements: holds a valid license or permit to operate a motor vehicle from a jurisdiction outside the United States; is at least 18 years of age, is lawfully present in the United States, and has been in the United States for not more than one year; and possesses an international driving permit. Also permits the Commissioner to waive the operator’s license examination for someone with a chauffeur’s or operator’s license from another jurisdiction, not just state, where the required examination is similar to Vermont’s.

- Replacement License. Clarifies when a replacement license may be issued and eliminates the usage of the phrase “duplicate license.”
- Administrative Penalties for Inspection Stations and Mechanics. Clarifies that the lookback period for administrative penalties for inspection stations and mechanics is three years and eliminates parenthetical descriptions for the different categories of administrative penalties.
- Display of Inspection Sticker Penalty. Separates out the prohibition on displaying an inspection sticker on a different vehicle than the one to which it was issued as a new subdivision.
- Trailer Registration. Eliminates the requirement that vehicle owners who have apportioned power units registered in Vermont under the International Registration Plan register their trailers in Vermont.
- Automated Vehicle Testing. Adds a new chapter to codified law on automated vehicle testing, adds approval of the testing of automated vehicles on public highways as a responsibility of the Traffic Committee, and directs the Agency of Transportation (“Agency”) to identify the municipalities that want to preapprove automated vehicle testing and prepare an Automated Vehicle Testing Guide by January 1, 2021.
- Transfer of Motor Vehicles. Extends deadlines to file with the Commissioner applications for certificates of title and notifications regarding the issuance of number plates to at least 30 days after acquisition of the motor vehicle prior to transfer and creates a new process to show proof of transfer to the Commissioner if title is held by a finance source.
- Translation of Documents for Operator Licensing. Requires that any written forms, applications, or tests used by the Department for operator licensing be translated into primary languages of nations from which individuals assisted by the U.S. Committee for Refugees and Immigrants Vermont in the prior 10 years hail, as determined on an annual basis by the Department in consultation with the U.S. Committee for Refugees and Immigrants Vermont.
- Use of Interpreters at Oral Examination and Road Test for Operator Licensing. Permits an applicant for an operator’s license to have an individual of his or her choosing at the oral examination or road test to serve as an interpreter.
- Department of Motor Vehicles Training. Requires the Commissioner, in collaboration with the U.S. Committee for Refugees and Immigrants Vermont and the Association of Africans Living in Vermont, to provide an online or in-person training that emphasizes strategies to recognize and address cultural differences and other potential barriers to equal access to all Department employees who directly interact with the public by January 1, 2020, and then

on an on-going basis, within one month of an employee who directly interacts with the public's date of hire.

- Junior Operator Use of Portable Electronic Devices. Establishes minimum and maximum civil penalties and point assessments for first and second or subsequent violations of the existing prohibition on a person under 18 years of age using a portable electronic device while operating a motor vehicle on a highway.
- Master License Agreement Study. Requires the Agency, in consultation with the Vermont League of Cities and Towns, to report on the use and contents of master license agreements and other agreements or contracts by the Agency when a municipality, utility, or other person needs to use the right-of-way for the line of railroad owned by the State by November 15, 2019.
- Proof of Motor Vehicle Registration. Creates a \$5.00 civil penalty exempt from surcharges under 13 V.S.A. § 7282(a) when an individual is cited for operating a motor vehicle without carrying proof of registration or having the registration sticker displayed within the 14 days following the expiration of the motor vehicle's registration.
- Proof of Motor Vehicle Inspection. Exempts the already existing \$5.00 civil penalty for operating a motor vehicle without proof of inspection within the 14 days following expiration of the motor vehicle inspection sticker from surcharges under 13 V.S.A. § 7282(a).

Multiple effective dates, beginning on June 14, 2019