

1 S.77

2 Introduced by Senators Chittenden, Perchlik and Westman

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; civil penalties; Smugglers' Notch; Vermont Route

6 108; global positioning system (GPS) navigation; satellite navigation

7 software

8 Statement of purpose of bill as introduced: This bill proposes to extend the  
9 civil penalties applicable to certain motor vehicles that attempt to traverse the  
10 Smugglers' Notch segment of Vermont Route 108 to global positioning system  
11 (GPS) navigation providers.

12 An act relating to civil penalties for global positioning system (GPS)  
13 navigation providers related to the Smugglers' Notch segment of Vermont  
14 Route 108

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

16 Sec. 1. 23 V.S.A. § 1006b is amended to read:

17 § 1006b. SMUGGLERS' NOTCH; WINTER CLOSURE OF VERMONT

18 ROUTE 108; VEHICLE OPERATION PROHIBITED

19 (a) Definitions. As used in this section:

20 (1) "GPS navigation provider" means a person that offers for sale,  
21 subscription, or free a global positioning system (GPS) navigation system.

1           (2) “GPS navigation system” includes GPS navigation software, satellite  
2           navigation software, route planning software, and Internet-based route  
3           planning or mapping services.

4           (b) Winter closure. The Agency of Transportation may close the  
5           Smugglers’ Notch segment of Vermont Route 108 during periods of winter  
6           weather.

7           ~~(b)~~(c) Vehicle operation prohibition.

8           (1) Single-frame motor vehicles over 40 feet in length and tractor units  
9           with one or more attached trailers over 45 feet in total length are prohibited  
10          from operating on the Smugglers’ Notch segment of Vermont Route 108.

11          (2) The employer of an operator who is operating a vehicle in the scope  
12          of employment and violates this subsection or the operator of a vehicle who is  
13          operating a vehicle for personal purposes and violates this subsection shall be  
14          subject to a civil penalty of \$1,000.00 or, if the violation results in substantially  
15          impeding the flow of traffic on Vermont Route 108, a civil penalty of  
16          \$2,000.00. For a second or subsequent conviction within a three-year period,  
17          the applicable penalty ~~or penalties~~ shall be doubled.

18          (3) If an operator of a vehicle that violates this subsection was using a  
19          GPS navigation system that did not provide explicit notice of the prohibitions  
20          in subdivision (1) of this subsection, then the GPS navigation provider of the  
21          GPS navigation system shall be subject to a civil penalty of \$2,000.00.

1           (4) The prohibition in subdivision (1) of this subsection shall not apply  
2 to law enforcement, fire, emergency medical services, and search and rescue  
3 vehicles involved in training or responding to real-world incidents.

4           ~~(e)~~(d) Required signage; notification. The Agency shall erect signs  
5 conforming to the standards established by section 1025 of this title to indicate  
6 the closures and ~~restrictions~~ prohibitions authorized under this section and  
7 shall provide notice of the closures and prohibitions authorized under this  
8 section to GPS navigation providers.

9           Sec. 2. EFFECTIVE DATE

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