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H.17

Introduced by Representatives Page of Newport City, Labor of Morgan,
Marcotte of Coventry, and Smith of Derby

Referred to Committee on

Date:

Subject: Motor vehicles; towing operators; abandoned motor vehicles

Statement of purpose of bill as introduced: This bill proposes to add a
definition for “motor vehicle” applicable to the subchapter on abandoned
vehicles and increase both the time that a towing company has to complete
paperwork for an abandoned motor vehicle certification and the towing rate
reimbursed by the State to a towing operator for the towing of an abandoned
motor vehicle from public property.

An act relating to abandoned motor vehicles and the towing of abandoned
motor vehicles

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

Sec. 1. 23 V.S.A. § 2151 is amended to read:

§ 2151. DEFINITIONS

As used in this subchapter:

(1)(A) “Abandoned motor vehicle” means:

1 (i) a motor vehicle that has remained on public or private property
2 or on or along a highway for more than 48 hours without the consent of the
3 owner or person in control of the property and has a valid registration plate or
4 public vehicle identification number that has not been removed, destroyed, or
5 altered; or

6 (ii) a motor vehicle that has remained on public or private property
7 or on or along a highway without the consent of the owner or person in control
8 of the property for any period of time if the vehicle does not have a valid
9 registration plate or the public vehicle identification number has been removed,
10 destroyed, or altered.

11 (B) “Abandoned motor vehicle” does not include a vehicle or other
12 equipment used or to be used in construction or in the operation or
13 maintenance of highways or public utility facilities, which is left in a manner
14 that does not interfere with the normal movement of traffic.

15 * * *

16 (4) “Motor vehicle” means all vehicles propelled or drawn by power
17 other than muscular power that have, or could have, one or more of the
18 following:

19 (A) a registration plate, registration decal, or certificate of number;

20 (B) a public vehicle identification number; or

21 (C) a certificate of title.

1 Sec. 2. 23 V.S.A. § 2153(a) is amended to read:

2 (a) A landowner on whose property an abandoned motor vehicle is located
3 shall apply to the Department for an abandoned motor vehicle certification on
4 forms supplied by the Department within ~~30~~ 90 days ~~of~~ after the date the
5 vehicle was discovered on or brought to the property unless the vehicle has
6 been removed from the property. An abandoned motor vehicle certification
7 form shall indicate the date that the abandoned motor vehicle was discovered
8 or brought to the property; the make, color, model, and location of the vehicle;
9 the name, address, and telephone number of the landowner; and a certification
10 of the public vehicle identification number, if any, to be recorded by a law
11 enforcement officer. This subsection shall not be construed as creating a
12 private right of action against the landowner.

13 Sec. 3. 23 V.S.A. § 2158 is amended to read:

14 § 2158. FEES FOR TOWING; PUBLIC PROPERTY; FUNDING

15 (a) A towing service may charge a fee of up to ~~\$40.00~~ \$125.00 for towing
16 an abandoned motor vehicle from public property under the provisions of
17 sections 2151–2157 of this ~~title~~ subchapter. This fee shall be paid to the
18 towing service upon the issuance by the Department of Motor Vehicles of a
19 certificate of abandoned motor vehicles under section 2156 of this title. The
20 Commissioner of Motor Vehicles shall notify the Commissioner of Finance
21 and Management who shall issue payment to the towing service for vehicles

1 removed from public property. Payments under this section shall terminate
2 upon the payment of a total of \$16,000.00 for towing abandoned motor
3 vehicles from public property in any fiscal year. A towing company shall not
4 be eligible for more than 50 percent of this annual allocation.

5 (b) The Commissioner of Motor Vehicles is authorized to expend up to
6 \$16,000.00 of the Department's annual appropriation for the purpose of this
7 section.

8 Sec. 4. EFFECTIVE DATE

9 This act shall take effect on July 1, 2023.