

1 * * * Municipal Restrictions; Covered Bridges; Damages and Expenses * * *

2 Sec. 21a. 19 V.S.A. § 313 is amended to read:

3 § 313. ~~RESTRICTING USE OF COVERED BRIDGES~~

4 ~~The Agency and the selectmen of the town where a covered bridge is~~
5 ~~located or, if parts of such a bridge are located in more than one town, the~~
6 ~~selectmen of the towns acting jointly, may restrict the use of the bridge to~~
7 ~~vehicles that are within limits as to weight, height, and width as they shall~~
8 ~~establish. The limitation shall be plainly posted at the approaches to the bridge~~
9 ~~at approximately 100 feet from each end of the bridge, and at intersections as~~
10 ~~may be required to enable operators of restricted vehicles to proceed by the~~
11 ~~most direct alternate unrestricted route. Posting shall be by means of~~
12 ~~permanent signs of a standard size of at least 24 inches by 24 inches, and with~~
13 ~~lettering not less than three inches high. [Repealed.]~~

14 Sec. 21b. 19 V.S.A. § 315 is amended to read:

15 § 315. ~~PENALTIES~~

16 ~~A person who operates a vehicle exceeding the limit prescribed on a bridge~~
17 ~~thus restricted shall be fined not more than \$200.00 for the first offense and not~~
18 ~~more than \$300.00 for each subsequent offense. [Repealed.]~~

19 Sec. 21c. 23 V.S.A. § 1396 is redesignated to read:

20 § 1396. SPECIAL WEIGHT LIMITS FOR BRIDGES AND HIGHWAYS

1 Sec. 21d. 23 V.S.A. § 1397 is redesignated to read:

2 § 1397. WEIGHT LIMIT SIGNS

3 Sec. 21e. 23 V.S.A. § 1397a is added to read:

4 § 1397a. SPECIAL LIMITS FOR COVERED BRIDGES

5 The legislative body of a municipality where a covered bridge is located or,
6 if parts of such a bridge are located in more than one municipality, the
7 legislative bodies of the municipalities where a covered bridge is located acting
8 jointly may, after consultation with the Agency of Transportation, restrict the
9 use of the bridge to vehicles that are within limits as to one or more of the
10 following, as they shall establish: weight, height, or width. Any limitation
11 shall be permanently posted by the municipality, with signs that conform to the
12 standards established by section 1025 of this title, approximately 100 feet from
13 the approaches to the bridge and at intersections as may be required to enable
14 operators of restricted vehicles to proceed by the most direct alternate
15 unrestricted route.

16 Sec. 21f. 23 V.S.A. § 1398 is amended to read:

17 § 1398. CERTIFIED STATEMENT TO BE FILED

18 A certified statement shall be filed with the clerk in each ~~town, village, or~~
19 ~~city~~ municipality in which ~~the~~ a posting occurs, as provided in ~~section~~ sections
20 1397 and 1397a of this ~~title~~ subchapter, ~~stating~~ occurs that states the location
21 of the highway or bridge posted, the legal ~~load~~ limit or limits to which ~~such~~ the

1 highway or bridge is restricted, and the date of posting. If ~~such a~~ restriction is
2 removed at any time by the Secretary of Transportation, ~~selectboard, trustees,~~
3 ~~or city council,~~ or legislative body of the municipality, or both, a similar
4 certified statement of the removal shall be filed with the clerk of the ~~town,~~
5 ~~village, or city as the case may be~~ municipality.

6 Sec. 21g. 23 V.S.A. § 1399(b) is amended to read:

7 (b) Nothing contained in sections 1391–1398 of this ~~title~~ subchapter shall
8 restrict the weight of:

9 (1) Snow plows, road machines, oilers, traction engines, tractors, rollers,
10 power shovels, dump wagons, trucks, or other construction or maintenance
11 equipment when used by any town, incorporated village, city, or the State in
12 the construction or the maintenance of any highway, provided that such
13 construction or maintenance is performed by persons employed by or under
14 contract with such town, incorporated village, city, or the State for this
15 purpose. However, any operation of motorized highway building equipment or
16 road making appliances used in construction work contracted by a town,
17 incorporated village, city, or the State shall be unrestricted as to weight only
18 within a construction area.

19 (2) Municipal and volunteer fire apparatus and law enforcement motor
20 vehicles.

1 (3) Heavy-duty tow and recovery vehicles on the Dwight D. Eisenhower
2 System of Interstate and Defense Highways.

3 Sec. 21h. 23 V.S.A. § 1400d is amended to read:

4 § 1400d. AGRICULTURAL SERVICE VEHICLES

5 (a) An agricultural service vehicle, as defined in subdivision 4(71) of this
6 title, shall be exempt from the provisions of sections 1400 and 1400a and
7 subsection 1434(c) of this ~~title~~ subchapter if the gross weight does not exceed
8 60,000 pounds.

9 (b) Municipalities shall not be liable for injuries or damages to agricultural
10 service vehicles or their operators that result from crossing a posted bridge
11 with an agricultural service vehicle that weighs more than the posted weight
12 limit.

13 Sec. 21i. 23 V.S.A. § 1434 is amended to read:

14 § 1434. OPERATION IN EXCESS OF WEIGHT, HEIGHT, OR WIDTH
15 LIMITS; PENALTIES

16 (a) General limits. The operation of a vehicle on a public highway in
17 excess of the legal height, width, or length limits as prescribed in section 1431
18 or 1432 of this ~~title~~ subchapter without first obtaining a permit to operate the
19 vehicle, whether or not a permit is available, shall be a traffic violation, as
20 defined in section 2302 of this title. ~~A violation shall be,~~ and punishable by a
21 civil penalty of \$300.00 for a first offense, \$600.00 for a second offense within

1 a two-year period, and \$800.00 for a third or subsequent offense within a two-
2 year period.

3 (b) Permit limits. The operation of a vehicle on a public highway in excess
4 of the legal height, width, or length limits as prescribed in section 1431 or
5 1432 of this ~~title~~ subchapter in violation of the terms of a permit issued in
6 conformance with section 1400 of this ~~title~~ subchapter shall be a traffic
7 violation, as defined in section 2302 of this title, and ~~shall be~~ punishable by a
8 civil penalty of \$300.00 for a first offense, \$600.00 for a second offense within
9 a two-year period, and \$800.00 for a third or subsequent offense within a two-
10 year period.

11 (c) Covered bridges. The operation of a vehicle on a public highway in
12 excess of the legal limits designated for a covered bridge under section 1397a
13 of this subchapter or applicable under subdivisions 1392(1) and (2) of this
14 subchapter shall be a traffic violation, as defined in section 2302 of this title,
15 and punishable by a civil penalty of \$1,500.00 or, if the violation results in
16 substantially impeding the flow of traffic, \$2,000.00. For a second or
17 subsequent conviction within a three-year period, the applicable penalty shall
18 be doubled.

19 (d) Refusal to issue a permit. In the case of a violation under subsection (a)
20 of this section, the Commissioner may refuse to issue a permit to the violator
21 under section 1400 of this ~~title~~ subchapter for a period not to exceed three

1 months, if the owner or lessee commits four or more violations within a two-
2 year period. If the holder of a permit commits four or more violations under
3 subsection (b) of this section within a two-year period, the Commissioner may
4 suspend, for a period not to exceed three months, any permit issued to the
5 violator under section 1400 of this ~~title~~ subchapter. For the purposes of this
6 section, the owner or lessee of the vehicle shall be considered the holder of, or
7 applicant for, the permit.

8 Sec. 21j. 23 V.S.A. § 1492 is amended to read:

9 § 1492. LIABILITY FOR DAMAGE DEFINED; LIMITATIONS

10 The owner, driver, operator, or mover of any motor truck, tractor, trailer,
11 wagon, cart, carriage, or other object or contrivance ~~which~~ that is moved or
12 operated on any highway in violation of any of the provisions of sections ~~1098,~~
13 ~~1145~~ 1083, 1092, 1302, 1305, and 1431 and subsection 1434(c) of this ~~title,~~
14 subchapter; such portion of ~~section 1141~~ sections 1003 and 1081 of this ~~title~~
15 subchapter as pertains to trucks and buses; and such portion of section 1391 of
16 this ~~title~~ subchapter as relates to weight in relation to tire surface, shall be
17 liable to the State or municipal corporation in which the act is committed for
18 damages to a public highway or bridge occasioned by such moving or
19 operating, to be recovered in a civil action, in the name of the State or
20 municipal corporation, or in an action on the bond provided in this chapter in

1 connection with the issuance of permits, provided the action is brought within
2 two years after such act is committed.

3 Sec. 21k. 24 V.S.A. § 2296a is added to read:

4 § 2296a. RIGHT TO RECOVER EXPENSES FOR EMERGENCY

5 SERVICES

6 A municipality that deploys police, fire, ambulance, rescue, or other
7 services to aid stranded operators of vehicles or to move disabled vehicles may
8 recover from the operator or the operator's employer the costs of providing the
9 services.