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H.69

Introduced by Representatives Hashim of Dummerston, Burke of Brattleboro,
Christie of Hartford, Colburn of Burlington, and Rachelson of
Burlington

Referred to Committee on

Date:

Subject: Motor vehicles; registration; enforcement; authority to remove

Statement of purpose of bill as introduced: This bill proposes to create a one-month grace period for a lapse in motor vehicle registration, allow an operator one week to prove that a motor vehicle was properly registered at the time of a citation, and allow an operator one week to register a motor vehicle for which the registration expired no more than three months prior to the date of the citation in exchange for a reduced civil penalty. This bill also proposes to prohibit a law enforcement officer from removing a motor vehicle exclusively for failure to carry a registration certificate or display a validation sticker if the motor vehicle's registration expired no more than six months prior to the date of the citation.

An act relating to enforcement of motor vehicle registration laws

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

2 Sec. 1. 23 V.S.A. § 307 is amended to read:

3 § 307. CARRYING OF REGISTRATION CERTIFICATE; REPLACEMENT
4 AND CORRECTED CERTIFICATES

5 (a) A person shall not operate a motor vehicle nor draw a trailer or semi-
6 trailer unless all required registration certificates are carried in some easily
7 accessible place in the motor vehicle.

8 (b) In case of the loss, mutilation, or destruction of a certificate, the owner
9 of the vehicle described in it shall forthwith notify the Commissioner and remit
10 a fee of \$16.00, upon receipt of which the Commissioner shall furnish the
11 owner with a duplicate certificate.

12 (c) A corrected registration certificate shall be furnished by the
13 Commissioner upon request and receipt of a fee of \$16.00.

14 (d) The enforcement of subsection (a) of this section for purposes of a
15 personal car, motorcycle, or truck that could be registered for less than
16 26,001 pounds shall not commence until the first day of the second month
17 following the month of expiration of the motor vehicle's registration.

18 (e) An operator cited for violating subsection (a) of this section with
19 respect to a personal car, motorcycle, or truck that could be registered for less
20 than 26,001 pounds shall not be convicted if he or she sends or produces to the

1 issuing enforcement agency within seven business days of the traffic stop proof
2 of registration that was in effect at the time of the traffic stop.

3 (f) An operator cited for violating subsection (a) of this section with respect
4 to a personal car, motorcycle, or truck that could be registered for less than
5 26,001 pounds shall be subject to a civil penalty of not more than \$5.00 if he or
6 she is cited within the three months following the expiration of the motor
7 vehicle's registration and sends or produces to the issuing enforcement agency
8 within seven business days of the traffic stop proof of renewed registration.

9 Sec. 2. 23 V.S.A. § 511 is amended to read:

10 § 511. MANNER OF DISPLAY

11 (a) A motor vehicle operated on any highway shall have displayed in a
12 conspicuous place either one or two number plates as the Commissioner may
13 require. Such number plates shall be furnished by the Commissioner and shall
14 show the number assigned to such vehicle by the Commissioner. If only one
15 number plate is furnished, the same shall be securely attached to the rear of the
16 vehicle. If two are furnished, one shall be securely attached to the rear and one
17 to the front of the vehicle. The number plates shall be kept entirely
18 unobscured, and the numerals and the letters thereon shall be plainly legible at
19 all times. They shall be kept horizontal, shall be so fastened as not to swing,
20 excepting however, there may be installed on a motor truck or truck tractor a
21 device which would, upon contact with a substantial object, permit the rear

1 number plate to swing toward the front of the vehicle, provided such device
2 automatically returns the number plate to its original rigid position after
3 contact is released, and the ground clearance of the lower edges thereof shall
4 be established by the Commissioner pursuant to the provisions of 3 V.S.A.
5 chapter 25.

6 (b) A registration validation sticker shall be unobstructed, and shall be
7 affixed as follows:

8 (1) for vehicles issued registration plates with dimensions of
9 approximately 12 × 6 inches, in the lower right corner of the rear registration
10 plate; and

11 (2) for vehicles issued a registration plate with a dimension of
12 approximately 7 × 4 inches, in the upper right corner of the rear registration
13 plate.

14 (c) A person shall not operate a motor vehicle unless number plates and a
15 validation sticker are displayed as provided in this section.

16 (d) The enforcement of subsection (c) of this section with respect to failure
17 to display a validation sticker on a personal car, motorcycle, or truck that could
18 be registered for less than 26,001 pounds shall not commence until the first day
19 of the second month following the month of expiration of the motor vehicle's
20 registration.

1 (e) An operator cited for violating subsection (c) of this section with
2 respect to failure to display a validation sticker on a personal car, motorcycle,
3 or truck that could be registered for less than 26,001 pounds shall not be
4 convicted if he or she sends or produces to the issuing enforcement agency
5 within seven business days of the date of the citation proof of registration that
6 was in effect at the time of the citation.

7 (f) An operator cited for violating subsection (c) of this section with respect
8 to failure to display a validation sticker on a personal car, motorcycle, or truck
9 that could be registered for less than 26,001 pounds shall be subject to a civil
10 penalty of not more than \$5.00 if he or she is cited within the three months
11 following the expiration of the motor vehicle's registration and sends or
12 produces to the issuing enforcement agency within seven business days of the
13 date of the citation proof of renewed registration.

14 Sec. 3. 23 V.S.A. § 315 is added to read

15 § 315. AUTHORITY TO REMOVE

16 A law enforcement officer may not cause a personal car, motorcycle, or
17 truck that could be registered for less than 26,001 pounds to be towed solely
18 for failure to carry a registration certificate pursuant to subsection 307(a) of
19 this title or failure to display a validation sticker pursuant to subsection 511(c)
20 of this title unless the motor vehicle is found or operated upon a highway or
21 public land with a registration expiration date more than six months before the

1 date it is found or operated on the highway or public land. The expenses
2 involved in such removal and storage shall be borne by the owner or lessee of
3 the motor vehicle.

4 Sec. 4. EFFECTIVE DATE

5 This act shall take effect on July 1, 2019.