

Journal of the Senate

THURSDAY, MAY 21, 2020

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Roll Call

The roll of the Senate was thereupon called by the Secretary, John H. Bloomer, Jr., and it appeared that the following Senators were present.

Addison District	Senator Christopher A. Bray Senator Ruth Ellen Hardy
Bennington District	Senator Brian A. Campion
Caledonia District	Senator Joseph C. Benning Senator M. Jane Kitchel
Chittenden District	Senator Timothy R. Ashe Senator Philip E. Baruth Senator Deborah J. Ingram Senator Virginia V. Lyons Senator Christopher A. Pearson Senator Michael D. Sirotkin
Essex-Orleans District	Senator Robert A. Starr
Franklin District	Senator Randolph D. Brock Senator Corey. J. Parent
Grand Isle District	Senator Richard T. Mazza
Lamoille District	Senator Richard A. Westman
Orange District	Senator Mark A. MacDonald
Rutland District	Senator Brian P. Collamore Senator Cheryl Mazzariello Hooker Senator James L. McNeil
Washington District	Senator Ann E. Cummings Senator Andrew J. Perchlik Senator Anthony Pollina

Windham District

Senator Rebecca A. Balint

Windsor District

Senator Alison Clarkson

Senator Richard J. McCormack

Senator Alice W. Nitka

Message from the House No. 46

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

H. 953. An act relating to fiscal year 2020 supplemental budget adjustments.

In the passage of which the concurrence of the Senate is requested.

The House has considered joint resolution originating in the Senate of the following title:

J.R.S. 53. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

Bill Referred

House bill of the following title was read the first time and referred:

H. 953.

An act relating to fiscal year 2020 supplemental budget adjustments.

To the Committee on Appropriations.

Bill Amended; Bill Passed

S. 339.

Senate bill entitled:

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

Was taken up.

Thereupon, pending third reading of the bill, Senators Perchlik, Ashe, Kitchel, Mazza and McNeil moved to amend the bill by as follows:

First: By striking out Sec. 35, 23 V.S.A. § 2502, in its entirety and inserting in lieu thereof the following:

Sec. 35. 23 V.S.A. § 2502 is amended to read:

§ 2502. POINT ASSESSMENT; SCHEDULE

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

(1) Two points assessed for:

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(MM)	§ 1099(c)(3).	<u>Texting outside work or school zone;</u>
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(3) Four points assessed for:

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(G)	§ 1099(c)(2).	<u>Texting in work or school zone—first offense;</u>
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(4) Five points assessed for:

* * *

(C)	§ 1099(c)(2).	<u>Texting prohibited in work or school zone—second and subsequent offense;</u>
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Second: In Sec. 36, 23 V.S.A. § 1050, in subsection (b) in the subsection heading by striking out the words “Approaching law enforcement and emergency vehicles” and inserting in lieu thereof the following: Approaching law enforcement, emergency, and towing and repair vehicles

Third: By striking out Sec. 39, effective dates, and its corresponding reader assistance heading in their entireties and inserting in lieu thereof the following:

* * * Transportation Network Companies; Preemption; Sunset Extension * * *

Sec. 39. 23 V.S.A. § 754(b) is amended to read:

(b) Subsection (a) of this section shall not apply to a municipal ordinance, resolution, or bylaw regulating transportation network companies adopted by a

municipality with a population of more than 35,000 residents based on the 2010 census and in effect on July 1, 2017. This subsection shall be repealed on July 1, ~~2020~~ 2022.

* * * U.S. Postal Service; Vehicle Inspection; Sunset Repeal * * *

Sec. 40. 2017 Acts and Resolves No. 71, Sec. 31(a)(4) is amended to read:

(4) ~~23 V.S.A. § 1222(e), added in Sec. 27 (inspections; mail carrier vehicles), shall be repealed on July 1, 2020. [Repealed.]~~

* * * Automated License Plate Recognition Systems; Sunset Extension * * *

Sec. 41. SUNSET EXTENSION

2013 Acts and Resolves No. 69, Sec. 3, subsection (b), as amended by 2015 Acts and Resolves No. 32, Sec. 1, as further amended by 2016 Acts and Resolves No. 169, Sec. 6 and 2018 Acts and Resolves No. 175, Sec. 1 (July 1, 2020 repeal of Automated License Plate Recognition System standards), is further amended to read:

(b) Secs. 1–2 of this act, 23 V.S.A. §§ 1607 and 1608, shall be repealed on July 1, ~~2020~~ 2022.

* * * Translated Department of Motor Vehicle
Documents and Use of Interpreters * * *

Sec. 42. 2019 Acts and Resolves No. 60, Sec. 34(b) is amended to read:

(b) Secs. 23 (written forms) and 24 (examination required) shall take effect on ~~July 1~~ October 1, 2020.

* * * Learner's Permits; Photographs * * *

Sec. 43. 23 V.S.A. § 617(e) is amended to read:

(e)(1) A learner's permit, which is not a learner's permit for the operation of a motorcycle, shall contain a photograph or imaged likeness of the ~~person~~ individual if the permit is obtained in person. The photographic learner's permit shall be available at ~~a location~~ locations designated by the Commissioner. ~~A person~~

(2) An individual issued a permit under this subsection ~~that contains an imaged likeness~~ may renew his or her permit by mail. ~~Except that a renewal by or online, but~~ a permit holder who ~~is required~~ chooses to have a photograph or imaged likeness under this subsection must ~~be made~~ renew in person so that an updated imaged likeness of the ~~person~~ individual is obtained ~~no~~ not less often than once every ~~eight~~ nine years.

* * * Effective Dates * * *

Sec. 44. EFFECTIVE DATES

(a) This section and Secs. 7 (U.S. Armed Forces license extensions; 23 V.S.A. § 616), 12 (school busses; 23 V.S.A. § 1283(a)), 14 (commercial vehicle exceptions; 23 V.S.A. § 1399), 13 (exempted vehicles; 23 V.S.A. § 2012), 17 (diesel fuel tax; 23 V.S.A. chapter 27), 18 (general gasoline tax; 23 V.S.A. chapter 28, subchapter 1), 19 (International Registration Plan; 23 V.S.A. chapter 35), 20 (fuel tax credits and refunds; 23 V.S.A. § 3020), 21 (registration credits and refunds; 23 V.S.A. § 3705), 22 (snowmobile certificate; 23 V.S.A. § 3206(b)), 23 (snowmobile penalties; 23 V.S.A. § 3207), 25 (commercial driver's license disqualifications; 23 V.S.A. § 4116), 26 (online truck permitting system), 27 (report on release of personal information), 28 (lighted paddle signaling devices; speed reduction practices), 39 (transportation network companies sunset extension; 23 V.S.A. § 754(b)), 40 (U.S. Postal Service vehicle inspection exemption sunset repeal; 23 V.S.A. § 1222(e)), 41 (automated license plate recognition systems sunset extension; 23 V.S.A. §§ 1607 and 1608), and 43 (learner's permits; 23 V.S.A. § 617(e)) shall take effect on passage.

(b) Sec. 11 (inspection of school buses; 23 V.S.A. § 1282) shall take effect on September 1, 2020.

(c) Sec. 4 (electronic in-transit permit; 23 V.S.A. § 518) shall take effect on July 1, 2021.

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

Which was agreed to.

Thereupon, the bill was read the third time and passed.

Bills Passed

Senate bills of the following titles were severally read the third time and passed:

S. 99. An act relating to spousal support and maintenance reform.

S. 197. An act relating to prohibiting discrimination based on genetic information.

Rules Suspended; Bills Messaged

On motion of Senator Ashe, the rules were suspended, and the following bills were severally ordered messaged to the House forthwith:

S. 197, S. 99, S. 339.

Adjournment

On motion of Senator Ashe, the Senate adjourned until eleven o'clock and thirty minutes in the morning.