

House Proposal of Amendment

S. 339

An act relating to miscellaneous changes to laws related to vehicles.

The House proposes to the Senate to amend the bill as follows:

First: By striking out Sec. 5, 23 V.S.A. § 373, and Sec. 6, 23 V.S.A. § 1222, and the corresponding reader assistance heading in their entirety and inserting in lieu thereof the following:

Sec. 5. [Deleted.]

Sec. 6. [Deleted.]

Second: In Sec. 9, 23 V.S.A. § 671, by striking out subsection (c) in its entirety and inserting in lieu thereof

(c) The Commissioner ~~shall not~~ may suspend the license of an operator, or the right of an unlicensed person to operate a motor vehicle, while a prosecution for an offense under this title is pending against such person, ~~unless if~~:

(1) ~~he or she~~ the Commissioner finds upon full reports submitted to him or her by an enforcement officer or motor vehicle inspector that the safety of the public will be imperiled by permitting such operator or such unlicensed person to operate a motor vehicle; ~~or~~

(2) the Commissioner finds that such person operator is seeking to delay the prosecution, ~~but if he or she so finds, he or she may suspend such license or right pending a final disposition of the prosecution.~~

Third: In Sec. 9, 23 V.S.A. § 671, by striking out subsection (g) in its entirety and relettering subsection (h) to be subsection (g).

Fourth: By inserting the following reader assistance heading before Sec. 13:

* * * Exempt Vehicle Title * * *

Fifth: By striking out Sec. 14, 23 V.S.A. § 1399, in its entirety and inserting in lieu thereof the following:

Sec. 14. 23 V.S.A. § 1399 is amended to read:

§ 1399. EXCEPTIONS FOR CONSTRUCTION AND MAINTENANCE
EQUIPMENT; FIRE APPARATUS; AND HEAVY-DUTY TOW
AND RECOVERY VEHICLES

(a) As used in this section, "heavy-duty tow and recovery vehicle" means a vehicle that:

(1) is transporting a disabled vehicle from the place where the vehicle became disabled to the nearest appropriate repair facility; and

(2) has a gross vehicle weight that is equal to or exceeds the gross vehicle weight of the disabled vehicle being transported.

(b) Nothing contained in sections 1391–1398 of this title, shall restrict the weight of:

(1) ~~snow~~ Snow plows, road machines, oilers, traction engines, tractors, rollers, power shovels, dump wagons, trucks, or other construction or maintenance equipment when used by any town, incorporated village, city, or state ~~the State~~ in the construction or the maintenance of any highway, provided that such construction or maintenance is performed by persons employed by or under contract with such town, incorporated village, city, or the State for this purpose. However, any operation of motorized highway building equipment or road making appliances used in construction work contracted by a town, incorporated village, city, or the State shall be unrestricted as to weight only within a construction area.

~~(2) Nothing contained in sections 1391-1398 of this title shall restrict the weight of municipal~~ Municipal and volunteer fire apparatus.

~~(3) Heavy-duty tow and recovery vehicles on the Dwight D. Eisenhower System of Interstate and Defense Highways.~~

Sixth: By inserting a Sec. 15a to read as follows:

Sec. 15a. 23 V.S.A. § 1437 is added to read:

§ 1437. EXCEPTION FOR TOWAWAY TRAILER TRANSPORTER

COMBINATION

(a) As used in this section:

(1) “Towaway trailer transporter combination” means a combination of vehicles consisting of a trailer transporter towing unit and two trailers or semitrailers with a total weight that does not exceed 26,000 pounds and in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers.

(2) “Trailer transporter towing unit” means a power unit that is not used to carry property when operating in a towaway trailer transporter combination.

(b) Notwithstanding sections 1391–1398 of this title, a towaway trailer transporter combination may be operated on the Dwight D. Eisenhower System of Interstate and Defense Highways, those classes of qualifying Federal-aid Primary System highways as designated by the Secretary of the U.S. Department of Transportation, and on highways leading to or from the

Dwight D. Eisenhower System of Interstate and Defense Highways for a distance of one mile or less without a permit if the overall length does not exceed 82 feet unless the Vermont Secretary of Transportation finds the use of a specific highway to be unsafe.

Seventh: By striking out Sec. 26, online permitting system, and its corresponding reader assistance heading in their entireties and inserting in lieu thereof the following:

* * * Online Permitting System; Report * * *

Sec. 26. ONLINE PERMITTING SYSTEM; REPORT

(a) Centralized online permitting system.

(1) The Commissioner of Motor Vehicles is authorized to initiate the design and development of a centralized online permitting system. The online system shall provide 24-hour-a-day access to a system where a person can apply for, obtain, and pay for required weight and length permits issued by the Agency of Transportation.

(2) The Commissioner shall design the online system so that, in a future phase, municipally issued weight and length permits may be purchased and issued through the same system. The Commissioner shall consult with stakeholders to establish conditions for municipally issued permits prior to engaging in design and development for the future phase.

(b) Permit study and report.

(1) The Agency of Transportation shall facilitate a study to:

(A) identify any safety or financial implications to infrastructure, including bridges, culverts, pavement, and roadways, or jurisdictional issues for class 2 town highways if municipal permits currently required by municipalities are not required for vehicles that are allowed on State highways without a permit;

(B) identify any safety or financial implications to infrastructure, including bridges, culverts, pavement, and roadways if an additional permit or permits are not required when a wrecker, as defined under 23 V.S.A. § 4(76), is towing one or more disabled vehicles and the wrecker and disabled vehicle or vehicles individually do not exceed the limitations imposed by 23 V.S.A. chapter 13, subchapter 15, article 1 or are lawfully operating under a blanket permit; and

(C) make recommendations on any limitations, including distance towed, or conditions that should be imposed if an additional permit or permits are not required in the situation identified in subdivision (B) of this subdivision (1).

(2) The Agency shall file a written report on this study with the House and Senate Committees on Transportation on or before January 15, 2021.

Eighth: By striking out Sec. 28, use of lighted paddle signaling devices, in its entirety and inserting in lieu thereof the following:

Sec. 28. USE OF LIGHTED PADDLE SIGNALING DEVICES; REPORT

(a) Pilot program. On or before September 1, 2020, the Agency of Transportation shall identify a minimum of 10 projects to pilot the use of STOP/SLOW paddle signaling devices modified to improve conspicuity by incorporating either white or red flashing lights on the STOP face and either white or yellow flashing lights on the SLOW face in one of the patterns and consistent with the standards detailed in Part 6E.03 of the Manual Uniform on Traffic Control Devices (MUTCD). The Agency shall select projects that will allow the testing of such devices in a range of projects to collect data on the effectiveness, reliability, and availability during the 2021 and 2022 construction seasons.

(b) Report. The Agency shall file a written report on the pilot program identified in subsection (a) of this section with the House and Senate Committees on Transportation on or before December 1, 2022. At a minimum, the report shall cover:

(1) the selected projects, including location and a brief description; and

(2) an evaluation of the effectiveness, reliability, and availability of the lighted paddle signaling devices.

Ninth: In Sec. 36, 23 V.S.A. § 1050, in subsection (a) by striking out “EMS personnel,” and inserting in lieu thereof “EMS personnel,”

Tenth: In Sec. 44, effective dates, in subsection (a) by striking out “43 (learner’s permits; 23 V.S.A. § 617(e))” and inserting in lieu thereof “42 (translated documents and use of interpreters)”

Eleventh: In Sec. 44, effective dates, by striking out subsection (d) in its entirety and inserting in lieu thereof the following:

(d) Notwithstanding 1 V.S.A. § 214, Sec. 43 (learner’s permits; 23 V.S.A. § 617(e)) shall take effect retroactively on June 1, 2020.

(e) All other sections shall take effect on July 1, 2020.

Twelfth: In Sec. 44, effective dates, by striking out subsection (c) in its entirety and relettering the remaining subsections to be alphabetically correct.