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H.635

Introduced by Representatives Colston of Winooski, Mrowicki of Putney,
Anthony of Barre City, Bluemle of Burlington, Christie of
Hartford, Cina of Burlington, Copeland Hanzas of Bradford,
Donnally of Hyde Park, Lippert of Hinesburg, McCormack of
Burlington, Patt of Worcester, Stebbins of Burlington, Troiano
of Stannard, and Vyhovsky of Essex

Referred to Committee on

Date:

Subject: Motor vehicles; secondary enforcement

Statement of purpose of bill as introduced: This bill proposes to designate
certain motor vehicle and pedestrian traffic violations as violations that may
only be enforced if a law enforcement officer has detained the operator of a
vehicle or pedestrian for another suspected traffic violation.

An act relating to secondary enforcement of minor traffic offenses

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

Sec. 1. 23 V.S.A. § 9 is added to read:

§ 9. SECONDARY ENFORCEMENT OF VIOLATIONS

(a) Motor vehicle violations.

1 (1) The following offenses may be enforced only if a law enforcement
2 officer has detained the operator of a motor vehicle for another suspected
3 traffic violation:

4 (A) section 307 of this title (failure to carry a registration certificate);

5 (B) subsection 511(c) of this title (failure to display registration
6 sticker or failure to display unobstructed license numbers);

7 (C) section 512 of this title (failure to display number plate on trailer
8 or semi-trailer);

9 (D) section 615 of this title (operation by an individual with a
10 learner's permit);

11 (E) section 1125 of this title (obstructing windshield or windows);

12 (F) sections 1134 (possession or consumption of alcohol or cannabis
13 by operator) and 1134a (possession or consumption of alcohol or cannabis by
14 passenger) of this title and subsection 1134b(a) (using tobacco in a motor
15 vehicle with child present) of this title;

16 (G) section 1221 of this title (condition of vehicle);

17 (H) sections 1243 (headlights), 1244 (illumination required), 1245
18 (illumination required on motorcycles), 1248 (taillights), and 1249 (directional
19 signal lights) of this title; and

20 (I) section 1259 of this title (safety belts; persons 18 years of age or
21 older).

1 (2) An operator shall not be subject to the penalty established for the
2 offenses listed in subdivision (1) of this subsection unless the operator is
3 required to pay a penalty for the primary violation.

4 (b) Pedestrian violations.

5 (1) The following violations may be enforced only if a law enforcement
6 officer has detained the pedestrian for another suspected violation:

7 (A) section 1023 of this title (pedestrian-control signals); and

8 (B) sections 1052 (crossing except at crosswalks), 1054 (pedestrians
9 to use right half of crosswalks), 1055 (pedestrians on roadways), 1056
10 (highway solicitations), and 1058 (duties of pedestrians) of this title.

11 (2) A pedestrian shall not be subject to the penalty established for the
12 offenses listed in subdivision (1) of this subsection unless the pedestrian is
13 required to pay a penalty for the primary violation.

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on July 1, 2022.