

S.149

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

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

* * * Public Records Requests * * *

Sec. 1. 23 V.S.A. § 104(a) is amended to read:

(a) ~~The records of the registration of motor vehicles, snowmobiles, and motorboats, licensing of operators and registration of dealers, all original accident reports, and the records showing suspension and revocation of licenses and registrations and the records regarding diesel fuel, gasoline, and rental vehicle taxes shall be deemed official and public records, and shall be open to public inspection at all reasonable hours. The Commissioner shall furnish certified copies of the records to any interested person on payment of such fee as established by subdivision 114(a)(21) of this title. Notwithstanding section 114 of this title, information from the records of the Department may be made available to government agencies in the manner determined by the Commissioner and at the actual cost of furnishing the same. The records may be maintained on microfilm or electronic imaging. [Repealed.]~~

Sec. 2. 23 V.S.A. § 114 is amended to read:

§ 114. FEES

(a) The Commissioner shall be paid the following fees for miscellaneous transactions:

(1) Listings of 1 through 4 registrations	\$8.00
(2) Certified copy of registration application	\$8.00
(3) Sample plates	\$18.00
(4) Lists of registered dealers, transporters, periodic inspection stations, fuel dealers, and distributors, including gallonage sold or delivered and rental vehicle companies	\$8.00 per page
(5) [Repealed.]	
(6) Periodic inspection sticker record	\$8.00
(7) Certified copy individual accident crash report	\$12.00
(8) Certified copy police accident crash report	\$18.00
(9) Certified copy suspension notice	\$8.00
(10) Certified copy mail receipt	\$8.00
(11) Certified copy proof of mailing	\$8.00
(12) Certified copy reinstatement notice	\$8.00
(13) Certified copy operator's license application	\$8.00
(14) Certified copy three-year operating record	\$14.00
(15) [Repealed.]	
(16) Government official photo identification card	\$6.00
(17) Listing of operator's licenses of 1 through 4	\$8.00
(18) Statistics and research	\$42.00 per hour

(3) have:

(A) possessed a learner's permit for not less than one year;

(B) submitted on a form provided by the Department of Motor Vehicles ~~which~~ that is approved by the Commissioner, and certified by the operator's licensed parent or guardian, licensed or certified driver education instructor, or licensed person at least 25 years of age that there ~~has been:~~

(i) ~~was~~ was at least 40 hours of practice behind the wheel, at least 10 of which ~~shall be~~ was nighttime driving; and that the operator was accompanied by ~~their~~ his or her licensed parent or guardian, a licensed or certified driver education instructor, or another licensed ~~person~~ individual at least 25 years of age, riding ~~beside the operator in the front passenger seat;~~ and

(ii)(C) ~~have~~ maintained a driving record without a learner's permit suspension, revocation, or recall for six consecutive months prior to licensure.

* * *

(c) Any junior operator's license may be renewed. Notwithstanding the provisions of any other law, a renewed junior operator's license shall not be ~~issued without a photograph or imaged likeness. Any person to whom a renewed junior operator's license has been issued shall, while operating a motor vehicle, carry upon his or her person the last license issued to him or her as well as the renewed license certificate~~ required to meet the requirements of subsection 610(b) of this title.

* * * Photographic Licenses * * *

Sec. 4. 23 V.S.A. § 610(c) is amended to read:

(c) Each license certificate issued to a first-time applicant and each subsequent renewal by that person shall be issued with the photograph or imaged likeness of the licensee included on the certificate. The Commissioner shall determine the locations where photographic licenses may be issued. A person issued a license under this subsection that contains an imaged likeness may renew his or her license by mail. Except that a renewal by a licensee required to have a photograph or imaged likeness under this subsection must be made in person so that an updated imaged likeness of the person is obtained no less often than once every ~~eight~~ nine years.

* * * Commercial Driver License for Qualified Military Personnel * * *

Sec. 5. 23 V.S.A. § 4108(d) is amended to read:

(d) At the discretion of the Commissioner, the knowledge test and the skills test required under ~~49 C.F.R. § 383.113~~ 49 C.F.R. §§ 383.113 and 383.133, as amended, and the tests required for a passenger endorsement or a tank vehicle endorsement or a hazardous materials endorsement under 49 CFR §§ 383.117, 383.119, or 383.121, as amended, may be waived for a commercial motor vehicle driver with military commercial motor vehicle experience who is currently licensed at the time of his or her application for a commercial driver license, if the test is substituted with an applicant's driving record in

combination with the driving experience specified in this subsection. The Commissioner shall impose conditions and limitations to restrict the applicants from whom alternative requirements for the skills test may be accepted. Such conditions shall include the following:

* * *

Sec. 6. 23 V.S.A. § 4108(e) is amended to read:

(e) Obtaining a commercial learner's permit is a precondition to the initial issuance of a commercial driver license. The issuance of a commercial learner's permit also is a precondition to the upgrade of a commercial driver license if the upgrade requires a skills test. A permit may be issued to an individual who holds a valid Vermont driver's license who has passed the vision and written tests required for the class of license authorizing the operation of the type of vehicle for which the permit application is being made. A commercial learner's permit holder is not eligible to take the commercial driver license skills test in the first 14 days after initial issuance of the commercial learner's permit. A permit shall be issued for a period of ~~six months~~ one year, and only one renewal or reissuance of a commercial learner's permit may be granted within a two-year period.

* * * Foreign Driver's License Reciprocity * * *

Sec. 7. 23 V.S.A. § 208 is amended to read:

§ 208. RECIPROCAL RECOGNITION OF NONRESIDENT
REGISTRATIONS, LICENSES, AND PERMITS; FOREIGN
VISITORS

As determined by the Commissioner, and consistent with section 601 of this title, a motor vehicle owned by a nonresident shall be considered as registered and a nonresident operator shall be considered as licensed or permitted in this State if the nonresident owner or operator has complied with the laws of the foreign country or state of his or her residence relative to the registration of motor vehicles and the granting of ~~operators'~~ operator's licenses or learner's permits. However, these exemptions shall be operative only to the extent that under the laws of the foreign country or state of the owner's or operator's residence like exemptions and privileges are granted to owners of motor vehicles duly registered and to operators duly licensed or permitted under the laws of this State, except that if the owner or operator is a resident of a country not adjoining the United States, the exemptions shall be operative for a period of not more than ~~30 days for vacation purposes~~ one year even if the country does not grant like privileges to residents of this State.

Sec. 8. 23 V.S.A. § 601(a) is amended to read:

(a)(1) Except as otherwise provided by law, a resident shall not operate a motor vehicle on a highway in Vermont unless he or she holds a valid license issued by the State of Vermont. A new resident who has moved into the State from another jurisdiction and who holds a valid license to operate motor vehicles under section 208 of this title shall procure a Vermont license within 60 days of moving to the State. Except as provided in subsection 603(d) of this title, licenses shall not be issued to nonresidents.

(2) In addition to any other requirement of law, a nonresident as defined in section 4 of this title shall not operate a motor vehicle on a Vermont highway unless:

(A) he or she holds a valid license or permit to operate a motor vehicle issued by another U.S. jurisdiction; or

~~(B) he or she holds a valid license or permit to operate a motor vehicle from a jurisdiction outside the United States and operates for a period of not more than 30 days for vacation purposes; or~~

~~(C)~~ he or she holds a valid license or permit to operate a motor vehicle from a jurisdiction outside the United States and:

(i) is at least 18 ~~or more~~ years of age, is lawfully present in the United States, and has been in the United States for ~~less~~ not more than one year; and

(ii) ~~the jurisdiction that issued the license is a party to the 1949 Convention on Road Traffic or the 1943 Convention on the Regulation of Inter American Motor Vehicle Traffic; and~~

(iii) he or she possesses an international driving permit.

Sec. 9. 23 V.S.A. § 632(a) is amended to read:

(a) Before an operator's or a junior operator's license is issued to an applicant for the first time in this State, or before a renewal license is issued to an applicant whose previous Vermont license had expired more than three years prior to the application for renewal, the applicant shall pass a satisfactory examination, except that the Commissioner may, in his or her discretion, waive the examination when the applicant holds a chauffeur's or operator's license in force at the time of application or within one year ~~of~~ prior to the application in some other state jurisdiction where an examination is required similar to the examination required in this State.

* * * Replacement License * * *

Sec. 10. 23 V.S.A. § 613 is amended to read:

§ 613. ~~DUPLICATE~~ REPLACEMENT LICENSE

(a) In case of the loss, mutilation, or destruction of a license or error in a license, the licensee shall forthwith notify the Commissioner who shall furnish such licensee with a ~~duplicate~~ replacement on receipt of \$20.00. ~~A corrected~~

~~license shall be furnished by the Commissioner upon request and receipt of a fee of \$20.00.~~

(b) A ~~duplicate~~ replacement license shall not be issued to any person who has surrendered his or her license to another jurisdiction in connection with obtaining a license in that jurisdiction.

* * * Designated Inspection Station Violations * * *

Sec. 11. 23 V.S.A. § 1231 is amended to read:

§ 1231. ADMINISTRATIVE PENALTIES

(a) The Commissioner may impose an administrative penalty of not more than \$500.00 for each violation against a designated inspection station or a certified inspection mechanic who violates the laws relating to the performance of periodic motor vehicle inspections or the official inspection manuals within the prior three years.

* * *

(c) The Commissioner shall adopt rules establishing categories of violations for which administrative penalties are to be imposed under this section. Categories shall be based on the severity of the violation involved. Penalties assessed for each determination of violation of the inspection rules shall not exceed the following amounts per category:

(1) ~~Category 1.~~ Violation of State law relative to inspection (Category 1)—\$500.00.

(2) ~~Category 2.~~ Violation of a Category 2 inspection rule (~~fraud related~~)—\$300.00.

(3) ~~Category 3.~~ Violation of a Category 3 inspection rule (~~improper action~~)—\$250.00.

(4) ~~Category 4.~~ Violation of a Category 4 inspection rule (~~records/equipment~~)—\$100.00.

(5) ~~Category 5.~~ Violation of a Category 5 inspection rule (~~documentation~~)—\$50.00.

* * *

* * * Renewal of Identification Cards * * *

Sec. 12. 23 V.S.A. § 115(b) is amended to read:

(b) Every identification card shall expire, unless earlier canceled, at midnight on the eve of the fourth birthday anniversary of the date of birth of the ~~applicant~~ cardholder following the date of original issue, and may be renewed every four years upon payment of a \$24.00 fee. A renewed identification card shall expire, unless earlier canceled, at midnight on the eve of the fourth anniversary of the date of birth of the cardholder following the expiration of the card being renewed. At least 30 days before an identification card will expire, the Commissioner shall mail first class to the cardholder or send the cardholder electronically an application to renew the identification card; a cardholder shall be sent the renewal notice by mail unless the

cardholder opts in to receive electronic notification. A person born on February 29 shall, for the purposes of this section, be considered as born on March 1.

* * * Renewal of Operator's Licenses * * *

Sec. 13. 23 V.S.A. § 601(b) is amended to read:

(b) All operator's licenses issued under this chapter shall expire, unless earlier cancelled, at midnight on the eve of the second or fourth anniversary of the date of birth of the ~~applicant~~ license holder following the date ~~they were issued~~ of issue. Renewed licenses shall expire at midnight on the eve of the second or fourth anniversary of the date of birth of the license holder following the date the renewed license expired. All junior operator's licenses shall expire, unless earlier cancelled, at midnight on the eve of the second anniversary of the date of birth of the ~~applicant~~ license holder following the date ~~they were issued~~ of issue. A person born on February 29 shall, for the purposes of this section, be considered as born on March 1.

* * * Display of Inspection Stickers * * *

Sec. 14. 23 V.S.A. § 203(a) is amended to read:

§ 203. COUNTERFEITING, FRAUD, AND MISUSE; PENALTY

(a) A person shall not:

(1) counterfeit or cause to be counterfeited or have in his or her possession any counterfeit number plate, validating sticker, marker, inspection

sticker, registration certificate, learner's permit, nondriver identification card, insurance identification card, or operator license, or alter or have in his or her possession any altered number plate or marker; ~~or~~

(2) display or cause or permit to be displayed, or have in his or her possession, any fictitious or fraudulently altered operator license, learner's permit, nondriver identification card, inspection sticker, or registration certificate, or display for any fraudulent purpose an expired or counterfeit insurance identification card or similar document; ~~or~~

(3) lend his or her operator license to any other person or knowingly permit the use thereof by another; ~~or~~

(4) display or represent as his or her own any operator license, permit, ~~inspection sticker,~~ or nondriver identification card not issued to him or her, ~~or,~~ ~~in the case of inspection stickers, not issued to him or her for the vehicle on which the sticker is displayed;~~ ~~or~~

(5) permit any unlawful use of an operator license, permit, or nondriver identification card issued to him or her by the Commissioner; ~~or~~

(6) obtain or attempt to obtain a registration plate, validation sticker, registration certificate, operator's license, learner's permit, nondriver identification card, or duplicate copy of any of such documents by the use of fraudulently obtained, fictitious, or altered identity documents or by the use of identity documents not his or her own; ~~or~~

(7) obtain or attempt to obtain a registration plate, validation sticker, registration certificate, certificate of title, operator's license, learner's permit, nondriver identification card, duplicate copy of any of these documents, or obtain or attempt to obtain any other permit, license, or special privilege from the Department of Motor Vehicles through the submission of an application containing false or fictitious information; ~~or~~

(8) lend his or her identity documents to aid an applicant in his or her attempt to fraudulently obtain or actually obtain a registration plate, validation sticker, registration certificate, operator's license, learner's permit, nondriver identification card, or duplicate copy of such documents; or

(9) display on his or her vehicle an inspection sticker not issued to him or her for the vehicle.

* * * Registration of Trailers and Semi-Trailers * * *

Sec. 15. 23 V.S.A. § 301 is amended to read:

§ 301. PERSONS REQUIRED TO REGISTER

Residents, except as provided in chapter 35 of this title, shall annually register motor vehicles owned or leased for a period of more than 30 days and operated by them, unless currently registered in Vermont. Notwithstanding this section, a resident who has moved into the State from another jurisdiction shall register his or her motor vehicle within 60 days of moving into the State. A person shall not operate a motor vehicle nor draw a trailer or semi-trailer on

any highway unless such vehicle is registered as provided in this chapter.

Vehicle owners who have apportioned power units registered in this State under the International Registration Plan are exempt from the requirement to register their trailers in this State.

* * * Automated Vehicle Testing * * *

Sec. 16. 23 V.S.A. chapter 41 is added to read:

CHAPTER 41. AUTOMATED VEHICLE TESTING

§ 4201. SHORT TITLE

This chapter may be cited as the Automated Vehicle Testing Act.

§ 4202. DEFINITIONS

As used in this chapter:

(1) “Automated driving system” means the hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether it is limited to a specific operational design domain. This term is used specifically to describe a level 3, 4, or 5 driving automation system.

(2) “Automated vehicle” means a motor vehicle that is equipped with an automated driving system that is designed to function at a level of driving automation of level 3, 4, or 5 pursuant to SAE J3016. The term includes a highly automated vehicle.

(3) “Automated vehicle tester” or “tester” means an individual, company, public agency, or other organization that is testing automated vehicles on public highways in this State pursuant to this chapter including but not limited to an automated vehicle manufacturer, municipal or State agency, institution of higher education, fleet service provider, or automotive equipment or technology provider.

(4) “Dynamic driving task” means all the real-time operational and tactical functions required to operate an automated vehicle in traffic on a highway. The term does not include functions relating to planning for the use of the vehicle, including the scheduling of a trip or the selection of a destination or way point.

(5) “Highly automated vehicle” means a vehicle equipped with an automated driving system that is designed to function at a level of driving automation of level 4 or 5 pursuant to SAE J3016.

(6) “Manufacturer” means an individual or company that designs, produces, or constructs vehicles or equipment. Manufacturers include original equipment manufacturers (OEMs), multiple and final stage manufacturers, individuals or companies making changes to a completed vehicle before first retail sale or deployment (upfitters), and modifiers (individuals or companies making changes to existing vehicles after first retail sale or deployment).

(7) “Minimal risk condition” means a condition in which an automated vehicle operating without a human driver, upon experiencing a failure of its automated driving system that renders the automated vehicle unable to perform the dynamic driving task, achieves a reasonably safe state that may include bringing the automated vehicle to a complete stop.

(8) “Operational design domain” means a description of the specific domain or domains in which an automated driving system is designed to properly operate, including types of roadways, ranges of speed, weather, time of day, and environmental conditions.

(9) “Operator” means an individual employed by or under contract with an automated vehicle tester who has successfully completed the tester’s training on safe driving and the capabilities and limitations of the automated vehicle and automated driving system, can take immediate manual or remote control of the automated vehicle being tested, is 21 years of age or older, and holds an operator’s license for the class of vehicle being tested.

(10) “Public highway” means a State or municipal highway as defined in 19 V.S.A. § 1(12).

(11) “SAE J3016” means the document published by SAE International on September 30, 2016 as “Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles” and any subsequent versions.

§ 4203. TESTING OF AUTOMATED VEHICLES ON PUBLIC

HIGHWAYS

(a) An automated vehicle shall not be operated on public highways for testing until the Traffic Committee as defined in 19 V.S.A. § 1(24) approves a permit application for automated vehicle testers that defines the scope and operational design domain for the test and demonstrates the ability of the automated vehicle tester to comply with the requirements of this section.

(b) Prior to approving a permit application, the Traffic Committee will conduct a hearing to provide for comments from the public.

(c) A person aggrieved by a decision of the Traffic Committee regarding an automated vehicle test permit may appeal to the Civil Division of the Superior Court of Washington County under Rule 74 of the Vermont Rules of Civil Procedure.

(d) Before a test commences, the automated vehicle tester shall make approved automated vehicle test permits readily available to law enforcement and municipalities within the operational design domain designated in the permit.

(e) Following completion of an automated vehicle test, the automated vehicle tester shall submit a report to the Traffic Committee summarizing results and observations related to safety, traffic operations, interaction with

roadway infrastructure, comments from the public, and any other relevant matters.

(f) An automated vehicle tester shall not test an automated vehicle on a public highway unless:

(1) The operator is:

(A) seated in the driver's seat of the automated vehicle;

(B) monitoring the operation of the automated vehicle; and

(C) capable of taking immediate manual control of such automated vehicle.

(2) The automated vehicle tester:

(A) registers each automated vehicle to be tested with the Commissioner pursuant to chapter 7 of this title;

(B) submits to the Commissioner, in a manner and form directed by the Commissioner, proof of liability insurance, self-insurance, or a surety bond of at least five million dollars for damages by reason of bodily injury, death, or property damage caused by an automated vehicle while engaged in automated vehicle testing;

(C) has established and enforces a zero-tolerance policy for drug and alcohol use by operators while engaged in automated vehicle testing. The policy shall include provisions for investigations of alleged policy violations and the suspension of drivers under investigation;

(D) has conducted background checks for all operators pursuant to section 751 of this title, which may be inspected by the Commissioner of Motor Vehicles or designee pursuant to section 752 of this title; and

(E) has certified that the legislative bodies of the municipalities where an automated vehicle will be tested have approved the operational design domain for class 1, 2, 3, or 4 town highways as classified pursuant to 19 V.S.A. § 302 included in the test.

(3) The operator and automated vehicle tester shall:

(A) comply with standards established by the National Highway Traffic Safety Administration regarding automated vehicles and be capable of providing proof of exemptions or waivers to such standards;

(B) report to the Agency of Transportation and the applicable law enforcement agency within 10 business days after any motor vehicle crash involving the testing of the automated vehicle that results in personal injury or property damage; and

(C) satisfy any other requirements and permit conditions as determined by the Traffic Committee as necessary to ensure the safe operation of such automated vehicles.

(g) Notwithstanding subsection (f) of this section, a highly automated vehicle may be tested on a public highway without an operator inside the vehicle if the operator or automated vehicle tester can take immediate remote

control of the highly automated vehicle being tested and the vehicle can achieve a minimal risk condition.

(h) An automated vehicle testing permit may be voided and invalidated for the trip by a law enforcement officer that determines there is a violation of any condition specified in the terms of the automated vehicle test permit or that the continuation of the trip would be unsafe.

(i) An automated vehicle testing permit may be suspended or revoked by the Traffic Committee if, after the opportunity for a hearing, the Traffic Committee determines that there is a violation of any condition or conditions specified in the terms of the automated vehicle test permit that warrants the suspension or revocation of the testing permit or that the continuation of the testing would be unsafe.

(j) Operating or testing in violation of a suspension or revocation order shall be a traffic violation for which there shall be a penalty of not more than \$1,000.00.

(k) Test vehicles must be capable of operating in compliance with applicable traffic and motor vehicle laws of this State, subject to this subchapter.

(l) An individual shall not operate, attempt to operate, or be in actual physical control of an automated vehicle being tested on a public highway when the individual's blood alcohol concentration is 0.02 or more.

(m) An automated vehicle being tested on a public highway shall be clearly identifiable by the public.

* * * State Traffic Committee * * *

Sec. 17. 19 V.S.A. § 1(24) is amended to read:

(24) “Traffic Committee” consists of the Secretary of Transportation or ~~his or her~~ designee, the Commissioner of Motor Vehicles or ~~his or her~~ designee, and the Commissioner of Public Safety or ~~his or her~~ designee and is responsible for establishing speed zones, parking and no parking areas, rules for use of limited access highways, approval of the testing of automated vehicles as defined in 23 V.S.A. § 4202 on public highways, and other traffic control procedures.

* * * Automated Vehicle Testing Implementation * * *

Sec. 18. AUTOMATED VEHICLE TESTING IMPLEMENTATION

(a) As soon as practicable, but not later than January 1, 2021, the Agency of Transportation shall publish an Automated Vehicle Testing Guide and application form to support review by the Traffic Committee and consistent with the requirements of 23 V.S.A. § 4203 as added in Sec. 16 of this act.

(b) The Agency of Transportation may adopt rules to implement the provisions of 23 V.S.A. chapter 41 as added in Sec. 16 of this act.

* * * Application for Certificate of Title * * *

Sec. 19. 23 V.S.A. § 2015(b) is amended to read:

(b) If the application refers to a vehicle purchased from a dealer, it shall contain the name and address of any lienholder holding a security interest created or reserved at the time of the sale and the date of his or her security agreement and be signed by the dealer as well as the owner, and the dealer shall promptly mail or deliver the application to the Commissioner unless title is in the possession of a lienholder at the time of sale, in which case the dealer shall have until 30 calendar days after the date the dealer acquired the vehicle to mail or deliver the application to the Commissioner. The dealer shall not be entitled to the extension if the lien on the vehicle was granted by the dealer to finance vehicle inventory acquisition.

* * * Resale by Dealer * * *

Sec. 20. 23 V.S.A. § 2024 is amended to read:

§ 2024. RESALE BY DEALER

If a dealer buys a vehicle, ~~and~~ holds it for resale, and obtains the certificate of title from the owner or the lienholder ~~within 10 days after receiving the vehicle,~~ then the certificate need not be sent to the Commissioner. When the dealer transfers the vehicle to a person, other than by the creation of a security interest, he or she shall simultaneously execute the assignment and warranty of title by filling in the spaces on the certificate of title or as prescribed by the

Commissioner or, if title is held by a finance source, execute a form prescribed by the Commissioner that provides proof of the transfer but does not release the lien. The certificate shall be mailed or delivered to the Commissioner with the transferee's application for a new certificate.

* * * Application for Registration by the Dealer * * *

Sec. 21. 23 V.S.A. § 459 is amended to read:

§ 459. NOTICE, APPLICATION, AND FEES TO COMMISSIONER

(a) Upon issuing a number plate with temporary validation stickers, a temporary number plate, or a temporary decal to a purchaser, a dealer shall, ~~within~~ have 15 calendar days, or up to 30 calendar days as applicable pursuant to subsection 2015(b) of this title, to forward to the Commissioner the application and fee, deposited with him or her by the purchaser, together with notice of such issue and such other information as the Commissioner may require.

(b) If a number plate with temporary validation stickers, a temporary registration plate, or a temporary decal is not issued by a dealer in connection with the sale or exchange of a vehicle or motorboat, the dealer may accept from the purchaser a properly executed registration, tax, and title application, and the required fees for transmission to the Commissioner. The dealer shall, ~~within~~ have 15 calendar days, or up to 30 calendar days as applicable pursuant to subsection 2015(b) of this title, to forward to the Commissioner the

application and fee together with such other information as the Commissioner may require.

* * * Title to Motor Vehicle Anti-Theft Provisions * * *

Sec. 22. 23 V.S.A. § 2083 is amended to read:

§ 2083. OTHER OFFENSES

(a) A person who:

* * *

(2) knowingly fails to mail or deliver a certificate of title or application for a certificate of title to the Commissioner within ~~20~~ 30 days after the transfer or creation or satisfaction of a security interest shall be subject to the penalties prescribed in subdivision (5) of this subsection;

(3) knowingly fails to deliver to his or her transferee a certificate of title within ~~20~~ 30 days after the transfer shall be subject to the penalties prescribed in subdivision (5) of this subsection;

* * *

(5) knowingly violates any provision of this chapter, except as provided in subdivision (6) of this subsection or section 2082 of this title, shall be fined not more than \$2,000.00, or imprisoned for not more than two years, or both;
or

* * *

(b) Absent a showing of a knowing failure to deliver as provided in subdivision (a)(3) of this section, a person who fails to deliver to his or her transferee a certificate of title within ~~40~~ 30 days after the transfer commits a traffic violation and shall be assessed a civil penalty of not more than \$1,000.00.

* * * Translated Department of Motor Vehicle

Documents and Use of Interpreters * * *

Sec. 23. 23 V.S.A. § 631 is amended to read:

§ 631. REQUIREMENTS; RULES

(a) The Commissioner may adopt rules pursuant to 3 V.S.A. chapter 25 governing the examination of new applicants for ~~operators'~~ operator's licenses and may prescribe ~~what shall be requisite~~ requirements to obtain or hold a license or learner's permit, by either a new or renewal applicant, as to driving experience, mental and physical qualifications, and any other matter or thing ~~which that~~, in his or her judgment, will contribute to the selection of safe and efficient operators.

(b) Any written forms, applications, or tests used by the Department of Motor Vehicles for operator licensing shall be translated into the primary language of every nation 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, and available at all Department locations and on the Department's website if the English version of the form, application, or test is on the Department's website. Nothing in this subsection is intended to require the Department to translate any educational manuals.

Sec. 24. 23 V.S.A. § 632 is amended to read:

§ 632. EXAMINATION REQUIRED; WAIVER

(a) Before an operator's or a junior operator's license is issued to an applicant for the first time in this State, or before a renewal license is issued to an applicant whose previous Vermont license had expired more than three years prior to the application for renewal, the applicant shall pass a satisfactory examination, except that the Commissioner may, in his or her discretion, waive the examination when the applicant holds a chauffeur's or operator's license in force at the time of application or within one year of the application in some other state where an examination is required similar to the examination required in this State.

(b) The examination shall consist of:

- (1) an oral or written examination;
- (2) a thorough road test; and
- (3) at the discretion of the Commissioner, such other examination or demonstration as he or she may prescribe, including an oral eye examination.

(c) An applicant may have an individual of his or her choosing at the oral examination or road test to serve as an interpreter, including to translate any oral commands given as part of the road test.

Sec. 25. 23 V.S.A. § 4108 is amended to read:

§ 4108. COMMERCIAL ~~DRIVER~~ DRIVER'S LICENSE, COMMERCIAL
LEARNER'S PERMIT QUALIFICATION STANDARDS

* * *

(f) The fee for a knowledge test and the fee for a skills test shall each be \$32.00. The fee for an endorsement test shall be \$14.00. In the event that an applicant fails a test three times, he or she may not take the test again for at least six months. A fee of \$24.00 shall be paid by the applicant before he or she may schedule a skills test. If an applicant does not appear for the scheduled skills test, the \$24.00 scheduling fee is forfeited, unless the applicant has given the Department at least 48 hours' notice of cancellation of the test. If the applicant appears for the skills test, the \$24.00 scheduling fee for that test will be used as part of the test fee. Use of an interpreter is prohibited during the administration of the knowledge or skills tests, but the Department shall have the knowledge test translated into the primary language of every nation 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, upon request. Nothing in this subsection is intended to require the Department to translate any educational manuals.

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* * * Department of Motor Vehicles Training * * *

Sec. 26. DEPARTMENT OF MOTOR VEHICLES TRAINING

On or before January 1, 2020, the Commissioner of Motor Vehicles shall, in collaboration with the U.S. Committee for Refugees and Immigrants Vermont and the Association of Africans Living in Vermont, provide an online or in-person training to all Department of Motor Vehicles employees who directly interact with the public that emphasizes strategies to recognize and address cultural differences and other potential barriers to equal access to Department of Motor Vehicles services for individuals who come to Vermont from other nations. A similar training shall be given to all future Department of Motor Vehicle employees who will directly interact with the public within one month after the employee's date of hire.

* * * Translated Documents and Use of Interpreters Implementation * * *

Sec. 27. TRANSLATED DOCUMENTS AND USE OF INTERPRETERS
IMPLEMENTATION

(a) The Commissioner of Motor Vehicles shall have until July 1, 2019 to consult with the U.S. Committee for Refugees and Immigrants Vermont and determine the primary language of every nation from which individuals

assisted by the U.S. Committee for Refugees and Immigrants Vermont in the prior 10 years hail.

(b) On or before October 15, 2019, the Commissioner of Motor Vehicles shall send a written update to the Joint Transportation Oversight Committee that includes an implementation plan to ensure compliance with 23 V.S.A. §§ 631–632 and § 4108 as amended by Secs. 23–25 of this act and an update on the training required pursuant to Sec. 26 of this act.

* * * Effective Dates * * *

Sec. 28. EFFECTIVE DATES

(a) Secs. 26 (Department of Motor Vehicles training), 27 (translated documents and use of interpreters implementation), and 28 (effective dates) shall take effect on passage.

(b) Secs. 23 (written forms), 24 (examination required), and 25 (commercial driver's license written forms) shall take effect on July 1, 2020.

(c) All other sections shall take effect on July 1, 2019.