

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations to which was referred House
3 Bill No. 635 entitled “An act relating to secondary enforcement of minor
4 traffic offenses” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

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

8 § 9. SECONDARY ENFORCEMENT OF VIOLATIONS

9 (a) Motor vehicle violations.

10 (1) The following offenses may be enforced only if a law enforcement
11 officer has detained the operator of a motor vehicle for another suspected
12 traffic violation or a public safety risk:

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

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

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

18 (D) section 615 of this title (operation by an individual with a
19 learner’s permit);

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

1 (F) sections 1134 (possession or consumption of alcohol or cannabis
2 by operator) and 1134a (possession of consumption of alcohol or cannabis by
3 passenger) of this title and subsection 1134b(a) (using tobacco in a motor
4 vehicle with child present) of this title;

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

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

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

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

14 (b) Pedestrian violations.

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

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

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

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

4 Sec. 2. EFFECTIVE DATE

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

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12 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE