

Report of Committee of Conference

S.149

TO THE SENATE AND HOUSE OF REPRESENTATIVES:

The Committee of Conference, to which were referred the disagreeing votes of the two Houses upon Senate Bill, entitled:

S.149. An act relating to miscellaneous changes to laws related to vehicles and the department of motor vehicles.

Respectfully reports that it has met and considered the same and recommends that the Senate accede to the House's first, second, third, fourth, fifth, and sixth proposals of amendment, that the House recede from its seventh proposal of amendment, and that the bill be further amended as follows:

First: In Sec. 16, 23 V.S.A. chapter 41, in section 4202, definitions, in subdivision (1), automated driving system, by inserting the words on a sustained basis before the words "within its operational design domain" and by inserting , where applicable after the words "without any intervention or supervision by a conventional human driver"

Second: In Sec. 16, 23 V.S.A. chapter 41, in section 4203, testing of automated vehicles on public highways, in subsection (a), by striking out the word "geographic"

Third: In Sec. 16, 23 V.S.A. chapter 41, in section 4203, testing of automated vehicles on public highways, in subsection (b), by striking out the words “will conduct” and inserting in lieu thereof the words shall conduct

Fourth: By striking out Sec. 28, effective dates, and its accompanying reader assistance heading in their entirety and inserting in lieu thereof the following:

\* \* \* Junior Operator Use of Portable Electronic Devices \* \* \*

Sec. 28. 23 V.S.A. § 1095a(d) is added to read:

(d)(1) A person who violates this section commits a traffic violation as defined in section 2302 of this title and shall be subject to a civil penalty of not less than \$100.00 and not more than \$200.00 for a first violation, and of not less than \$250.00 and not more than \$500.00 for a second or subsequent violation within any two-year period.

(2) A person convicted of violating this section while operating within the following areas shall have four points assessed against his or her driving record for a first conviction and five points assessed for a second or subsequent conviction:

(A) a properly designated work zone in which construction, maintenance, or utility personnel are present; or

(B) a school zone marked with warning signs conforming to the Manual on Uniform Traffic Control Devices.

(3) A person convicted of violating this section outside the areas designated in subdivision (2) of this subsection shall have two points assessed against his or her driving record.

Sec. 29. 23 V.S.A. § 2502 is amended to read:

§ 2502. POINT ASSESSMENT; SCHEDULE

(a) Unless the assessment of points is waived by a Superior judge or a Judicial Bureau hearing officer in the interests of justice and in accordance with subsection 2501(b) of this title, a person operating a motor vehicle shall have points assessed against his or her driving record for convictions for moving violations of the indicated motor vehicle statutes in accord with the following schedule: (All references are to Title 23 of the Vermont Statutes Annotated.)

(1) Two points assessed for:

\* \* \*

(LL)(i) § 1095.

Entertainment picture visible

to operator;

(ii) § 1095a(d)(3).

Junior operator use of portable electronic

device outside work or school zone;

(iii) § 1095b(c)(3).

Use of portable electronic device outside

work or school zone;

\* \* \*

(3) Four points assessed for:

\* \* \*

(E) § 1095a(d)(2). Junior operator use of portable electronic device in work or school zone—first offense;

(F) § 1095b(c)(2). Use of portable electronic device in work or school zone—first offense;

(4) Five points assessed for:

\* \* \*

(D) § 1095a(d)(2). Junior operator use of portable electronic device in work or school zone—second and subsequent offenses;

(E) § 1095b(c)(2). Use of portable electronic device in work or school zone—second and subsequent offenses;

\* \* \*

\* \* \* Master License Agreement Study \* \* \*

Sec. 30. STUDY ON THE AGENCY OF TRANSPORTATION'S USE OF  
MASTER LICENSE AGREEMENTS AND ALTERNATIVE  
OPTIONS

The Agency of Transportation, in consultation with the Vermont League of Cities and Towns, shall report back to the House and Senate Committees on Transportation on or before November 15, 2019 concerning the use and contents of master license agreements and other agreements or contracts by the Agency of Transportation when a municipality, utility, or other person needs to use the right-of-way for the line of railroad owned by the State. The report shall include the history of the Agency's use of master license agreements and other agreements or contracts, including the contents thereof; alternatives to the use of such agreements; whether a municipality or municipal operated utility can secure sufficient insurance coverage to enter into the Agency's current iteration of the standard conditions to the master license agreement it uses when a municipality, utility, or other person needs to use the right-of-way for the line of railroad owned by the State; and what other states do when a municipality, utility, or other person needs to use the right-of-way for any state-owned railroad lines.

\* \* \* Motor Vehicle Registrations \* \* \*

Sec. 31. 23 V.S.A. § 307 is amended to read:

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

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

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

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

(d) An operator cited for violating subsection (a) of this section with respect to a pleasure car, motorcycle, or truck that could be registered for less than 26,001 pounds shall be subject to a civil penalty of not more than \$5.00, which penalty shall be exempt from surcharges under 13 V.S.A. § 7282(a), if he or she is cited within the 14 days following the expiration of the motor vehicle's registration.

Sec. 32. 23 V.S.A. § 511 is amended to read:

§ 511. MANNER OF DISPLAY

(a) A motor vehicle operated on any highway shall have displayed in a conspicuous place either one or two number plates as the Commissioner may require. Such number plates shall be furnished by the Commissioner and shall show the number assigned to such vehicle by the Commissioner. If only one

number plate is furnished, the same shall be securely attached to the rear of the vehicle. If two are furnished, one shall be securely attached to the rear and one to the front of the vehicle. The number plates shall be kept entirely unobscured, and the numerals and the letters thereon shall be plainly legible at all times. They shall be kept horizontal, shall be so fastened as not to swing, excepting however, there may be installed on a motor truck or truck tractor a device which would, upon contact with a substantial object, permit the rear number plate to swing toward the front of the vehicle, provided such device automatically returns the number plate to its original rigid position after contact is released, and the ground clearance of the lower edges thereof shall be established by the Commissioner pursuant to the provisions of 3 V.S.A. chapter 25.

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

(1) for vehicles issued registration plates with dimensions of approximately  $12 \times 6$  inches, in the lower right corner of the rear registration plate; and

(2) for vehicles issued a registration plate with a dimension of approximately  $7 \times 4$  inches, in the upper right corner of the rear registration plate.

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

(d) An operator cited for violating subsection (c) of this section with respect to failure to display a validation sticker on a pleasure car, motorcycle, or truck that could be registered for less than 26,001 pounds shall be subject to a civil penalty of not more than \$5.00, which penalty shall be exempt from surcharges under 13 V.S.A. § 7282(a), if he or she is cited within the 14 days following the expiration of the motor vehicle's registration.

\* \* \* Motor Vehicle Inspections \* \* \*

Sec. 33. 23 V.S.A. § 1222(c) is amended to read:

(c) A person shall not operate a motor vehicle unless it has been inspected as required by this section and has a valid certification of inspection affixed to it. A person shall be subject to a ~~fine~~ civil penalty of not more than \$5.00, which penalty shall be exempt from surcharges under 13 V.S.A. § 7282(a), if he or she is cited for a violation of this section within the 14 days following expiration of the motor vehicle inspection sticker. The month of next inspection for all motor vehicles shall be shown on the current inspection certificate affixed to the vehicle.



\* \* \* Effective Dates \* \* \*

Sec. 34. EFFECTIVE DATES

(a) This section and Secs. 26 (Department of Motor Vehicles training),  
27 (translated documents and use of interpreters implementation), and  
30 (master license agreement study) shall take effect on passage.

(b) Secs. 23 (written forms) and 24 (examination required) shall take effect  
on July 1, 2020.

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

COMMITTEE ON THE PART OF  
THE SENATE

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SEN. TIMOTHY R. ASHE

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SEN. RICHARD T. MAZZA

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SEN. M. JANE KITCHEL

COMMITTEE ON THE PART OF  
THE HOUSE

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REP. CURTIS A. McCORMACK

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REP. BARBARA S. MURPHY

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REP. BRIAN K. SAVAGE