

1 in their custody, on their own wheels over public highways;

2 (iii) a person regularly engaged and properly licensed for the
3 short-term rental of “storage trailers” owned by them and who move these
4 storage trailers on their own wheels over public highways;

5 (iv) a person regularly engaged in the business of moving modular
6 homes over public highways;

7 (v) dealers, owners of motor vehicle auction sites, and automobile
8 repair shop owners when engaged in the transportation of motor vehicles to
9 and from their place of business for repair purposes; or

10 (vi) the following, provided that the transportation and delivery of
11 motor vehicles is a common and usual incident to their business:

12 (I) persons towing overwidth trailers owned by them in
13 connection with their business;

14 (II) persons whose business is the repossession of motor
15 vehicles; ~~and~~

16 (III) persons whose business involves moving vehicles from
17 the place of business of a registered dealer to another registered dealer, or
18 between a motor vehicle auction site and a registered dealer or another motor
19 vehicle auction site, leased vehicles to the lessor at the expiration of the lease,
20 or vehicles purchased at the place of auction of an auction dealer to the
21 purchaser; and

22 (IV) persons who sell or exchange new or used motor vehicles

1 but who are not engaged in business as that phrase is defined in subdivision
2 (8)(A)(ii) of this section.

3 * * *

4 Sec. 2. 23 V.S.A. § 491 is amended to read:

5 § 491. TRANSPORTER APPLICATION; ELIGIBILITY; USE OF
6 TRANSPORTER PLATES

7 (a) A transporter may apply for and the Commissioner of Motor Vehicles,
8 in ~~his or her~~ the Commissioner's discretion, may issue a certificate of
9 registration and a general distinguishing number plate. Before a person may be
10 registered as a transporter, ~~he or she~~ the person shall ~~present proof~~ self-certify
11 the following on a form provided by the Commissioner:

12 (1) ~~of~~ compliance with section 800 of this title; and

13 (2) that ~~he or she~~ the person either owns or leases a permanent place of
14 business located in this State where business will be conducted during
15 regularly established business hours and the required records stored and
16 maintained.

17 (b) When ~~he or she~~ a transporter displays ~~thereon his or her~~ the
18 transporter's registration plate, a the transporter or ~~his or her~~ the transporter's
19 employee or contractor may transport a motor vehicle owned by the
20 transporter, repossessed, or temporarily in the transporter's custody, and it
21 shall be considered ~~to be~~ properly registered under this title. ~~Transporter's A~~
22 transporter's registration plates shall not be used for any other purposes and

1 shall not be used by the holder of such number plates for personal purposes.

2 * * * Definition of All-Surface Vehicle * * *

3 Sec. 3. 23 V.S.A. § 4(80) is amended to read:

4 (80) An “all-surface vehicle” or “ASV” means any non-highway
5 recreational vehicle, except a snowmobile, when used for cross-country travel
6 on trails or on any one of the following or combination of the following: land,
7 water, snow, ice, marsh, swampland, and natural terrain. An all-surface
8 vehicle shall be designed for use both on land and in water, with or without
9 tracks, shall be capable of flotation and shall be equipped with a skid-steering
10 system, a sealed body, a fully contained cooling system, and ~~six or~~ up to eight
11 tires designed to be inflated with an operating pressure not exceeding
12 10 pounds per square inch as recommended by the manufacturer. An all-
13 surface vehicle shall have a net weight of 1,500 pounds or less, shall have a
14 width of 75 inches or less, shall be equipped with an engine of not more than
15 50 horsepower, and shall have a maximum speed of not more than 25 miles per
16 hour. An ASV when operated in water shall be considered to be a motorboat
17 and shall be subject to the provisions of chapter 29, subchapter 2 of this title.
18 An ASV operated anywhere except in water shall be subject to the provisions
19 of chapter 31 of this title.

1 certificate of title ~~so as to permit the tracing of title of the corresponding~~
2 ~~vehicles~~ pursuant to section 117 of this title.

3 Sec. 7. 23 V.S.A. § 2092 is amended to read:

4 § 2092. ISSUANCE OF SALVAGE TITLE

5 The Commissioner shall file and maintain in the manner provided in section
6 ~~2017~~ 117 of this title each application received and when satisfied as to its
7 genuineness and regularity and that the applicant is entitled to the issuance of a
8 salvage certificate of title, shall issue a salvage certificate of title to the vehicle.

9 Sec. 8. 23 V.S.A. § 3810(b)(1) is amended to read:

10 (b)(1) The Commissioner shall maintain ~~at his or her central office~~ a record
11 of all certificates of title issued by ~~him or her~~:

12 (A) ~~under a distinctive title number assigned to the vessel,~~
13 ~~snowmobile, or all terrain vehicle;~~

14 (B) ~~under the identification number of the vessel, snowmobile, or all-~~
15 ~~terrain vehicle;~~

16 (C) ~~alphabetically, under the name of the owner; and, in the~~
17 ~~discretion of the Commissioner, by any other method he or she determines the~~
18 ~~Commissioner pursuant to section 117 of this title.~~

19 Sec. 9. 23 V.S.A. § 3820(c) is amended to read:

20 (c) The Commissioner shall file and retain every surrendered certificate of
21 title for five years. ~~The file shall be maintained so as to permit the tracing of~~
22 ~~title of the vessel, snowmobile, or all terrain vehicle designated pursuant to~~

1 section 117 of this title.

2 * * * Registration; Residents * * *

3 **Sec. 10.** 23 V.S.A. § 301 is amended to read:

4 § 301. PERSONS REQUIRED TO REGISTER

5 (a) As used in this section:

6 (1) “Resident” means an individual living in the State who intends to
7 make the State the individual’s place of domicile either permanently or for an
8 indefinite number of years.

9 (2) “Temporary resident” means an individual living in the State for a
10 particular purpose involving a defined period, including students, migrant
11 workers employed in seasonal occupations, and individuals employed under a
12 contract with a fixed term, provided that the motor vehicle will be used in the
13 State on a regular basis.

14 (b) Residents, except as provided in chapter 35 of this title, shall annually
15 register motor vehicles owned or leased for a period of more than 30 days and
16 operated by them, unless currently registered in Vermont.

17 (c) Temporary residents and foreign partnerships, firms, associations, and
18 corporations having a place of business in this State may annually register
19 motor vehicles owned or leased for a period of more than 30 days and operated
20 by them or an employee.

21 (d) Notwithstanding this section, a resident who has moved into the State
22 from another jurisdiction shall register ~~his or her~~ the resident’s motor vehicle

1 within 60 days of ~~after~~ moving into the State. ~~A person~~

2 (e) An individual shall not operate a motor vehicle nor draw a trailer or
3 semi-trailer on any highway unless such vehicle is registered as provided in
4 this chapter. Vehicle owners who have apportioned power units registered in
5 this State under the International Registration Plan are exempt from the
6 requirement to register their trailers in this State.

7 Sec. 11. 23 V.S.A. § 303(a) is amended to read:

8 (a) The Commissioner or ~~his or her~~ the Commissioner's duly authorized
9 agent shall register a motor vehicle, trailer, or semi-trailer ~~when~~ that is required
10 or permitted to be registered in Vermont upon application therefor, on a form
11 prescribed by the Commissioner that is filed with the Commissioner, showing
12 such motor vehicle to be properly equipped and in good mechanical condition;
13 ~~is filed with him or her~~, and accompanied by the required registration fee and
14 evidence of the applicant's ownership of the vehicle in such form as the
15 Commissioner may reasonably require. Except for State or municipal vehicles,
16 registrants and titled owners shall be identical.

17 * * * Weight Limitations on Low-Number Plates * * *

18 Sec. 12. 23 V.S.A. § 304(c) is amended to read:

19 (c) The Commissioner shall issue registration numbers 101 through 9999,
20 which shall be known as reserved registration numbers, for pleasure cars,
21 ~~motor trucks that are registered at the pleasure-car rate~~ for less than 26,001
22 pounds, and motorcycles in the following manner:

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(4) A person holding a reserved registration number on a pleasure car, a truck ~~that is registered at the pleasure car rate~~ for less than 26,001 pounds, or a motorcycle may be issued the same reserved registration number for the other authorized vehicle types, provided that the person receives ~~no~~ not more than one such plate or set of plates for each authorized vehicle type.

* * * License Plates; Registration; Prorated Refunds * * *

Sec. 13. 23 V.S.A. § 327 is amended to read:

§ 327. REFUND WHEN PLATES NOT USED

Subject to the conditions set forth in subdivisions ~~(1), (2), and (3)~~ (1)–(4) of this section, the Commissioner may cancel the registration of a motor vehicle, snowmobile, or motorboat when the owner returns to the Commissioner either the number plates, if any, or the registration certificate. Upon cancellation of the registration, the Commissioner shall notify the Commissioner of Finance and Management, who shall issue a refund as follows:

(1) For registrations ~~cancelled~~ canceled prior to the beginning of the registration period, the refund is the full amount of the fee paid, less a charge of \$5.00.

(2) For registrations ~~cancelled~~ canceled within 30 days ~~of~~ after the date of issue, the refund is the full amount of the fee paid, less a charge of \$5.00.

The owner of a motor vehicle must prove to the Commissioner’s satisfaction that the number plates have not been used or attached to a motor vehicle.

1 (3) For registrations ~~cancelled~~ canceled prior to the beginning of the
2 second year of a two-year registration period, the refund is one-half of the full
3 amount of the two-year fee paid, less a charge of \$5.00.

4 (4) For registrations canceled prior to conclusion of a five-year
5 registration period, the refund is as follows:

6 (A) four-fifths of the full amount of the five-year fee paid less a
7 charge of \$5.00 if canceled prior to the beginning of the second year;

8 (B) three-fifths of the full amount of the five-year fee paid less a
9 charge of \$5.00 if canceled prior to the beginning of the third year;

10 (C) two-fifths of the full amount of the five-year fee paid less a
11 charge of \$5.00 if canceled prior to the beginning of the fourth year; and

12 (D) one-fifth of the full amount of the five-year fee paid less a charge
13 of \$5.00 if canceled prior to the beginning of the fifth year.

14 * * * Tinted Windows * * *

15 Sec. 14. 23 V.S.A. § 1125 is amended to read:

16 § 1125. OBSTRUCTING WINDSHIELDS, AND WINDOWS

17 (a) Prohibition. Except as otherwise provided in this section, ~~a person an~~
18 individual shall not operate a motor vehicle on which material or items have
19 been painted or adhered on or over, or hung in back of, any transparent part of
20 a motor vehicle windshield, vent windows, or side windows located
21 immediately to the left and right of the operator. The prohibition of this
22 section on hanging items shall apply ~~only~~ to shading or tinting material or

1 when a hanging item materially obstructs the driver's view.

2 (b) General exemptions. Notwithstanding subsection (a) of this section, a
3 ~~person~~ an individual may operate a motor vehicle with material or items
4 painted or adhered on or over, or hung in back of, the windshield, vent
5 windows, or side windows:

6 (1) in a space not over four inches high and 12 inches long in the lower
7 right-hand corner of the windshield;

8 (2) in such space as the Commissioner of Motor Vehicles may specify
9 for location of any sticker required by governmental regulation;

10 (3) in a space not over two inches high and two and one-half inches long
11 in the upper left-hand corner of the windshield;

12 (4) if the operator is a ~~person~~ an individual employed by the federal,
13 State, or local government or a volunteer emergency responder operating an
14 authorized emergency vehicle, who places any necessary equipment in back of
15 the windshield of the vehicle, provided the equipment does not interfere with
16 the operator's control of the driving mechanism of the vehicle;

17 (5) on a motor vehicle that is for sale by a licensed automobile dealer
18 prior to the sale of the vehicle, in a space not over three inches high and six
19 inches long in the upper left-hand corner of the windshield, and in a space not
20 over four inches high and 18 inches long in the upper right-hand corner of the
21 windshield; ~~or~~

22 (6) if the object is a rearview mirror; or is an electronic toll-collection

1 transponder located either between the roof line and the rearview mirror post
2 or behind the rearview mirror; or

3 (7) if the object is shading or tinting material and the visible light
4 transmission of that shading or tinting material is not less than the level of
5 visible light transmission required under 49 C.F.R. § 571.205, as amended.

6 (c) Medical exemption. The Commissioner may grant an exemption to the
7 prohibition of this section upon application from ~~a person~~ an individual
8 required for medical reasons to be shielded from the rays of the sun and who
9 attaches to the application a document signed by a licensed physician or
10 optometrist certifying that shielding from the rays of the sun is a medical
11 necessity. The physician or optometrist certification shall be renewed every
12 four years. However, when a licensed physician or optometrist has previously
13 certified to the Commissioner that an applicant's condition is both permanent
14 and stable, the exemption may be renewed by the applicant without submission
15 of a form signed by a licensed physician or optometrist. Additionally, the
16 window shading or tinting permitted under this subsection shall be limited to
17 the vent windows or side windows located immediately to the left and right of
18 the operator. The exemption provided in this subsection shall terminate upon
19 the transfer of the approved vehicle and at that time the applicable window
20 tinting shall be removed by the seller. ~~Furthermore, if the material described in~~
21 ~~this subsection tears or bubbles or is otherwise worn to prohibit clear vision, it~~
22 ~~shall be removed or replaced.~~

1 (d) Rear side window obstructions. The rear side windows and the back
2 window may be obstructed only if the motor vehicle is equipped on each side
3 with a securely attached mirror, ~~which~~ that provides the operator with a clear
4 view of the roadway in the rear and on both sides of the motor vehicle.

5 (e) Removal. Any shading or tinting material that is painted or adhered on
6 or over, or hung in back of, the windshield, vent windows, or side windows in
7 accordance with subdivision (b)(7) or subsection (c) of this section shall be
8 removed if it tears, bubbles, or is otherwise worn to prohibit clear vision.

9 (f) Definition. As used in this section, “visible light transmission” means
10 the amount of visible light that can pass through shading, tinting, or glazing
11 material applied to or within the transparent portion of a window or windshield
12 of a motor vehicle.

13 Sec. 15. LEGISLATIVE INTENT; TINTED WINDOWS

14 It is the intent of the General Assembly that a motor vehicle with shading or
15 tinting material that is not allowed under 23 V.S.A. § 1125, as amended by
16 Sec. 14 of this act, poses a danger to the individual operating the motor
17 vehicle, any passengers in the motor vehicle, and other highway users and that
18 such a motor vehicle shall fail the annual safety inspection required under
19 23 V.S.A. § 1222.

20 Sec. 16. RULEMAKING; PERIODIC INSPECTION MANUAL; TINTED 21 WINDOWS; OUTREACH

22 (a) The Department of Motor Vehicles shall, unless extended by the

1 Legislative Committee on Administrative Rules, adopt amendments to
2 Department of Motor Vehicles, Inspection of Motor Vehicles (CVR 14-050-
3 022) consistent with the legislative intent in Sec. 15 of this act to be effective
4 not later than the effective date of Sec. 14 of this act. The amendments shall
5 include what level of visible light transmission is required for windshields and
6 the windows to the immediate right and left of the driver under 49 C.F.R.
7 § 571.205 as of the effective date of the amendments.

8 (b) The Department of Motor Vehicles, in consultation with the
9 Department of Public Safety, shall implement a public outreach campaign on
10 window tinting to provide information on the prohibitions and exceptions
11 under 23 V.S.A. § 1125, as amended by Sec. 14 of this act, and the
12 requirements of the Inspection of Motor Vehicles (CVR 14-050-022), with
13 amendments adopted under the Administrative Procedure Act consistent with
14 subsection (a) of this section, including what level of visible light transmission
15 is currently required for windshields and the windows to the immediate right
16 and left of the driver under 49 C.F.R. § 571.205. The Department of Motor
17 Vehicles shall start to disseminate information as required under this
18 subsection (b) not later than two months prior to the effective date of Sec. 14
19 of this act and shall disseminate information on window tinting through e-mail,
20 bulletins, software updates, and the Department of Motor Vehicles' website.

1 * * * Rusted Brake Rotors; Safety Inspection * * *

2 **Sec. 17.** RUSTED BRAKE ROTORS; LEGISLATIVE INTENT;

3 BULLETIN; CONTACT INFORMATION FOR FAILURES

4 (a) Legislative intent. It is the intent of the General Assembly that:

5 (1) the Department of Motor Vehicles provide information on the
6 existing definition of “rust” in Department of Motor Vehicles, Inspection of
7 Motor Vehicles (CVR 14-050-022) (Periodic Inspection Manual), which is “a
8 condition of any swelling, delamination, or pitting,” to all inspection
9 mechanics certified by the Commissioner of Motor Vehicles so there is
10 consistency amongst inspection stations in how the Periodic Inspection Manual
11 is interpreted and applied.

12 (2) that the presence of rust on brake rotors, by itself, does not constitute
13 a failure for the purpose of the annual safety inspection required under
14 23 V.S.A. § 1222 and that the presence of rust that is temporary, also known as
15 surface rust, which sometimes results from the vehicle being parked for a
16 period of time, not be sufficient for a motor vehicle to fail inspection because
17 such rust does not cause diminished braking performance that prevents a motor
18 vehicle from adequately stopping.

19 (b) Bulletin. The Department of Motor Vehicles shall issue a clarifying
20 administrative bulletin to all inspection mechanics certified by the
21 Commissioner of Motor Vehicles that:

22 (1) details the rejection criteria for rotors and drums in the Periodic

1 Inspection Manual;

2 (2) explains the difference between surface rust and rust that is
3 considerable for purposes of determining if the rejection criteria are met, which
4 requires that the existing rust be “a condition of any swelling, delamination, or
5 pitting”; and

6 (3) provides information that an inspection mechanic shall provide to
7 the owner of a vehicle that fails inspection because of rusting on rotors and
8 drums.

9 (c) Contact information. The Department of Motor Vehicles shall include
10 how to contact the Department of Motor Vehicles with questions about the
11 annual safety inspection and the Periodic Inspection Manual on all notices of
12 failure issued by inspection mechanics certified by the Commissioner of Motor
13 Vehicles.

14 * * * Emergency Warning Lamps and Sirens * * *

15 **Sec. 18.** 23 V.S.A. § 1251 is amended to read:

16 § 1251. ~~SIRENS AND COLORED SIGNAL~~ EMERGENCY WARNING
17 LAMPS; OUT-OF-STATE EMERGENCY AND RESCUE
18 VEHICLES

19 (a) Prohibition. A motor vehicle shall not be operated upon a highway of
20 this State equipped with any of the following:

21 (1) a siren or signal lamp colored other than amber unless either a permit
22 authorizing this equipment the siren, issued by the Commissioner of Motor

1 Vehicles, is carried in the vehicle or a permit is not required pursuant to section
2 1252 of this subchapter;

3 (2) an emergency warning lamp unless either a permit authorizing the
4 emergency warning lamp, issued by the Commissioner, is carried in the vehicle
5 or a permit is not required pursuant to section 1252 of this subchapter;

6 (3) a blue light of any kind unless either a permit authorizing the blue
7 light, issued by the Commissioner, is carried in the vehicle or a permit is not
8 required pursuant to section 1252 of this subchapter; or

9 (4) a lamp or lamps that are not emergency warning lamps and provide a
10 flashing light in a color other than amber.

11 (b) Permit transfer. A permit may be transferred following the same
12 procedure and subject to the same time limits as set forth in section 321 of this
13 title. The Commissioner may adopt additional rules as may be required to
14 govern the acquisition of permits and the use pertaining to sirens and ~~colored~~
15 ~~signal~~ emergency warning lamps.

16 (b)(c) Exception for vehicles from another state. Notwithstanding the
17 provisions of subsection (a) of this section, when responding to emergencies,
18 law enforcement vehicles, ambulances, fire vehicles, or vehicles owned or
19 leased by, or provided to, volunteer firefighters or rescue squad members that
20 are registered or licensed by another state or province may use sirens and
21 ~~signal~~ emergency warning lamps in Vermont, and a permit shall not be
22 required for such use, as long as provided the vehicle is properly permitted or

1 otherwise permitted to use the sirens and emergency warning lamps without
2 permit in its home state or province.

3 Sec. 19. 23 V.S.A. § 1252 is amended to read:

4 § 1252. LAW ENFORCEMENT AND EMERGENCY SERVICES

5 VEHICLES; ISSUANCE OF PERMITS FOR SIRENS OR

6 COLORED EMERGENCY WARNING LAMPS, OR BOTH; USE

7 OF AMBER LAMPS

8 (a) Law enforcement vehicles.

9 ~~(1) When satisfied as to the condition and use of the vehicle, the~~

10 ~~Commissioner shall issue and may revoke, for cause, permits for sirens and~~

11 ~~colored signal lamps in the following manner~~ Law enforcement vehicles

12 owned and operated by the government. The following are authorized for use,

13 without permit, on all law enforcement vehicles owned or leased by the federal

14 government, a municipality, a county, the State, or the Vermont Criminal

15 Justice Council:

16 ~~(1)(A) Sirens, blue signal emergency warning lamps, or blue and white~~

17 ~~signal emergency warning lamps, or a combination thereof, may be authorized~~

18 ~~for all law enforcement vehicles owned or leased by a law enforcement~~

19 ~~agency, a certified law enforcement officer, or the Vermont Criminal Justice~~

20 ~~Council.~~

21 (B) A red ~~signal~~ emergency warning lamp or an a red and amber

22 signal emergency warning lamp, or a combination thereof, may be authorized

1 ~~for all law enforcement vehicles owned or leased by a law enforcement~~
2 ~~agency, a certified law enforcement officer, or the Vermont Criminal Justice~~
3 ~~Council, provided that the Commissioner shall require the emergency warning~~
4 ~~lamp or lamps be is mounted so as to be visible primarily from the rear of the~~
5 ~~vehicle.~~

6 ~~(C)(2) Law enforcement vehicles owned or leased by a certified law~~
7 ~~enforcement officer.~~

8 ~~(A) When satisfied as to the condition and use of the vehicle, the~~
9 ~~Commissioner shall issue and may revoke, for cause, permits for sirens and~~
10 ~~emergency warning lamps in the following manner:~~

11 ~~(i) sirens, blue emergency warning lamps, or blue and white~~
12 ~~emergency warning lamps, or a combination thereof; and~~

13 ~~(ii) a red emergency warning lamp or a red and amber emergency~~
14 ~~warning lamp, provided that the emergency warning lamp is mounted so as to~~
15 ~~be visible primarily from the rear of the vehicle.~~

16 ~~(B) No motor vehicle, other than one owned by the applicant, shall be~~
17 ~~issued a permit until the Commissioner has recorded the information regarding~~
18 ~~both the owner of the vehicle and the applicant for the permit.~~

19 ~~(3) Law enforcement vehicles owned or leased by a certified constable.~~

20 ~~(A) If the applicant is a The following are authorized for use, without~~
21 ~~permit, on all law enforcement vehicles owned or leased by a Vermont~~
22 ~~Criminal Justice Council certified constable, the application shall be~~

1 ~~accompanied by a certification by the town clerk that the applicant is the duly~~
2 ~~elected or appointed constable and attesting that the town~~ for a municipality
3 that has not voted to limit the constable’s authority to engage in enforcement
4 activities under 24 V.S.A. § 1936a: a red emergency warning lamp or a red
5 and amber emergency warning lamp, provided that the emergency warning
6 lamp is mounted so as to be visible primarily from the rear of the vehicle.

7 (B) A constable for a municipality that has voted to limit the
8 constable’s authority to engage in enforcement activities under 24 V.S.A.
9 § 1936a shall not operate, in the course of the constable’s elected duties, a
10 motor vehicle with a siren or an emergency warning lamp.

11 ~~(2)~~(b) Emergency services vehicles.

12 (1) Emergency services vehicles owned and operated by the
13 government. The following are authorized for use, without permit, on all
14 emergency services vehicles owned or leased by the federal government, a
15 municipality, or the State:

16 (A) sirens and red emergency warning lamps or red and white
17 emergency warning lamps; and

18 (B) a blue emergency warning lamp or a blue and amber emergency
19 warning lamp provided that the emergency warning lamp is mounted so as to
20 be visible primarily from the rear of the vehicle.

21 (2) Emergency services vehicles not owned and operated by the
22 government.

1 (A) When satisfied as to the condition and use of the vehicle, the
2 Commissioner shall issue and may revoke, for cause, permits for sirens and
3 emergency warning lamps in the following manner:

4 (i) Sirens and red emergency warning lamps or red and white
5 ~~signal~~ emergency warning lamps may be authorized for all ambulances and
6 other emergency medical service (EMS) vehicles, vehicles owned or leased by
7 a fire department, vehicles used solely in rescue operations, or vehicles owned
8 or leased by, or provided to, volunteer firefighters and voluntary rescue squad
9 members, including a vehicle owned by a volunteer’s employer when the
10 volunteer has the written authorization of the employer to use the vehicle for
11 emergency fire or rescue activities.

12 ~~(B)~~(ii) A blue ~~signal~~ emergency warning lamp or ~~an~~ a blue and amber
13 ~~signal~~ emergency warning lamp, ~~or a combination thereof,~~ may be authorized
14 for all EMS vehicles or vehicles owned or leased by a fire department,
15 provided that the Commissioner shall require the emergency warning lamp ~~or~~
16 ~~lamps~~ be mounted so as to be visible primarily from the rear of the vehicle.

17 ~~(3)~~ [Repealed.]

18 ~~(4)~~(B) No motor vehicle, other than one owned by the applicant, shall be
19 issued a permit until the Commissioner has recorded the information regarding
20 both the owner of the vehicle and the applicant for the permit.

21 ~~(5)~~(C) Upon application to the Commissioner, the Commissioner may
22 issue a single permit for all the vehicles owned or leased by the applicant.

1 ~~(6)~~(c) Sirens and Restored vehicles. A combination of one or more of
2 ~~red or signal lamps, red and white signal lamps or sirens and,~~ blue signal
3 lamps, or blue and white signal lamps may be authorized for restored
4 emergency or enforcement vehicles used for exhibition purposes. Sirens and
5 lamps authorized under this ~~subdivision~~ subsection may only be activated
6 during an exhibition, such as a car show or parade.

7 ~~(b)~~(d) Amber signal lamps. Amber signal lamps shall be used on road
8 maintenance vehicles, service vehicles, and wreckers and shall be used on all
9 registered snow removal equipment when in use removing snow on public
10 highways, and the amber lamps shall be mounted so as to be visible from all
11 sides of the motor vehicle.

12 Sec. 20. 23 V.S.A. § 1254 is added to read:

13 § 1254. EMERGENCY WARNING LAMP; DEFINITION

14 As used in sections 1251–1255 of this subchapter, “emergency warning
15 lamp”:

16 (1) means a lamp or lamps that provide a flashing light to identify an
17 authorized vehicle on an emergency mission that may be a rotating beacon or
18 pairs of alternately or simultaneously flashing lamps; and

19 (2) does not include a lamp or lamps that provide an exclusively amber
20 flashing light.

21 Sec. 21. 23 V.S.A. § 1255(b) is amended to read:

22 (b) All persons with motor vehicles equipped as provided in ~~subdivisions~~

1 ~~subsections~~ 1252(a)(1) and ~~(2)(b)~~ of this ~~title~~ subchapter shall use the sirens or
2 ~~colored-signal~~ emergency warning lamps, or both, only in the direct
3 performance of ~~their~~ official duties. When any ~~person~~ individual other than a
4 law enforcement officer is operating a motor vehicle equipped as provided in
5 ~~subdivision~~ subsection 1252(a)(1) of this ~~title~~ subchapter, the ~~colored-signal~~
6 emergency warning lamps shall be either removed, covered, or hooded. When
7 any ~~person~~ individual other than an authorized emergency medical service
8 vehicle operator, firefighter, or authorized operator of vehicles used in rescue
9 operations is operating a motor vehicle equipped as provided in subdivision
10 subsection 1252(a)(2)(b) of this ~~title~~ subchapter, the ~~colored-signal~~ emergency
11 warning lamps shall be either removed, covered, or hooded unless the operator
12 holds a senior operator license.

13 Sec. 22. 23 V.S.A. § 4(1) is amended to read:

14 (1) “Authorized emergency vehicle” means a vehicle of a fire
15 department, ~~police~~ law enforcement vehicle, public and private ambulance, and
16 a vehicle ~~to which a permit has been issued pursuant to subdivision 1252(a)(1)~~
17 ~~or (2)~~ equipped as provided in subsections 1252(a) and (b) of this title.

18 Sec. 23. 23 V.S.A. § 1050a(b) is amended to read:

19 (b) The driver of a vehicle shall yield the right of way to any authorized
20 vehicle obviously and actually engaged in work upon a highway when the
21 vehicle displays flashing lights meeting the requirements of subsection
22 1252~~(b)~~(d) of this title.

1 (3) a child under eight years of age who is not properly secured in a
2 federally approved child restraint system in accordance with subdivision (1) or
3 (2) of this subsection shall be properly secured in a booster seat, as defined in
4 49 C.F.R. § 571.213, as may be amended;

5 (4) a child ~~eight through 17~~ under 18 years of age who is not properly
6 secured in a federally approved child restraint system in accordance with
7 subdivision (1), (2), or (3) of this subsection shall be restrained in a safety belt
8 system ~~or a child passenger restraining system;~~

9 (5) a child under 13 years of age shall always, if practical, ride in a rear
10 seat of a motor vehicle; and

11 (6) no child shall be secured in a rear-facing child restraint system in the
12 front seat of a motor vehicle that is equipped with an active passenger-side
13 airbag unless the airbag is deactivated.

14 (b) ~~A person~~ An individual shall not be adjudicated in violation of this
15 section if:

16 (1) the motor vehicle is regularly used to transport passengers for hire,
17 except a motor vehicle owned or operated by a child care facility;

18 (2) the motor vehicle was manufactured without safety belts; or

19 (3) the ~~person~~ individual has been ordered by an enforcement officer, a
20 firefighter, or an authorized civil authority to evacuate ~~persons~~ individuals
21 from a stricken area.

22 (c) The civil penalty for violation of this section shall be as follows:

- 1 (1) \$25.00 for a first violation;
- 2 (2) \$50.00 for a second violation; and
- 3 (3) \$100.00 for third and subsequent violations.

4 Sec. 25. CHILD RESTRAINT SYSTEMS; PUBLIC OUTREACH

5 CAMPAIGN

6 (a) The Department of Health, in consultation with the State Highway
7 Safety Office, shall implement a public outreach campaign on car seat safety
8 that builds upon the current Be Seat Smart program; utilizes materials on child
9 safety prepared by the U.S. Department of Transportation, Traffic Safety
10 Marketing; is consistent with the recommendations from the American
11 Academy of Pediatrics in the Child Passenger Safety Policy Statement
12 published in 2018; and educates Vermonters on 23 V.S.A. § 1258, as amended
13 by Sec. 24 of this act.

14 (b) The public outreach campaign shall disseminate information on car seat
15 safety through e-mail; a dedicated web page on car seat safety that is linked
16 through the websites for the Agency of Transportation and the Department of
17 Health; social media platforms; community posting websites; radio; television;
18 and informational materials that can be printed and shall be made available to
19 all pediatricians, obstetricians, and midwives licensed in the State and all Car
20 Seat Inspection Stations in the State.

1 maintained by section 2017 of this title and against the record of stolen and
2 converted vehicles required to be maintained by section 2084 of this title.

3 Sec. 30. 23 V.S.A. § 2021 is amended to read:

4 § 2021. REFUSAL OF CERTIFICATE

5 The Commissioner shall refuse issuance of a certificate of title ~~or an exempt~~
6 ~~vehicle title~~ if any required fee is not paid or ~~if he or she~~ the Commissioner has
7 reasonable grounds to believe that:

8 * * *

9 * * * Vessels * * *

10 * * * Fire Extinguishers * * *

11 Sec. 31. 23 V.S.A. § 3306 is amended to read:

12 § 3306. LIGHTS AND EQUIPMENT

13 * * *

14 (c) ~~Every motorboat, except a motorboat that is less than 26 feet in length,~~
15 ~~that has an outboard motor and an open construction, and is not carrying~~
16 ~~passengers for hire shall carry on board, fully charged and in good condition,~~
17 ~~U.S. Coast Guard-approved hand portable fire extinguishers~~ U.S. Coast Guard-
18 approved hand portable fire extinguishers that are unexpired, fully charged,
19 and in both good and serviceable condition shall be carried on board every
20 motorboat as follows:

21 (1) motorboats with no fixed fire extinguisher system in the machinery
22 space and that are:

1 (A) less than 26 feet in length, not fewer than one extinguisher;

2 (B) 26 feet or longer, but less than 40 feet, not fewer than two
3 extinguishers; and

4 (C) 40 feet or longer, not fewer than three extinguishers; and

5 (2) motorboats with a fixed fire extinguisher system in the machinery
6 space and that are:

7 (A) less than 26 feet in length, no extinguishers required;

8 (B) 26 feet or longer but less than 40 feet, not fewer than one
9 extinguisher; and

10 ~~(B)~~(C) 40 feet or longer, not fewer than two extinguishers.

11 (d) Notwithstanding subsection (c) of this section, motorboats less than 26
12 feet in length, propelled by outboard motors, and not carrying passengers for
13 hire need not carry portable fire extinguishers if the construction of the boats
14 will not permit the entrapment of explosive or flammable gases or vapors.

15 (e)(1) The extinguishers referred to by this section are class B-I or 5-B
16 extinguishers, but one class B-II or 20-B extinguisher may be substituted for
17 two class B-I or 5-B extinguishers, in compliance with 46 C.F.R. Subpart
18 25.30, as amended.

19 (2) Notwithstanding subdivision (1) of this subsection, motorboats with
20 a model year between 1953 and 2017 with previously approved fire
21 extinguishers that are not in compliance with the types identified in subdivision
22 (1) of this subsection need not be replaced until such time as they are no longer

1 in good and serviceable condition.

2 ~~(e)~~(f) Every marine toilet on board any vessel operated on the waters of the
3 State shall also incorporate or be equipped with a holding tank. Any holding
4 tank or marine toilet designed so as to provide for an optional means of
5 discharge to the waters on which the vessel is operating shall have the
6 discharge openings sealed shut and any discharge lines, pipes, or hoses shall be
7 disconnected and stored while the vessel is in the waters of this State.

8 ~~(f)~~(g) Nothing in this section shall be construed to prevent the discharge of
9 adequately treated wastes from any vessel operating under the provisions of a
10 valid discharge permit issued by the Department of Environmental
11 Conservation.

12 ~~(g)~~(h) Motorboats operated on waters that the U.S. Coast Guard has
13 determined to be navigable waters of the United States and therefore subject to
14 the jurisdiction of the United States must have lights and other safety
15 equipment as required by U.S. Coast Guard rules and regulations.

16 * * * Vermont Numbering Provisions * * *

17 Sec. 32. 23 V.S.A. § 3307(a) is amended to read:

18 (a) A motorboat is not required to have a Vermont number under this
19 chapter if it is:

20 (1) already covered by a number in effect that has been awarded to it
21 under federal law or a federally approved numbering system of another state if
22 the boat has not been within the State for more than ~~90~~ 60 days;

1 (2) a motorboat from a country other than the United States if the boat
2 has not been within the State for more than ~~90~~ 60 days;

3 * * *

4 * * * Commercial Driver’s Licenses and Permits * * *

5 * * * Prohibition on Masking or Diversion * * *

6 Sec. 33. 23 V.S.A. § 4122 is amended to read:

7 § 4122. DEFERRING IMPOSITION OF SENTENCE; PROHIBITION ON
8 MASKING OR DIVERSION

9 (a) No judge or court, State’s Attorney, or law enforcement officer may
10 utilize the provisions of 13 V.S.A. § 7041 or any other program to defer
11 imposition of sentence or judgment if the defendant holds a commercial
12 driver’s license or was operating a commercial motor vehicle when the
13 violation occurred and is charged with violating any State or local traffic law
14 other than a parking violation.

15 (b) In accordance with 49 C.F.R. § 384.226, no court, State’s Attorney, or
16 law enforcement officer may mask or allow an individual to enter into a
17 diversion program that would prevent a commercial learner’s permit holder’s
18 or commercial driver’s license holder’s conviction for any violation, in any
19 type of motor vehicle, of a state or local traffic control law other than parking,
20 vehicle weight, or vehicle defect violations from appearing on the Commercial
21 Driver’s License Information System (CDLIS) driver record.

22 * * * Airbags * * *

1 **Sec. 34.** 13 V.S.A. § 2026 is amended to read:

2 § 2026. INSTALLATION OF OBJECT IN LIEU OF AIR BAG

3 (a) No person shall knowingly:

4 (1) manufacture, import, distribute, offer for sale, sell, lease, transfer,
5 install or, reinstall or knowingly, cause to be installed, or cause to be
6 reinstalled; a counterfeit automobile supplemental restraint system component,
7 a nonfunctional airbag, or

8 ~~(1) an object in lieu of a vehicle air bag that was designed in accordance~~
9 ~~with the federal safety regulation~~ an automobile supplement restraint system
10 component, when the object does not comply with the requirements of
11 49 C.F.R. § 571.208, as amended, for the make, model, and year of a vehicle;
12 or

13 ~~(2) an inoperable vehicle air bag, knowing the air bag is inoperable~~
14 install or reinstall as an automobile supplemental restraint system component
15 anything that causes the diagnostic system for a motor vehicle to fail to warn
16 the motor vehicle operator that an airbag is not installed or fail to warn the
17 motor vehicle operator that a counterfeit automobile supplemental restraint
18 system component or nonfunctional airbag is installed in the motor vehicle.

19 (b) A person who violates subsection (a) of this section shall be imprisoned
20 for not more than three years or fined not more than \$10,000.00, or both.

21 (c) A person who violates subsection (a) of this section, and serious bodily
22 injury, as defined in section 1021 of this title, or death results, shall be

1 imprisoned for not more than 15 years or fined not more than \$10,000.00, or
2 both.

3 (d) As used in this section:

4 (1) “Airbag” means an inflatable restraint device for occupants of motor
5 vehicles that is part of an automobile supplemental restraint system.

6 (2) “Automobile supplemental restraint system” means a passive
7 inflatable crash protection system that a vehicle manufacturer designs to
8 protect automobile occupants in the event of a collision in conjunction with a
9 seat belt assembly, as defined in 49 C.F.R. § 571.209, and that consists of one
10 or more airbags and all components required to ensure that each airbag:

11 (A) operates as designed in a crash; and

12 (B) meets federal motor vehicle safety standards for the specific
13 make, model, and year of manufacture of the vehicle in which the airbag is
14 installed.

15 (3) “Counterfeit automobile supplemental restraint system component”
16 means a replacement component, including an airbag, for an automobile
17 supplemental restraint system that without the authorization of a manufacturer,
18 or a person that supplies parts to the manufacturer, displays a trademark that is
19 identical or substantially similar to the manufacturer’s or supplier’s genuine
20 trademark.

21 (4) “Install” and “reinstall” require the completion of installation work
22 related to the automobile supplemental restraint system of a motor vehicle and

1 either:

2 (A) for the motor vehicle to be returned to the owner or operator; or

3 (B) for the transfer of title for the motor vehicle.

4 (5) “Nonfunctional airbag” means a replacement airbag that:

5 (A) was previously deployed or damaged;

6 (B) has a fault that the diagnostic system for a motor vehicle detects

7 once the airbag is installed;

8 (C) may not be sold or leased under 49 U.S.C. § 30120(j); or

9 (D) includes a counterfeit automobile supplemental restraint system

10 component or other part or object that is installed for the purpose of misleading

11 a motor vehicle owner or operator into believing that a functional airbag is

12 installed.

13 (6) “Nonfunctional airbag” does not include an unrepaired deployed

14 airbag or an airbag that is installed in a motor vehicle:

15 (A) that is a totaled motor vehicle, as defined in 23 V.S.A.

16 § 2001(14); or

17 (B) for which the owner was issued a salvaged certificate of title

18 pursuant to 23 V.S.A. § 2091 or a similar title from another state.

19 ***** Licensed Dealers; Used Vehicle Sales; Disclosures *****

20 **Sec. 23 V.S.A. § 466 is amended to read:**

21 **§ 466. RECORDS; DISCLOSURES; CUSTODIAN**

1 (a) On a form prescribed or approved by the Commissioner, every licensed
2 dealer shall maintain and retain for six years a record containing the following
3 information, which shall be open to inspection by any law enforcement officer
4 or motor vehicle inspector or other agent of the Commissioner during
5 reasonable business hours:

6 (1) Every vehicle or motorboat that is bought, sold, or exchanged by the
7 licensee or received or accepted by the licensee for sale or exchange.

8 (2) Every vehicle or motorboat that is bought or otherwise acquired and
9 dismantled by the licensee.

10 (3) The name and address of the person from whom such vehicle or
11 motorboat was purchased or acquired, the date thereof, the name and address
12 of the person to whom any such vehicle or motorboat was sold or otherwise
13 disposed of and the date thereof, and a sufficient description of every such
14 vehicle or motorboat by name and identifying numbers thereon to identify the
15 same.

16 (4) [Repealed.]

17 (b)(1) On a form prescribed or approved by the Commissioner, a licensed
18 dealer shall provide written disclosure to each buyer of a used motor vehicle
19 regarding the following:

20 (A) the month in which the vehicle was last inspected pursuant to
21 section 1222 of this title;

22 (B) the month in which the inspection shall expire;

1 (C) whether the most recent inspection was by the dealer currently
2 selling the motor vehicle;

3 (D) a statement that the condition of the motor vehicle may be
4 different than the condition at the last inspection, unless inspected by the dealer
5 selling the vehicle for the current transaction;

6 (E) a statement regarding the right of a potential buyer to have the
7 vehicle inspected by an independent qualified mechanic of their choice and at
8 their own expense; and

9 (F) a clear and conspicuous statement, if applicable, that the vehicle
10 is being transferred without an inspection sticker, with an expired inspection
11 sticker, or with an inspection sticker from another state.

12 (2) The licensed dealer shall maintain and retain record of the disclosure
13 statement, signed by both the dealer and the buyer, for two years after transfer
14 of ownership. The record shall be open to inspection by any law enforcement
15 officer or motor vehicle inspector or other agent of the Commissioner during
16 reasonable business hours.

17 (c) Every licensed dealer shall designate a custodian of documents who
18 shall have primary responsibility for administration of documents required to
19 be maintained under this title. In the absence of the designated custodian, the
20 dealer shall have an ongoing duty to make such records available for
21 inspection by any law enforcement officer or motor vehicle inspector or other
22 agent of the Commissioner during reasonable business hours.

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* * * Effective Dates * * *

Sec. __. EFFECTIVE DATES

(a) Notwithstanding 1 V.S.A. § 214, this section and Sec. 28 (certificate of title exemptions; 23 V.S.A. § 2012) shall take effect retroactively on January 1, 2024.

(b) Sec. (records; disclosures; custodian; 23 V.S.A. § 466) shall take effect on July 1, 2025.

(c) Secs. 14 and 15 (tinted windows; 23 V.S.A. § 1125) shall take effect on July 1, 2026.

(d) All other sections shall take effect on July 1, 2024.

(Committee vote: _____)

Representative _____

FOR THE COMMITTEE