

**HOUSE COMMITTEE ON TRANSPORTATION:
VERY GENERAL OVERVIEW OF TITLE 23 – MOTOR VEHICLES**
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Chapter 1 – General Provisions

- 23 V.S.A. § 4 – Definitions, these apply to the whole title unless (1) otherwise provided or (2) context requires otherwise (not the only place in Title 23 that provides definitions)
- 23 V.S.A. § 7 – Enhanced driver license

Chapter 3 – Motor Vehicle Department (organization, duties, appointment, hearings/appeals)

- 23 V.S.A. § 104 – Public records (accident reports, photographs)
- 23 V.S.A. § 112 – Motor vehicle law book
- 23 V.S.A. § 114 – Fees (Fee Bill, 32 V.S.A. Ch. 7, Sub. Ch. 6, not the only place in Title 23 that addresses fees)
- 23 V.S.A. § 115 – Nondriver identification cards

Chapter 5 – Registration and Operators’ Licenses (common provisions)

Chapter 7 – Registration

- Subchapter 1 – General Registration (includes transfer of ownership, specialty plates)
- Subchapter 2 – Fees and exemptions (types of vehicles)
- Subchapter 3 – Nonresident and Zone Registration (reciprocity, interstate compact)
- Subchapter 4 – Dealers and Transporters
- Subchapter 5 – Display of Plates

Chapter 9 – Operators’ Licenses

- Subchapter 1 – General Provisions (fees, different types, exemptions)
- Subchapter 2 – Examinations (Commissioner adopts rules, but some parts set in statute (*e.g.* fee))
- Subchapter 3 – Suspension and Revocation (by Commissioner, procedure, nonresident operator (licensed in another state) privilege to operate, penalties)
- Subchapter 4 – Driver Training School
- Subchapter 5 – Driver Retraining Program (Commissioner can require attendance, specific program)
- Subchapter 6 – Motorcycle Rider Training Program (established and administered by the DMV, mandatory completion after a certain point)

Chapter 10 – Transportation Network Companies (TNC)

- Enacted and added to codified law in 2018
- Background checks, audits, insurance, records (PRA exemption), preemption of municipal law/savings language
- Does not apply to all vehicles for hire (VFH)
- Report forthcoming (1/15/19) from the Department of Financial Regulation, but not to House Transportation (2018, No. 3 (Sp. Sess.))

Chapter 11 – Financial Responsibility and Insurance

- Subchapter 1 – General Provisions (covers personal motor vehicles)
- Subchapter 2 – Jitneys
- Subchapter 3 – Motor Buses
- Subchapter 4 – School Buses
- Subchapter 5 – Uninsured and Underinsured Motorists (must be included)

Chapter 13 – Operation of Vehicles

- Subchapter 1 – General Provisions
 - 23 V.S.A. § 1008 – Municipal authority to regulate
- Subchapter 2 – Traffic Signs (obedience, types)
 - 23 V.S.A. § 1025 – Standards (United States Department of Transportation (DOT) Federal Highway Administration’s (FHWA) Manual on Uniform Traffic Control Devices (MUTCD) adopted and applies to state and local authorities)
- Subchapter 3 – Use of Roadway (where to drive, passing, restricted access)
 - 23 V.S.A. § 1043 – Operation of neighborhood electric vehicles, not the same as an electric vehicle (EV) or plug-in hybrid electric vehicle (PHEV), *see* 23 V.S.A. § 4(73).
- Subchapter 4 – Right of Way (approaching intersections, turning)
- Subchapter 5 – Pedestrians Rights and Duties
- Subchapter 6 – Turning, Starting, and Signals
- Subchapter 7 – Special Stops Required (railroad crossings, passing school buses, entering roadway)
- Subchapter 8 – Speed Restrictions
- Subchapter 9 – Violations and Penalties (negligent and grossly negligent operation, general penalties, excessive speed)
 - Some provide a specific penalty
 - Three of the four “distracted driving” statutes:
 - 23 V.S.A. § 1095a (junior operator)
 - 23 V.S.A. § 1095b (operator)
 - 23 V.S.A. § 1099 (texting)
- Subchapter 10 – Stopping (parking and stopping requirements, authority to remove)
- Subchapter 11 – Miscellaneous Rules (idling, coasting, obstructing windshields, depositing items on the highway, accidents (reports and duty to stop))
 - 23 V.S.A. §§ 1134, 1134a and 1134b – Consumption or possession of alcohol or marijuana (operator and passenger) and using tobacco or marijuana in a motor vehicle with a child present
- Subchapter 12 – Operation of Bicycles
- Subchapter 13 – Drunken Driving (cross-staffed in Leg. Council)
 - 23 V.S.A. § 1200(7) – Slightly different definition of “highway” (sometimes excludes a driveway)
- Subchapter 14 – Equipment (inspections, lights, motorcycle headgear, safety belts)
- Subchapter 15 – Weight
- Subchapter 16 – Liability of Operators (for certain damages to public highways)

Chapter 15 – Powers of Enforcement Officers (traffic control, accident investigation)

Chapter 17 – General Offenses and Jurisdiction (vehicle identification numbers, impersonation, alteration of odometers)

Chapter 19 – Parking; Police Courts (can be created by certain towns (1,000+ people), other municipal powers)

Chapter 21 – Title to Motor Vehicles

- Subchapter 1 – General Provisions
- Subchapter 2 – Certificates of Title
- Subchapter 3 – Security Interests
- Subchapter 5 – Anti-Theft Provisions and Penalties (report of theft)
- Subchapter 6 – Salvage Title (crushed vehicles, totaled and rebuilt vehicles)
- Subchapter 7 – Abandoned Motor Vehicles (disposal, authorization to remove, municipal enforcement)

Chapter 24 – Traffic Violations

- 23 V.S.A. § 2302 – Traffic violation defined
 - Very lengthy definition
 - Not a crime, treated as a civil action
 - Maximum penalty if not defined (default maximum) is \$1,000
- 23 V.S.A. § 2305 – Procedure (heard by Judicial Bureau, procedure at 4 V.S.A. Ch. 29)

Chapter 25 – Motor Vehicle Violations; Point System

- 23 V.S.A. § 2500 – Application to traffic violations (ch. 24)
- 23 V.S.A. § 2501 – Motor vehicle point system (purpose and waiver of assessment)
- 23 V.S.A. § 2502 – Point assessment; schedule (provides the schedule of all points, with citations to the applicable statutes)
 - 23 V.S.A. § 2502(a)(1)(FFF) – Default is two points for a moving violation if not specified in statutes (moving violation defined in 23 V.S.A. § 4(44))
 - DMV lists traffic violations on its website (0 points = DMV determination that the traffic violation is not a “moving violation”)
- 23 V.S.A. § 2505 – Suspension or revocation of license (suspension proceedings initiated at 10 points in 2 years)
- 23 V.S.A. § 2506 – Procedure (includes length, applicability to unlicensed and nonresident)
- 23 V.S.A. § 2507 – Legislative review

Chapter 27 – Diesel Fuel Tax

Chapter 28 – Gasoline Tax

Chapter 29 – Snowmobiles, Motorboats, and Water Sports

- Subchapter 1 – Snowmobiles

- Subchapter 2 – Motorboats
- Subchapter 3 – Water Sports (one statute, covers divers (SCUBA and snorkel) and the use of the “divers-down flag”)

Chapter 31 – All-Terrain Vehicles (ATVs)

Chapter 33 – Nonresident Violator Compact (language of the compact included in statute, communication across state members of the compact, which comprise a majority of the states)

Chapter 35 – International Registration Plan

Chapter 36 – Titling of Vessels, Snowmobiles and All-Terrain Vehicles

Chapter 37 – Driver License Compact (language of the compact included in statute, data sharing, majority of the states in the compact)

Chapter 39 – Commercial Driver License Act

- 23 V.S.A. § 4103(4) – Definition of a commercial motor vehicle, certain inclusions (gross vehicle weight of 26,001 or more pounds, designed to transport more than 15 passengers, and transporting hazardous materials) and exclusions
- 23 V.S.A. § 4125 – Fourth “distracted driving” statute