

1

S.309

2 An act relating to miscellaneous changes to laws related to the Department  
3 of Motor Vehicles, motor vehicles, and vessels

4 The House proposes to the Senate to amend the bill by striking out all after  
5 the enacting clause and inserting in lieu thereof the following:

6 \* \* \* Transporters \* \* \*

7 Sec. 1. 23 V.S.A. § 4 is amended to read:

8 § 4. DEFINITIONS

9

\* \* \*

10 (8)(A)(i) “Dealer” means a person, partnership, corporation, or other  
11 entity engaged in the business of selling or exchanging new or used motor  
12 vehicles, snowmobiles, motorboats, or all-terrain vehicles. A dealer may, as  
13 part of or incidental to such business, repair such vehicles or motorboats, sell  
14 parts and accessories, or lease or rent such vehicles or motorboats. “Dealer”  
15 ~~shall~~ does not include a finance or auction dealer or a transporter.

16 (ii)(I) For a dealer in new or used cars or motor trucks, “engaged  
17 in the business” means having sold or exchanged at least 12 cars or motor  
18 trucks, or a combination thereof, in the immediately preceding year, or 24 in  
19 the two immediately preceding years.

20 (II) For a dealer in snowmobiles, motorboats, or all-terrain  
21 vehicles, “engaged in the business” means having sold or exchanged at least

1 one snowmobile, motorboat, or all-terrain vehicle, respectively, in the  
2 immediately preceding year or two in the two immediately preceding years.

3 (III) For a dealer in trailers, semi-trailers, or trailer coaches,  
4 “engaged in the business” means having sold or exchanged at least one trailer,  
5 semi-trailer, or trailer coach in the immediately preceding year or a  
6 combination of two such vehicles in the two immediately preceding years.

7 However, the sale or exchange of a trailer with a gross vehicle weight rating of  
8 3,500 pounds or less shall be excluded under this subdivision (III).

9 (IV) For a dealer in motorcycles or motor-driven cycles,  
10 “engaged in the business” means having sold or exchanged at least one  
11 motorcycle or motor-driven cycle in the immediately preceding year or a  
12 combination of two such vehicles in the two immediately preceding years.

13 \* \* \*

14 (42)(A) “Transporter” means:

15 (i) a person engaged in the business of delivering vehicles of a  
16 type required to be registered from a manufacturing, assembling, or  
17 distributing plant to dealers or sales agents of a manufacturer;

18 (ii) a person regularly engaged in the business of towing trailer  
19 coaches, owned by them or temporarily in their custody, on their own wheels  
20 over public highways, or towing office trailers owned by them or temporarily  
21 in their custody, on their own wheels over public highways;

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

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

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

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

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

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

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

21           (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

1 transporter's registration plates shall not be used for any other purposes and  
2 shall not be used by the holder of such number plates for personal purposes.

3 \* \* \* Definition of All-Surface Vehicle \* \* \*

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

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

1                                      \* \* \* Record Keeping \* \* \*

2      Sec. 4. 23 V.S.A. § 117 is added to read:

3      § 117. RECORD-KEEPING REQUIREMENTS; CERTIFICATES OF TITLE

4              (a) Original records. Original certificate of title records, including  
5      surrendered certificates of title and requests for salvage title, as issued pursuant  
6      to chapters 21 and 36 of this title, shall be maintained as an electronic image or  
7      electronic copy or other form of image, which allows for the tracing of  
8      anything for which the Department of Motor Vehicles issues a certificate of  
9      title, for a period of five years.

10             (b) Electronic format. Records of title shall be maintained in a format,  
11      determined by the Commissioner, that allows for the tracing of anything for  
12      which the Department of Motor Vehicles issues a certificate of title.

13      Sec. 5. 23 V.S.A. § 2017(c) is amended to read:

14             ~~(c) The Commissioner shall maintain a record of all certificates of title~~  
15      ~~issued and of all exempt vehicle titles issued under a distinctive title number~~  
16      ~~assigned to the vehicle; under the identification number of the vehicle;~~  
17      ~~alphabetically, under the name of the owner; and, in the discretion of the~~  
18      ~~Commissioner, by any other method the Commissioner determines. The~~  
19      ~~original records may be maintained on microfilm or electronic imaging~~  
20      pursuant to section 117 of this title.

1 Sec. 6. 23 V.S.A. § 2027(c) is amended to read:

2 (c) The Commissioner shall file and retain ~~for five years~~ every surrendered  
3 certificate of title ~~so as to permit the tracing of title of the corresponding~~  
4 ~~vehicles~~ pursuant to section 117 of this title.

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

6 § 2092. ISSUANCE OF SALVAGE TITLE

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

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

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

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

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

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

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

2 (c) The Commissioner shall file and retain every surrendered certificate of  
3 ~~title for five years. The file shall be maintained so as to permit the tracing of~~  
4 ~~title of the vessel, snowmobile, or all-terrain vehicle designated pursuant to~~  
5 section 117 of this title.

6 \* \* \* Registration; Residents \* \* \*

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

8 § 301. PERSONS REQUIRED TO REGISTER

9 (a) As used in this section:

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

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

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

21 (c) Temporary residents and foreign partnerships, firms, associations, and



1 corporations having a place of business in this State may annually register  
2 motor vehicles owned or leased for a period of more than 30 days and operated  
3 by them or an employee.

4 (d) Notwithstanding this section, a resident who has moved into the State  
5 from another jurisdiction shall register ~~his or her~~ the resident's motor vehicle  
6 within 60 days ~~of~~ after moving into the State. ~~A person~~

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

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

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



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

4           (2) For registrations ~~cancelled~~ canceled within 30 days ~~of~~ after the date  
5 of issue, the refund is the full amount of the fee paid, less a charge of \$5.00.  
6 The owner of a motor vehicle must prove to the Commissioner's satisfaction  
7 that the number plates have not been used or attached to a motor vehicle.

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

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

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

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

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

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

21       Sec. 14. [Deleted.]

1 Sec. 15. [Deleted.]

2 Sec. 16. [Deleted.]

3 \* \* \* Rusted Brake Rotors; Safety Inspection \* \* \*

4 Sec. 17. RUSTED BRAKE ROTORS; LEGISLATIVE INTENT;

5 BULLETIN; CONTACT INFORMATION FOR FAILURES

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

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

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

21 (b) Bulletin. The Department of Motor Vehicles shall issue a clarifying

1 administrative bulletin to all inspection mechanics certified by the

2 Commissioner of Motor Vehicles that:

3 (1) details the rejection criteria for rotors and drums in the Periodic  
4 Inspection Manual;

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

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

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

17 \* \* \* Emergency Warning Lamps and Sirens \* \* \*

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

19 § 1251. SIRENS AND ~~COLORED SIGNAL~~ EMERGENCY WARNING  
20 LAMPS; OUT-OF-STATE EMERGENCY AND RESCUE  
21 VEHICLES

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

3 (1) a siren ~~or signal lamp colored other than amber~~ unless either a permit  
4 authorizing ~~this equipment~~ the siren, issued by the Commissioner of Motor  
5 Vehicles, is carried in the vehicle or a permit is not required pursuant to section  
6 1252 of this subchapter;

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

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

13 (4) a lamp or lamps that are not emergency warning lamps and provide a  
14 flashing light in a color other than amber, except that this prohibition shall not  
15 apply to a motorcycle headlamp modulation system that meets the criteria  
16 specified in Federal Motor Vehicle Safety Standard 108, codified at 49 C.F.R.  
17 § 571.108.

18 (b) Permit transfer. A permit may be transferred following the same  
19 procedure and subject to the same time limits as set forth in section 321 of this  
20 title. The Commissioner may adopt additional rules as may be required to  
21 govern the acquisition of permits and the use pertaining to sirens and ~~colored~~

1 ~~signal~~ emergency warning lamps.

2 ~~(b)~~(c) Exception for vehicles from another state. Notwithstanding the  
3 provisions of subsection (a) of this section, when responding to emergencies,  
4 law enforcement vehicles, ambulances, fire vehicles, or vehicles owned or  
5 leased by, or provided to, volunteer firefighters or rescue squad members that  
6 are registered or licensed by another state or province may use sirens and  
7 ~~signal~~ emergency warning lamps in Vermont, and a permit shall not be  
8 required for such use, ~~as long as~~ provided the vehicle is properly permitted or  
9 otherwise permitted to use the sirens and emergency warning lamps without  
10 permit in its home state or province.

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

12 § 1252. LAW ENFORCEMENT AND EMERGENCY SERVICES

13 VEHICLES; ISSUANCE OF PERMITS FOR SIRENS OR

14 COLORED EMERGENCY WARNING LAMPS, OR BOTH; USE

15 OF AMBER LAMPS

16 (a) Law enforcement vehicles.

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

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

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

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

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

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

2 Justice Council:

3 ~~(1)(A)~~ Sirens, blue ~~signal~~ emergency warning lamps, or blue and white  
4 ~~signal emergency warning~~ lamps, or a combination thereof, ~~may be authorized~~  
5 ~~for all law enforcement vehicles owned or leased by a law enforcement~~  
6 ~~agency, a certified law enforcement officer, or the Vermont Criminal Justice~~  
7 ~~Council.~~

8 (B) A red ~~signal~~ emergency warning lamp or ~~an~~ a red and amber  
9 ~~signal emergency warning~~ lamp, or a combination thereof, ~~may be authorized~~  
10 ~~for all law enforcement vehicles owned or leased by a law enforcement~~  
11 ~~agency, a certified law enforcement officer, or the Vermont Criminal Justice~~  
12 ~~Council~~, provided that the ~~Commissioner shall require the~~ emergency warning  
13 ~~lamp or lamps be~~ is mounted so as to be visible primarily from the rear of the  
14 vehicle.

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

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

20 (i) sirens, blue emergency warning lamps, or blue and white  
21 emergency warning lamps, or a combination thereof; and



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

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

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

8           (A) ~~If the applicant is a~~ The following are authorized for use, without  
9 permit, on all law enforcement vehicles owned or leased by a Vermont  
10 Criminal Justice Council certified constable, the application shall be  
11 accompanied by a certification by the town clerk that the applicant is the duly  
12 elected or appointed constable and attesting that the town for a municipality  
13 that has not voted to limit the constable's authority to engage in enforcement  
14 activities under 24 V.S.A. § 1936a: a red emergency warning lamp or a red  
15 and amber emergency warning lamp, provided that the emergency warning  
16 lamp is mounted so as to be visible primarily from the rear of the vehicle.  
17           (B) A constable for a municipality that has voted to limit the  
18 constable's authority to engage in enforcement activities under 24 V.S.A.  
19 § 1936a shall not operate, in the course of the constable's elected duties, a  
20 motor vehicle with a siren or an emergency warning lamp.  
21           (2)(b) Emergency services vehicles.

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

5           (A) sirens and red emergency warning lamps or red and white  
6 emergency warning lamps; and

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

10          (2) Emergency services vehicles not owned and operated by the  
11 government.

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

15           (i) Sirens and red emergency warning lamps or red and white  
16 signal emergency warning lamps may be authorized for all ambulances and  
17 other emergency medical service (EMS) vehicles, vehicles owned or leased by  
18 a fire department, vehicles used solely in rescue operations, or vehicles owned  
19 or leased by, or provided to, volunteer firefighters and voluntary rescue squad  
20 members, including a vehicle owned by a volunteer's employer when the  
21 volunteer has the written authorization of the employer to use the vehicle for

1 emergency fire or rescue activities.

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

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

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

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

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

19 ~~(b)~~(d) Amber signal lamps. Amber signal lamps shall be used on road  
20 maintenance vehicles, service vehicles, and wreckers and shall be used on all  
21 registered snow removal equipment when in use removing snow on public

1 highways, and the amber lamps shall be mounted so as to be visible from all  
2 sides of the motor vehicle.

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

4 § 1254. EMERGENCY WARNING LAMP; DEFINITION

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

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

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

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

13 (b) All persons with motor vehicles equipped as provided in ~~subdivisions~~  
14 ~~subsections~~ 1252(a)(1) and (2)(b) of this ~~title~~ subchapter shall use the sirens or  
15 ~~colored-signal~~ emergency warning lamps, or both, only in the direct  
16 performance of ~~their~~ official duties. When any ~~person~~ individual other than a  
17 law enforcement officer is operating a motor vehicle equipped as provided in  
18 ~~subdivision~~ subsection 1252(a)(1) of this ~~title~~ subchapter, the ~~colored-signal~~  
19 emergency warning lamps shall be either removed, covered, or hooded. When  
20 any ~~person~~ individual other than an authorized emergency medical service  
21 vehicle operator, firefighter, or authorized operator of vehicles used in rescue

1 operations is operating a motor vehicle equipped as provided in ~~subdivision~~  
2 subsection 1252(a)(2)(b) of this ~~title~~ subchapter, the ~~colored signal~~ emergency  
3 warning lamps shall be either removed, covered, or hooded unless the operator  
4 holds a senior operator license.

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

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

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

11 (b) The driver of a vehicle shall yield the right of way to any authorized  
12 vehicle obviously and actually engaged in work upon a highway when the  
13 vehicle displays flashing lights meeting the requirements of subsection  
14 ~~1252(b)~~ (d) of this title.

15 \* \* \* Child Restraint Systems \* \* \*

16 Sec. 24. 23 V.S.A. § 1258 is amended to read:

17 § 1258. CHILD RESTRAINT SYSTEMS; ~~PERSONS~~ INDIVIDUALS

18 UNDER AGE 18 YEARS OF AGE

19 (a) No ~~person~~ individual shall operate a motor vehicle, other than a type I  
20 school bus, in this State upon a public highway unless every occupant under  
21 age 18 years of age is properly restrained in a federally approved child

1 ~~passenger-restraining~~ restraint system as defined in 49 C.F.R. § 571.213, as  
2 may be amended, or a federally approved safety belt, as follows:

3 (1) ~~all children~~ a child ~~under the two years of age of one and all children~~  
4 ~~weighing less than 20 pounds, regardless of age,~~ shall be ~~restrained in a rear-~~  
5 ~~facing position,~~ properly secured in a federally approved ~~child passenger~~  
6 ~~restraining~~ rear-facing child restraint system with a harness, ~~which shall not be~~  
7 ~~installed in front of an active air bag~~ as those terms are defined in 49 C.F.R.  
8 § 571.213, as may be amended;

9 (2) a child ~~weighing more than 20 pounds, and who is one year of age or~~  
10 ~~older and under the age of eight~~ five years, of age who is not properly secured  
11 in a federally approved rear-facing child restraint system in accordance with  
12 subdivision (1) of this subsection shall be ~~restrained in a child passenger~~  
13 ~~restraining system~~ properly secured in a forward-facing federally approved  
14 child restraint system with a harness until the child reaches the weight or  
15 height limit of the child restraint system as set by the manufacturer; and

16 (3) a child under eight years of age who is not properly secured in a  
17 federally approved child restraint system in accordance with subdivision (1) or  
18 (2) of this subsection shall be properly secured in a booster seat, as defined in  
19 49 C.F.R. § 571.213, as may be amended;

20 (4) a child ~~eight through 17~~ under 18 years of age who is not properly  
21 secured in a federally approved child restraint system in accordance with

1 subdivision (1), (2), or (3) of this subsection shall be restrained in a safety belt  
2 system ~~or a child passenger restraining system~~;

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

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

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

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

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

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

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

17 (1) \$25.00 for a first violation;

18 (2) \$50.00 for a second violation; and

19 (3) \$100.00 for third and subsequent violations.

1 Sec. 25. CHILD RESTRAINT SYSTEMS; PUBLIC OUTREACH

2 CAMPAIGN

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

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

18 \* \* \* Exempt Vehicle Title \* \* \*

19 Sec. 26. 23 V.S.A. § 2001(15) is amended to read:

20 (15) “Title or certificate of title” means a written instrument or  
21 document that certifies ownership of a vehicle and is issued by the



1 Commissioner or equivalent official of another jurisdiction. These terms do  
2 not include an exempt vehicle title ~~authorized to be issued under subdivision~~  
3 ~~2013(a)(2) of this chapter.~~

4 Sec. 27. 23 V.S.A. § 2002(a)(1) is amended to read:

5 (1) for any certificate of title, including a salvage certificate of title, ~~or~~  
6 ~~an exempt vehicle title~~, \$42.00;

7 Sec. 28. 23 V.S.A. § 2012 is amended to read:

8 § 2012. EXEMPTED VEHICLES

9 No certificate of title need be obtained for:

10 \* \* \*

11 (10) a vehicle that is more than 15 years old on January 1, 2024 that has  
12 been registered in Vermont and has not had a change in ownership since  
13 January 1, 2024.

14 Sec. 29. 23 V.S.A. § 2016 is amended to read:

15 § 2016. COMMISSIONER TO CHECK IDENTIFICATION NUMBER

16 The Commissioner, upon receiving application for a first certificate of title  
17 ~~or exempt vehicle title~~, shall check the identification number of the vehicle  
18 shown in the application against the records of vehicles required to be  
19 maintained by section 2017 of this title and against the record of stolen and  
20 converted vehicles required to be maintained by section 2084 of this title.

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

2 § 2021. REFUSAL OF CERTIFICATE

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

6 \* \* \*

7 \* \* \* Vessels \* \* \*

8 \* \* \* Fire Extinguishers \* \* \*

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

10 § 3306. LIGHTS AND EQUIPMENT

11 \* \* \*

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

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

21 (A) less than 26 feet in length, one extinguisher;

1 (B) 26 feet or longer, but less than 40 feet, two extinguishers; and

2 (C) 40 feet or longer, three extinguishers; and

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

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

6 (B) 26 feet or longer but less than 40 feet, one extinguisher; and

7 ~~(B)~~(C) 40 feet or longer, two extinguishers.

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

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

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

21 ~~(e)~~(f) Every marine toilet on board any vessel operated on the waters of the

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

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

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

14 \* \* \* Vermont Numbering Provisions \* \* \*

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

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

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

21 (2) a motorboat from a country other than the United States if the boat

1 has not been within the State for more than ~~90~~ 60 days;

2 \* \* \*

3 \* \* \* Commercial Driver's Licenses and Permits \* \* \*

4 \* \* \* Prohibition on Masking or Diversion \* \* \*

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

6 § 4122. DEFERRING IMPOSITION OF SENTENCE; PROHIBITION ON

7 MASKING OR DIVERSION

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

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

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\* \* \* Airbags \* \* \*

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

§ 2026. INSTALLATION OF OBJECT IN LIEU OF AIR BAG

(a) No person shall knowingly:

(1) manufacture, import, distribute, offer for sale, sell, lease, transfer,

install or, reinstall or knowingly, cause to be installed, or cause to be

reinstalled: a counterfeit automobile supplemental restraint system component,

a nonfunctional airbag, or

~~(1) an object in lieu of a vehicle air bag that was designed in accordance~~

~~with the federal safety regulation~~ an automobile supplement restraint system

component, when the object does not comply with the requirements of

49 C.F.R. § 571.208, as amended, for the make, model, and year of a vehicle;

or

~~(2) an inoperable vehicle air bag, knowing the air bag is inoperable~~

install or reinstall as an automobile supplemental restraint system component

anything that causes the diagnostic system for a motor vehicle to fail to warn

the motor vehicle operator that an airbag is not installed or fail to warn the

motor vehicle operator that a counterfeit automobile supplemental restraint

system component or nonfunctional airbag is installed in the motor vehicle.

(b) A person who violates subsection (a) of this section shall be imprisoned

for not more than three years or fined not more than \$10,000.00, or both.

1 (c) A person who violates subsection (a) of this section; and serious bodily  
2 injury, as defined in section 1021 of this title, or death results; shall be  
3 imprisoned for not more than 15 years or fined not more than \$10,000.00, or  
4 both.

5 (d) As used in this section:

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

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

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

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

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

1 trademark.

2 (4) “Install” and “reinstall” require the completion of installation work  
3 related to the automobile supplemental restraint system of a motor vehicle and  
4 either:

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

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

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

8 (A) was previously deployed or damaged;

9 (B) has a fault that the diagnostic system for a motor vehicle detects  
10 once the airbag is installed;

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

12 (D) includes a counterfeit automobile supplemental restraint system  
13 component or other part or object that is installed for the purpose of misleading  
14 a motor vehicle owner or operator into believing that a functional airbag is  
15 installed.

16 (6) “Nonfunctional airbag” does not include an unrepaired deployed  
17 airbag or an airbag that is installed in a motor vehicle:

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

19 § 2001(14); or

20 (B) for which the owner was issued a salvaged certificate of title  
21 pursuant to 23 V.S.A. § 2091 or a similar title from another state.



1           \* \* \* Licensed Dealers; Used Vehicle Sales; Disclosures \* \* \*

2       Sec. 35. 23 V.S.A. § 466 is amended to read:

3       § 466. RECORDS; DISCLOSURES; CUSTODIAN

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

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

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

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

19          (4) [Repealed.]

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

4               **(A) the month in which the vehicle was last inspected pursuant to**  
5       **section 1222 of this title;**

6               **(B) the month in which the inspection shall expire;**

7               **(C) whether the most recent inspection was by the dealer currently**  
8       **selling the motor vehicle;**

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

12               **(E) a statement regarding the right of a potential buyer to have the**  
13       **vehicle inspected by an independent qualified mechanic of their choice and at**  
14       **their own expense; and**

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

18               **(2) The licensed dealer shall maintain and retain record of the disclosure**  
19       **statement, signed by both the dealer and the buyer, for two years after transfer**  
20       **of ownership. The record shall be open to inspection by any law enforcement**

1 officer or motor vehicle inspector or other agent of the Commissioner during  
2 reasonable business hours.

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

9 \* \* \* DMV Credentials and Number Plates; Veteran Designations \* \* \*

10 Sec. 36. LEGISLATIVE INTENT

11 (a) It is the intent of the General Assembly for the State to properly honor  
12 veterans, which includes Vermonters who have served in the active military,  
13 naval, air, or space service, and who have been discharged or released from  
14 active service under conditions other than dishonorable, where active military,  
15 naval, air, or space service includes:

16 (1) active duty;

17 (2) any period of active duty for training during which the individual  
18 concerned was disabled or died from a disease or injury incurred or aggravated  
19 in line of duty; and

20 (3) any period of inactive duty training during which the individual  
21 concerned was disabled or died from an injury incurred or aggravated in line of

1 duty or from an acute myocardial infarction, a cardiac arrest, or a  
2 cerebrovascular accident occurring during such training.

3 (b) It is also the intent of the General Assembly that the Department of  
4 Motor Vehicles and the Vermont Office of Veterans' Affairs:

5 (1) jointly determine which specialty plates should be offered to  
6 veterans so as to ensure specific recognition for those who have received a  
7 military award or decoration and those who have served in combat; and

8 (2) allow for a means for a veteran to request that a new specialty plate  
9 be designed and offered to veterans when an existing specialty plate does not  
10 provide for specific recognition of the veteran.

11 Sec. 37. 23 V.S.A. § 7(b) is amended to read:

12 (b) In addition to any other requirement of law or rule, before an enhanced  
13 license may be issued to ~~a person~~ an individual, the ~~person~~ individual shall  
14 present for inspection and copying satisfactory documentary evidence to  
15 determine identity and U.S. citizenship. An application shall be accompanied  
16 by: a photo identity document, documentation showing the ~~person's~~  
17 individual's date and place of birth, proof of the ~~person's~~ individual's Social  
18 Security number, and documentation showing the ~~person's~~ individual's  
19 principal residence address. New and renewal application forms shall include  
20 a space for the applicant to request that a "veteran" designation be placed on  
21 the enhanced license. If a veteran, as defined in 38 U.S.C. § 101(2) and

1 including an individual disabled during active military, naval, air, or space  
2 service, as defined in 38 U.S.C. § 101(24), requests a veteran designation and  
3 provides a Department of Defense Form 214 or other proof of veteran status  
4 specified by the Commissioner, and the Office of ~~Veterans~~ Veterans' Affairs  
5 confirms ~~his or her~~ the individual's status as an honorably discharged veteran  
6 ~~or~~; a veteran discharged under honorable conditions; or an individual disabled  
7 during active military, naval, air, or space service, the identification card shall  
8 include the term "veteran" on its face. To be issued, an enhanced license must  
9 meet the same requirements as those for the issuance of a U.S. passport.  
10 Before an application may be processed, the documents and information shall  
11 be verified as determined by the Commissioner. Any additional personal  
12 identity information not currently required by the U.S. Department of  
13 Homeland Security shall need the approval of either the General Assembly or  
14 the Legislative Committee on Administrative Rules prior to the  
15 implementation of the requirements.

16 Sec. 38. 23 V.S.A. § 115 is amended to read:

17 § 115. NONDRIVER IDENTIFICATION CARDS

18 (a) Any Vermont resident may make application to the Commissioner and  
19 be issued an identification card that is attested by the Commissioner as to true  
20 name, correct age, residential address unless the listing of another address is  
21 requested by the applicant or is otherwise authorized by law, and any other

1 identifying data as the Commissioner may require that shall include, in the case  
2 of minor applicants, the written consent of the applicant's parent, guardian, or  
3 other person standing in loco parentis. Every application for an identification  
4 card shall be signed by the applicant and shall contain such evidence of age  
5 and identity as the Commissioner may require, consistent with subsection (1) of  
6 this section. New and renewal application forms shall include a space for the  
7 applicant to request that a "veteran" designation be placed on the applicant's  
8 identification card. If a veteran, as defined in 38 U.S.C. § 101(2) and including  
9 an individual disabled during active military, naval, air, or space service, as  
10 defined in 38 U.S.C. § 101(24), requests a veteran designation and provides a  
11 Department of Defense Form 214 or other proof of veteran status specified by  
12 the Commissioner, and the Office of ~~Veterans~~ Veterans' Affairs confirms the  
13 veteran's status as an honorably discharged veteran ~~or~~; a veteran discharged  
14 under honorable conditions; or an individual disabled during active military,  
15 naval, air, or space service, the identification card shall include the term  
16 "veteran" on its face. The Commissioner shall require payment of a fee of  
17 \$29.00 at the time application for an identification card is made, except that an  
18 initial nondriver identification card shall be issued at no charge to an individual  
19 who surrenders the individual's license in connection with a suspension or  
20 revocation under subsection 636(b) of this title due to a physical or mental  
21 condition.

1

\* \* \*

2 Sec. 39. 23 V.S.A. § 304 is amended to read:

3 § 304. REGISTRATION CERTIFICATES; NUMBER PLATES; VANITY  
4 AND OTHER SPECIAL PLATES

5

\* \* \*

6 (j) The Commissioner of Motor Vehicles shall, upon proper application,  
7 issue special plates to Vermont veterans, as defined in 38 U.S.C. § 101(2) and  
8 including an individual disabled during active military, naval, air, or space  
9 service, as defined in 38 U.S.C. § 101(24), and to members of the U.S. Armed  
10 Forces, as defined in 38 U.S.C. § 101(10), for use on vehicles registered at the  
11 pleasure car rate, on vehicles registered at the motorcycle rate, and on trucks  
12 registered for less than 26,001 pounds and excluding vehicles registered under  
13 the International Registration Plan. The type and style of the ~~plate~~ plates shall  
14 be determined by the Commissioner, ~~except that an American flag, or a~~  
15 ~~veteran or military related emblem selected by the Commissioner and the~~  
16 ~~Vermont Office of Veterans' Affairs shall appear on one side of the plate. At a~~  
17 ~~minimum, emblems shall be available to recognize recipients of the Purple~~  
18 ~~Heart, Pearl Harbor survivors, former prisoners of war, and disabled veterans.~~  
19 An applicant shall apply on a form prescribed by the Commissioner, and the  
20 applicant's eligibility as a member of one of the groups recognized will be  
21 certified by the Office of Veterans' Affairs. The plates shall be reissued only

1 to the original holder of the plates or the surviving spouse. The Commissioner  
2 may adopt rules to implement the provisions of this subsection. Except for  
3 new or renewed registrations, applications for the issuance of plates under this  
4 subsection shall be processed in the order received by the Department subject  
5 to normal workflow considerations. The costs associated with developing new  
6 emblems shall be borne by the Department of Motor Vehicles.

7 \* \* \*

8 Sec. 40. 23 V.S.A. § 610(a) is amended to read:

9 (a) The Commissioner shall assign a distinguishing number to each  
10 licensee and shall furnish the licensee with a license certificate that shows the  
11 number and the licensee's full name, date of birth, and residential address,  
12 except that at the request of the licensee, the licensee's mailing address may be  
13 listed, or an alternative address may be listed if otherwise authorized by law.  
14 The certificate also shall include a brief physical description and a space for  
15 the signature of the licensee. The license shall be void until signed by the  
16 licensee. If a veteran, as defined in 38 U.S.C. § 101(2) and including an  
17 individual disabled during active military, naval, air, or space service, as  
18 defined in 38 U.S.C. § 101(24), requests a veteran designation and provides  
19 proof of veteran status as specified in subdivision 603(a)(3) of this title, and  
20 the Office of ~~Veterans~~ Veterans' Affairs confirms ~~his or her~~ the individual's  
21 status as an honorably discharged veteran ~~or~~ a veteran discharged under



1 honorable conditions; or an individual disabled during active military, naval,  
2 air, or space service, the license certificate shall include the term “veteran” on  
3 its face.

4 Sec. 41. 23 V.S.A. § 4111 is amended to read:

5 § 4111. COMMERCIAL DRIVER’S LICENSE

6 (a) Contents of license. A commercial driver’s license shall be marked  
7 “commercial driver’s license” or “CDL” and shall be, to the maximum extent  
8 practicable, tamper proof and shall include the following information:

9 \* \* \*

10 (12) A veteran designation if a veteran, as defined in 38 U.S.C. § 101(2)  
11 and including an individual disabled during active military, naval, air, or space  
12 service, as defined in 38 U.S.C. § 101(24), requests the designation and  
13 provides proof of veteran status as specified in subdivision 4110(a)(5) of this  
14 title, and if the Office of ~~Veterans~~ Veterans’ Affairs confirms ~~his or her~~ the  
15 individual’s status as an honorably discharged veteran ~~or~~ a veteran discharged  
16 under honorable conditions; or an individual disabled during active military,  
17 naval, air, or space service.

18 \* \* \*

1           \* \* \* Conservation Motor Vehicle License Plates; Motorcycles \* \* \*

2       Sec. 42. 23 V.S.A. § 304b is amended to read:

3       § 304b. CONSERVATION MOTOR VEHICLE REGISTRATION PLATES

4       (a) The Commissioner shall, upon application, issue conservation  
5       registration plates for use only on vehicles registered at the pleasure car rate,  
6       on motorcycles, on trucks registered for less than 26,001 pounds, and on  
7       vehicles registered to State agencies under section 376 of this title, but  
8       excluding vehicles registered under the International Registration Plan. Plates  
9       so acquired shall be mounted on the front and rear of the vehicle, except that a  
10      motorcycle plate shall be mounted only on the rear of the motorcycle. The  
11      Commissioners of Motor Vehicles and of Fish and Wildlife shall determine the  
12      graphic design of the special plates in a manner that serves to enhance the  
13      public awareness of the State's interest in restoring and protecting its wildlife  
14      and major watershed areas. The Commissioners of Motor Vehicles and of Fish  
15      and Wildlife may alter the graphic design of these special plates, provided that  
16      plates in use at the time of a design alteration shall remain valid subject to the  
17      operator's payment of the annual registration fee. Applicants shall apply on  
18      forms prescribed by the Commissioner and shall pay an initial fee of \$32.00 in  
19      addition to the annual fee for registration. In following years, in addition to the  
20      annual registration fee, the holder of a conservation plate shall pay a renewal

1 fee of \$32.00. The Commissioner may adopt rules under 3 V.S.A. chapter 25  
2 to implement the provisions of this subsection.

3 \* \* \*

4 \* \* \* Use of Roadway by Pedestrians, Bicycle Operators, and  
5 Vulnerable Users \* \* \*

6 Sec. 43. 23 V.S.A. § 4(67) is amended to read:

7 (67) “Pedestrian” means any ~~person~~ individual ~~afoot or operating a~~  
8 wheelchair or other personal mobility device, whether motorized or not, and  
9 ~~shall also include any person 16 years of age or older operating~~ including an  
10 electric personal assistive mobility device. ~~The age restriction of this~~  
11 ~~subdivision shall not apply to a person who has an ambulatory disability as~~  
12 ~~defined in section 304a of this title.~~

13 Sec. 44. 23 V.S.A. § 1033 is amended to read:

14 § 1033. PASSING MOTOR VEHICLES AND VULNERABLE USERS

15 \* \* \*

16 (b) Approaching or passing vulnerable users. ~~The operator of~~ individual  
17 operating a motor vehicle approaching or passing a vulnerable user as defined  
18 in subdivision 4(81) of this title shall exercise due care, which includes  
19 reducing speed and increasing clearance to a ~~recommended~~ distance of at least  
20 four feet, to pass the vulnerable user safely, and shall cross the center of the  
21 highway only as provided in section 1035 of this title. ~~A person~~ An individual

1 who violates this subsection shall be subject to a civil penalty of not less than  
2 \$200.00.

3 (c) Approaching or passing certain stationary vehicles. The ~~operator of~~  
4 individual operating a motor vehicle approaching or passing a stationary  
5 sanitation, maintenance, utility, or delivery vehicle with flashing lights shall  
6 exercise due care, which includes reducing speed and increasing clearance to a  
7 recommended distance of at least four feet, to pass the vehicle safely, and shall  
8 cross the center of the highway only as provided in section 1035 of this title. ~~A~~  
9 ~~person~~ An individual who violates this subsection shall be subject to a civil  
10 penalty of not less than \$200.00.

11 Sec. 45. 23 V.S.A. § 1055 is amended to read:

12 § 1055. PEDESTRIANS ON ROADWAYS

13 (a) ~~Where public sidewalks are provided, no person may walk along or~~  
14 ~~upon an adjacent roadway.~~ [Repealed.]

15 (b) ~~Where public sidewalks are not provided, any~~ Any pedestrian walking  
16 along and upon a highway shall, when practicable, walk only on the left side of  
17 the roadway or its shoulder facing the direction of possible oncoming traffic.

18 Sec. 46. AGENCY OF TRANSPORTATION; DEPARTMENT OF PUBLIC  
19 SAFETY; IDAHO STOP STUDY; REPORT

20 The Agency of Transportation, in collaboration with the Department of  
21 Public Safety and in consultation with bicycle safety organizations and other

1 relevant stakeholders, shall study the potential effects of implementing a  
2 statewide policy that grants an individual operating a bicycle rights and  
3 responsibilities at traffic-control devices and traffic-control signals that differ  
4 from those applicable to operators of motor vehicles. The study shall include  
5 consideration of the potential effects of allowing individuals operating bicycles  
6 to treat stop signs as yield signs and red lights at traffic signals as stop signs,  
7 also known as an “Idaho Stop,” and of allowing individuals operating bicycles  
8 to cross intersections during a pedestrian phase at pedestrian-control devices  
9 and pedestrian-control signals. On or before December 15, 2024, the Agency  
10 shall report to the House and Senate Committees on Transportation with its  
11 findings and recommendations.

12 Sec. 47. AGENCY OF TRANSPORTATION; ACTIVE

13 TRANSPORTATION POLICY REPORT

14 (a) The Agency of Transportation shall prepare an Active Transportation  
15 Policy Report that provides a comprehensive review of Vermont statutes,  
16 including those in Titles 19 and 23, relating to the rights and responsibilities of  
17 vulnerable road users, in order to inform best practices and policy outcomes.  
18 The Agency shall develop the Report in consultation with relevant  
19 stakeholders identified by the Agency, which shall include bicycle safety  
20 organizations.

1       (b) On or before January 15, 2025, the Agency shall submit the written  
2       Active Transportation Policy Report, which shall include a summary of the  
3       Agency’s review efforts and any recommendations for revisions to Vermont  
4       statutes, to the House and Senate Committees on Transportation.

5                   \* \* \* License Plates for Plug-In Electric Vehicles \* \* \*

6       Sec. 48. LICENSE PLATES FOR PLUG-IN ELECTRIC VEHICLES;

7                   FINDINGS

8       The General Assembly finds that:

9           (1) Plug-in electric vehicles (PEVs), which include plug-in hybrid  
10       electric vehicles and battery electric vehicles, provide new and unique  
11       challenges for first responders and firefighters when responding to the scene of  
12       a crash that may involve a PEV.

13           (2) PEVs are powered by high-voltage batteries, which means that if a  
14       PEV is involved in a crash resulting in a fire or in the need for extrication or  
15       rescue, or a combination of these, then fire and rescue personnel must invoke  
16       special operations to suppress the fire or initiate the extrication or rescue  
17       operation.

18           (3) Other states and countries have begun noting whether or not a motor  
19       vehicle is a PEV with a designation on the vehicle’s license plate.

20           (4) First responders and firefighters in Vermont will be in a better  
21       position to safely respond to a fire, extrication, or rescue involving a motor

1 vehicle crash if they know whether one or more vehicles involved are a PEV,  
2 which can be done, in most instances, with a license plate designation.

3 Sec. 49. 23 V.S.A. § 304 is amended to read:

4 § 304. REGISTRATION CERTIFICATES; NUMBER PLATES; VANITY  
5 AND OTHER SPECIAL PLATES

6 \* \* \*

7 (k) Not later than July 1, 2026, the Commissioner shall begin issuing  
8 number and vanity plates for plug-in electric vehicles, as defined in  
9 subdivision 4(85) of this title, indicating that the vehicle is a plug-in electric  
10 vehicle. Not later than July 1, 2028, all plug-in electric vehicles registered in  
11 this State shall display plates indicating that the vehicle is a plug-in electric  
12 vehicle.

13 Sec. 50. LICENSE PLATES FOR PLUG-IN ELECTRIC VEHICLES;  
14 IMPLEMENTATION PROVISIONS; REPORT

15 (a) In accordance with 23 V.S.A. § 304(k), not later than July 1, 2026, the  
16 Commissioner of Motor Vehicles shall begin issuing number and vanity plates  
17 for plug-in electric vehicles (PEV) indicating that the vehicle is a PEV.

18 (b)(1) Upon the purchase of a PEV, the purchaser shall not transfer a non-  
19 PEV plate to the newly purchased PEV unless the plate is a vanity or special  
20 number plate.

1           (2) For the purchaser of a PEV whose previous plate was not a vanity or  
2 special number plate, the Commissioner shall issue a new PEV plate, which  
3 the purchaser shall install upon receipt.

4           (3) For the purchaser of a PEV whose previous plate was a vanity or  
5 special number plate and who wishes to retain that plate for the newly  
6 purchased PEV, the purchaser may transfer and display the existing plate until  
7 the Commissioner issues the purchaser a new vanity or special number plate  
8 indicating that the vehicle is a PEV, except as set forth in subsection (d) of this  
9 section. The purchaser shall install the new PEV plate upon receipt.

10          (c) An individual who owns a PEV on the effective date of this act may  
11 continue to display the individual's existing plate until the individual receives a  
12 new PEV plate from the Department of Motor Vehicles. The owner shall  
13 install the new PEV plate upon receipt.

14          (d) The Commissioner is authorized to reject existing plates for transfer or  
15 renewal due to space limitations on the new PEV plates.

16          (e) On or before March 15, 2025, the Department of Motor Vehicles shall  
17 provide testimony to the House and Senate Committees on Transportation  
18 regarding the status of its efforts to implement license plates for PEVs as set  
19 forth in this section and in 23 V.S.A. § 304(k).



1                   \* \* \* Distracted Driving Diversion Program \* \* \*

2    Sec. 51. DISTRACTED DRIVING DIVERSION PROGRAM

3                   RECOMMENDATIONS; REPORT

4       (a) The Community Justice Unit of the Office of the Attorney General, in  
5       consultation with the Court Diversion programs, the Vermont Judiciary, the  
6       Department of Motor Vehicles, and representatives of Vermont law  
7       enforcement agencies, shall evaluate the feasibility of and design options for  
8       establishing a distracted driving diversion program as an alternative to civil  
9       penalties and points for individuals who violate Vermont's distracted driving  
10      laws, including 23 V.S.A. §§ 1095a, 1095b, and 1099. The issues for the  
11      Community Justice Unit to consider shall include:

12                (1) whether conducting a distracted driving diversion program is  
13                feasible;

14                (2) if so, how such a distracted driving diversion program should be  
15                structured and administered;

16                (3) the age groups to which the program should be made available;

17                (4) performance outcome measures that indicate whether the program is  
18                reducing the participants' likelihood of future distracted driving;

19                (5) whether fees should be imposed for participation in the program and,  
20                if so, what those fees should be;

