1	S.339
2	Representatives Smith of Derby and Hango of Berkshire move that the
3	House propose to the Senate that the bill be amended as follows:
4	First: In Sec. 32, 23 V.S.A. § 1095a, in subdivision (d)(1) by striking out
5	"\$100.00" and inserting in lieu thereof "\$100.00 \$25.00", by striking out
6	"\$200.00" and inserting in lieu thereof "\$200.00 \(\frac{\$50.00}{} \)", by striking out
7	"\$250.00" and inserting in lieu thereof "\$250.00 \\$50.00", and by striking out
8	"500.00" and inserting in lieu thereof "\$500.00 \$75.00"
9	Second: In Sec. 32, 23 V.S.A. § 1095a, by striking out subdivisions (d)(2)
10	and (d)(3) in their entireties and inserting in lieu thereof the following:
11	(2) A person An individual convicted of violating this section while
12	operating within the following areas shall have four five points assessed
13	against his or her driving record for a first conviction and five points assessed
14	for a second or subsequent conviction:
15	(A) a properly designated work zone in which construction,
16	maintenance, or utility personnel are present; or
17	(B) a school zone marked with warning signs conforming to the
18	Manual on Uniform Traffic Control Devices.
19	(3) A person convicted of violating this section outside the areas
20	designated in subdivision (2) of this subsection shall have two points assessed
21	against his or her driving record.

1	Third: In Sec. 33, 23 V.S.A. § 1095b, by striking out subsection (c) in its
2	entirety and inserting in lieu thereof the following:
3	(c) Penalties.
4	(1) A person An individual who violates this section commits a traffic
5	violation and shall be subject to a fine civil penalty of not less than \$100.00
6	and not more than \$200.00 \$250.00 and shall have four points assessed against
7	his or her driving record for a first violation, and shall be subject to a civil
8	penalty of not less than \$250.00 and not more than \$500.00 and shall have five
9	points assessed against his or her driving record for a second or subsequent
10	violation within any two-year period.
11	(2) A person An individual convicted of violating this section while
12	operating within the following areas shall be subject to an additional civil
13	penalty of \$250.00 and shall have four an additional five points assessed
14	against his or her driving record for a first conviction and five points assessed
15	for a second or subsequent conviction:
16	(A) a properly designated work zone in which construction,
17	maintenance, or utility personnel are present; or
18	(B) a school zone marked with warning signs conforming to the
19	Manual on Uniform Traffic Control Devices.

1	(3) A person convicted of violating this section outside the areas
2	designated in subdivision (2) of this subsection shall have two points assessed
3	against his or her driving record.
4	Fourth: In Sec. 34, 23 V.S.A. § 1099, by striking out subsection (c) in its
5	entirety and inserting in lieu thereof:
6	(c)(1) A person An individual who violates this section commits a traffic
7	violation as defined in section 2302 of this title and shall be subject to a civil
8	penalty of not less than \$100.00 and not more than \$200.00 \$250.00 and shall
9	have four points assessed against his or her driving record for a first violation,
10	and shall be subject to a civil penalty of not less than \$250.00 and not more
11	than \$500.00 and shall have five points assessed against his or her driving
12	record for a second or subsequent violation within any two-year period.
13	(2) An individual convicted of violating this section while operating
14	within the following areas shall be subject to an additional civil penalty of
15	\$250.00 and shall have an additional five points assessed against his or her
16	driving record:
17	(A) a properly designated work zone in which construction,
18	maintenance, or utility personnel are present; or
19	(B) a school zone marked with warning signs conforming to the
20	Manual on Uniform Traffic Control Devices.

1	Fifth: By striking out Sec. 35, 2	3 V.S.A. § 2502, in its entirety and inserting
2	in lieu thereof the following:	
3	Sec. 35. 23 V.S.A. § 2502 is amen	ided to read:
4	§ 2502. POINT ASSESSMENT; S	SCHEDULE
5	(a) Unless the assessment of po	oints is waived by a Superior judge or a
6	Judicial Bureau hearing officer in t	he interests of justice and in accordance
7	with subsection 2501(b) of this title	e, a person operating a motor vehicle shall
8	have points assessed against his or	her driving record for convictions for
9	moving violations of the indicated	motor vehicle statutes in accord with the
10	following schedule: (All reference	es are to Title 23 of the Vermont Statutes
11	Annotated.)	
12	(1) Two points assessed for:	
13		* * *
14	(LL) (i) § 1095.	Entertainment picture visible
15		to operator;
16	(ii) § 1095a(d)(3).	Junior operator use of portable electronic
17		device outside work or school zone;
18	(iii) § 1095b(c)(3).	Use of portable electronic device outside
19		work or school zone;
20		* * *

1	(3) Four points assessed for:	
2		* * *
3	(E) § 1095a(d)(2).	Junior operator use of portable electronic
4		device in work or school zone first
5		offense;
6	(F) § 1095b(c)(2)(1).	Use of portable electronic device in
7		work or school zone —first offense
8		violation—outside work or school zone;
9	(F) § 1099(c)(1).	Texting—first violation—outside work
10		or school zone;
11	(4) Five points assessed for:	
12		* * *
13	(D) § 1095a(d)(2).	Junior operator use of portable electronic
14		device in work or school zone second
15		and subsequent offenses;
16	(E) $\S 1095b(c)(2)(1)$.	Use of portable electronic device in
17		work or school zone —second and
18		subsequent offenses violations—outside
19		work or school zone;
20	(F) § 1099(c)(1).	Texting—second and subsequent
21		violations—outside work or school zone;
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1	(5) Nine points assessed for:	
2	(A) § 1095b(c)(2).	Handheld use of portable electronic
3		device—first violation—inside work or
4		school zone;
5	(B) § 1099(c)(2).	Texting—first violation—inside work or
6		school zone;
7	(5)(6) Ten points assessed for	r:
8		* * *
9	(F) § 1095b(c)(2).	Handheld use of portable electronic
10		device—second and subsequent
11		violations—inside work or school zone;
12	(G) § 1099(c)(2).	Texting—second and subsequent
13		violations—inside work or school zone;
14	(6)(7) Two points assessed for	or sections 1003 and 1007. State speed
15	zones and local speed limits, less that	an 10 miles per hour over and in excess of
16	speed limit;	
17	(7)(8) Three points assessed	for sections 1003 and 1007. State speed
18	zones and local speed limits, more to	han 10 miles per hour over and in excess of
19	speed limit;	

1	(8)(9) Five points assessed for sections 1003 and 1007. State speed
2	zones and local speed limits, more than 20 miles per hour over and in excess of
3	speed limit;
4	(9)(10) Eight points assessed for sections 1003 and 1007. State speed
5	zones and local speed limits, more than 30 miles per hour over and in excess of
5	the speed limit.
7	* * *