

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~~ \$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 (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) § 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;

