

1 S.204

2 Introduced by Senator Kitchel

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; snowmobiles; certificate of snowmobile education

6 Statement of purpose of bill as introduced: This bill proposes to permit
7 snowmobile operators to prove receipt of a certificate of snowmobile education
8 on a portable electronic device.

9 An act relating to proof of certificate of snowmobile education

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

11 Sec. 1. 23 V.S.A. § 3206(b) is amended to read:

12 (b) A snowmobile shall not be operated:

13 * * *

14 (8) By a person born after July 1, 1983, on private or public land and
15 water without first obtaining a certificate of snowmobile education, unless he
16 or she is operating on land owned, leased, or farmed by his or her parents,
17 family, or guardian or the operator is the land owner.

18 (A) A person who is required to have a certificate of snowmobile
19 education shall:

1 (i) possess the certificate or a copy of the certificate when
2 operating a snowmobile on public or private lands and waters of the State; and
3 (ii) show the certificate or a copy of the certificate on demand of
4 an enforcement officer wearing an insignia identifying him or her as a law
5 enforcement officer. ~~However, no~~ No person charged with violating this
6 subdivision shall be convicted if the person produces in court, to the officer, or
7 to a State's Attorney, a certificate ~~which~~ or a copy of the certificate that was
8 valid at the time the violation occurred. A person may show an electronic copy
9 of the certificate using a portable electronic device; however, use of a device
10 for this purpose does not in itself constitute consent for an enforcement officer
11 to access other contents of the device.

12 * * *

13 Sec. 2. 23 V.S.A. § 3207 is amended to read:

14 § 3207. PENALTIES AND REVOCATION OF REGISTRATION; SWI;
15 PRIVILEGE; SUSPENSION; CRIMINAL PENALTY

16 (a) A person who violates any of the following sections of this title shall be
17 subject to a ~~fine~~ civil penalty of \$35.00 for each violation:

18	§ 3203	failure to return transferred registration
19	§ 3205(a)-(c)	operation with defective or inadequate equipment,
20		except improper muffling device
21	§ 3205(e)	sale of a snowmobile for operation without required

- 1 equipment; improper operation; permitting
2 improper operation
3 § 3206(b)(8) by a person ~~under 12~~ without a certificate of
4 snowmobile education
5 § 3206(b)(1)(D) by a person under age 16
6 § 3206(b)(10) display of registration plate

7 (b) A person who violates any of the following sections of this title shall be
8 subject to a ~~fine~~ civil penalty of \$55.00 for each violation:

9 * * *

10 (c) A person who violates any of the following sections of this title shall be
11 subject to a ~~fine~~ civil penalty of \$135.00 for each violation:

12 * * *

13 (d) A person who violates any of the following sections of this title shall be
14 subject to a ~~fine~~ civil penalty of \$300.00 for each violation:

15 * * *

16 (e) A person who violates any of the following sections of this title shall be
17 subject to a ~~fine~~ civil penalty of up to \$500.00 for each violation:

18 * * *

19 (f) A person who violates any of the following provisions of this title shall
20 be imprisoned for not more than one year or fined not more than \$1,000.00, or
21 both. If the person has been previously convicted of the same violation, the

1 person shall be imprisoned for not more than two years or fined not more than
2 \$3,000.00, or both:

3 * * *

4 (h) ~~Fines~~ Civil penalties established under this section shall be mandatory;
5 and may not be reduced.

6 Sec. 3. EFFECTIVE DATE

7 This act shall take effect on July 1, 2020.