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S.99

An act relating to miscellaneous changes to laws related to vehicles

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

* * * New Motor Vehicle Arbitration * * *

Sec. 1. 9 V.S.A. § 4173(d) is amended to read:

(d) Within the 45-day period set forth in subsection (c) of this section but at least five days prior to hearing, the manufacturer shall have one final opportunity to correct and repair the defect that the consumer claims entitles ~~him or her~~ the consumer to a refund or replacement vehicle. Any right to a final repair attempt is waived if the manufacturer does not complete it at least five days prior to hearing. If the consumer is satisfied with the corrective work done by the manufacturer or ~~his or her~~ the manufacturer's delegate, the arbitration proceedings shall be terminated without prejudice to the consumer's right to request arbitration be recommenced ~~if the repair proves unsatisfactory~~ for the duration of the within one year following the expiration of the express warranty term in accordance with subsection 4179(a) of this title.

* * * Definition of Mail * * *

Sec. 2. 23 V.S.A. § 4(87) is added to read:

(87) "Mail," "mail or deliver," "mails," "mails or delivers," "mailing," "mailing or delivering," "mailed," and "mailed or delivered" mean any method

1 of delivery authorized by the Commissioner, which may include by hand, U.S.
2 mail, and electronic transmission.

3 * * * Mobile Identification * * *

4 Sec. 3. 23 V.S.A. § 116 is added to read:

5 § 116. ISSUANCE OF MOBILE IDENTIFICATION

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

7 (1) “Data field” means a discrete piece of information that appears on a
8 mobile identification.

9 (2) “Full profile” means all the information provided on a mobile
10 identification.

11 (3) “Limited profile” means a portion of the information provided on a
12 mobile identification.

13 (4) “Mobile identification” means an electronic representation of the
14 information contained on a nonmobile credential.

15 (5) “Mobile identification holder” means an individual to whom a
16 mobile identification has been issued.

17 (6) “Nonmobile credential” means a nondriver identification card issued
18 under section 115 of this title, a driver’s license issued under section 603 of
19 this title, a junior operator’s license issued under section 602 of this title, a
20 learner’s permit issued under section 617 of this title, a commercial driver’s

1 license issued under section 4111 of this title, or a commercial learner's permit
2 issued under section 4112 of this title.

3 (b) Issuance. The Commissioner of Motor Vehicles may issue a mobile
4 identification to an individual in addition to, and not instead of, a nonmobile
5 credential. If issued, the mobile identification shall:

6 (1) be capable of producing both a full profile and a limited profile;

7 (2) satisfy the purpose for which the profile is presented;

8 (3) allow the mobile identification holder to maintain physical
9 possession of the device on which the mobile identification is accessed during
10 verification; and

11 (4) not be a substitute for an individual producing a nonmobile
12 credential upon request.

13 (c) Agreements with other entities. The Commissioner may enter into
14 agreements to facilitate the issuance, use, and verification of a mobile
15 identification or other electronic credentials issued by the Commissioner or
16 another state.

17 (d) Administration.

18 (1) The Commissioner may operate, or may operate through a third-
19 party administrator, a verification system for mobile identifications.

20 (2) Access to the verification system and any data field by a person
21 presented with a mobile identification requires the credential holder's consent,

1 and, if consent is granted, the Commissioner may release the following through
2 the verification system:

3 (A) for a full profile, all data fields that appear on the mobile
4 identification; and

5 (B) for a limited profile, only the data fields represented in the
6 limited profile for the mobile identification.

7 * * * License Plate Stickers; Validation Stickers * * *

8 Sec. 4. 23 V.S.A. § 305 is amended to read:

9 § 305. REGISTRATION PERIODS

10 (a) The Commissioner of Motor Vehicles shall issue registration
11 certificates, ~~validation stickers,~~ and number plates upon initial registration, and
12 registration certificates ~~and validation stickers~~ for each succeeding renewal
13 period of registration upon payment of the registration fee. Number plates so
14 issued will become void one year from the first day of the month following the
15 month of issue, unless a longer initial registration period is authorized by law
16 or unless this period is extended through renewal. Registrations issued for
17 motor trucks shall become void one year from the first day of the month
18 following the month of issue.

19 (b) The Commissioner shall issue a registration certificate, ~~validation~~
20 ~~sticker,~~ and a number plate or number plates for each motor vehicle owned by
21 the State, which shall be valid for a period of five years. Such motor vehicle

1 shall be considered properly registered while the issued number plate or
2 number plates are attached to the motor vehicle. The Commissioner may
3 replace such number plate or number plates when in ~~his or her~~ the
4 Commissioner's discretion their condition requires.

5 (c) ~~Except as otherwise provided in subsection (d) of this section, no plate~~
6 ~~is valid unless the validation sticker is affixed to the rear plate in the manner~~
7 ~~prescribed by the Commissioner in section 511 of this title. [Repealed.]~~

8 (d) When a registration for a motor vehicle, snowmobile, motorboat, or all-
9 terrain vehicle is processed electronically, a receipt shall be available
10 electronically and for printing. An electronic or printed receipt shall serve as a
11 temporary registration for 10 days after the date of the transaction. An
12 electronic receipt may be shown to an enforcement officer using a portable
13 electronic device. Use of a portable electronic device to display the receipt
14 does not in itself constitute consent for an officer to access other contents of
15 the device.

16 Sec. 5. 23 V.S.A. § 326 is amended to read:

17 § 326. REFUND UPON LOSS OF VEHICLE

18 The Commissioner may cancel the registration of a motor vehicle when the
19 owner ~~thereof~~ of the motor vehicle proves to ~~his or her~~ the Commissioner's
20 satisfaction that ~~it~~ the motor vehicle has been totally destroyed by fire or,
21 through crash or wear, has become wholly unfit for use and has been

1 dismantled. After the Commissioner cancels the registration and the owner
2 returns to the Commissioner either the registration certificate, or the number
3 plate or number plates ~~and the validation sticker~~, the Commissioner shall
4 certify to the Commissioner of Finance and Management the fact of the
5 cancellation, giving the name of the owner of the motor vehicle, ~~his or her~~ the
6 owner's address, the amount of the registration fee paid, and the date of
7 cancellation. The Commissioner of Finance and Management shall issue ~~his or~~
8 ~~her~~ the Commissioner of Finance and Management's warrant in favor of the
9 owner for such percent of the registration fee paid as the unexpired term of the
10 registration bears to the entire registration period, but in no case shall the
11 Commissioner of Finance and Management retain less than \$5.00 of the fee
12 paid.

13 Sec. 6. 23 V.S.A. § 364b is amended to read:

14 § 364b. ALL-SURFACE VEHICLES; REGISTRATION

15 (a) The annual fee for registration of an all-surface vehicle (ASV) shall be
16 the sum of the fees established by sections 3305 and 3504 of this title, plus
17 \$26.00.

18 (b) Evidence of the registration shall be a ~~sticker, as determined by the~~
19 ~~Commissioner, affixed to~~ registration certificate and the number plate issued
20 pursuant to chapter 31 of this title.

1 Sec. 7. 23 V.S.A. § 453(f) is amended to read:

2 (f) In any year that number plates are reused ~~and validation stickers are~~
3 ~~issued~~, the Commissioner shall not be required to issue new number plates to
4 persons renewing registrations under this section.

5 Sec. 8. 23 V.S.A. § 457 is amended to read:

6 § 457. TEMPORARY PLATES

7 At the time of the issuance of a registration certificate to a dealer as
8 provided in this chapter, the Commissioner shall furnish the dealer with a
9 sufficient number of number plates ~~and temporary validation stickers~~,
10 temporary number plates, or temporary decals for use during the 60-day period
11 immediately following sale of a vehicle or motorboat by the dealer. The plates
12 and decals shall have the same general design as the plates or decals furnished
13 individual owners, but the plates and decals may be of a material and color as
14 the Commissioner may determine. The Commissioner shall collect a fee of
15 \$5.00 for each temporary plate issued.

16 Sec. 9. 23 V.S.A. § 458 is amended to read:

17 § 458. TEMPORARY PLATE ON SOLD OR EXCHANGED VEHICLES

18 On the day of the sale or exchange of a motor vehicle, motorboat,
19 snowmobile, or all-terrain vehicle to be registered in this State, a dealer may
20 issue to the purchaser, for attachment to the motor vehicle, snowmobile, or all-
21 terrain vehicle, or to be carried in or on the motorboat, a number plate ~~with~~

1 ~~temporary validation stickers~~, a temporary number plate, or a temporary decal,
2 provided that the purchaser deposits with such dealer, for transmission to the
3 Commissioner, a properly executed application for the registration of such
4 motor vehicle, motorboat, snowmobile, or all-terrain vehicle and the required
5 fee. If a properly licensed purchaser either attaches to the motor vehicle,
6 snowmobile, or all-terrain vehicle or carries in the motorboat such number
7 plate or decal, ~~he or she~~ the purchaser may operate the same for a period not to
8 exceed 60 consecutive days immediately following the purchase. ~~An~~
9 ~~individual shall not operate a motor vehicle, motorboat, snowmobile, or all-~~
10 ~~terrain vehicle with a number plate with temporary validation stickers, a~~
11 ~~temporary number plate, or a temporary decal attached to the motor vehicle or~~
12 ~~carried in the motorboat except as provided in this section.~~

13 Sec. 10. 23 V.S.A. § 459 is amended to read:

14 § 459. NOTICE, APPLICATION, AND FEES TO COMMISSIONER

15 (a) Upon issuing a number plate ~~with temporary validation stickers~~, a
16 temporary number plate, or a temporary decal to a purchaser, a dealer shall
17 have 15 calendar days, or up to 30 calendar days as applicable pursuant to
18 subsection 2015(b) of this title, to forward to the Commissioner the application
19 and fee, deposited with ~~him or her~~ the dealer by the purchaser, together with
20 notice of such issue and such other information as the Commissioner may
21 require.

1 (b) If a number plate with ~~temporary validation stickers~~, a temporary
2 registration plate, or a temporary decal is not issued by a dealer in connection
3 with the sale or exchange of a vehicle or motorboat, the dealer may accept
4 from the purchaser a properly executed registration, tax, and title application
5 and the required fees for transmission to the Commissioner. The dealer shall
6 have 15 calendar days, or up to 30 calendar days as applicable pursuant to
7 subsection 2015(b) of this title, to forward to the Commissioner the application
8 and fee together with such other information as the Commissioner may require.

9 Sec. 11. 23 V.S.A. § 465 is amended to read:

10 § 465. LOANING OF PLATES, VEHICLES, OR MOTORBOATS

11 PROHIBITED

12 A dealer shall not lend or lease registration certificates, ~~validation stickers~~,
13 numbers, decals, or number plates that have been assigned to ~~him or her~~ the
14 dealer under the provisions of this chapter, nor shall ~~he or she~~ the dealer lend
15 or lease a vehicle or motorboat to which ~~his or her~~ the dealer's decals,
16 numbers, or number plates have been attached, nor lend or lease ~~his or her~~ the
17 dealer's decals, numbers, or number plates to a subagent.

18 Sec. 12. 23 V.S.A. § 494 is amended to read:

19 § 494. FEES

20 The annual fee for a transporter's registration certificate, ~~or~~ or number plate, ~~or~~
21 ~~validation sticker~~ is \$123.00.

1 Sec. 13. 23 V.S.A. § 511 is amended to read:

2 § 511. MANNER OF DISPLAY

3 (a) Number plates. A motor vehicle operated on any highway shall have
4 displayed in a conspicuous place either one or two number plates as the
5 Commissioner may require. Such number plates shall be furnished by the
6 Commissioner and shall show the number assigned to such vehicle by the
7 Commissioner. If only one number plate is furnished, the same shall be
8 securely attached to the rear of the vehicle. If two are furnished, one shall be
9 securely attached to the rear and one to the front of the vehicle. The number
10 plates shall be kept entirely unobscured, and the numerals and letters thereon
11 shall be plainly legible at all times. They shall be kept horizontal, shall be so
12 fastened as not to swing, excepting, however, there may be installed on a
13 motor truck or truck tractor a device that would, upon contact with a
14 substantial object, permit the rear number plate to swing toward the front of the
15 vehicle, provided such device automatically returns the number plate to its
16 original rigid position after contact is released, and the ground clearance of the
17 lower edges thereof shall be established by the Commissioner pursuant to the
18 provisions of 3 V.S.A. chapter 25.

19 (b) ~~Validation sticker. A registration validation sticker shall be~~
20 ~~unobstructed and shall be affixed as follows:~~

1 The annual registration fee for ~~registration of any motor vehicle of the a~~
2 pleasure car type, ~~and all vehicles powered by electricity~~ as defined in
3 subdivision 4(28) of this title, and including a pleasure car that is a plug-in
4 electric vehicle, as defined in subdivision 4(85) of this title, shall be \$74.00;
5 and the biennial fee shall be \$136.00.

6 Sec. 16. 23 V.S.A. § 362 is amended to read:

7 § 362. SPECIALIZED FUEL MOTOR VEHICLES AND MOTOR BUSES

8 (a) The annual registration fee for the registration of any “specialized fuel
9 driven motor vehicle”₂, as defined in ~~section~~ subdivision 4(22) of this title, and

10 of motor buses, as defined in section 3002 of this title, shall be one and three-

11 quarters times the amount of the annual fee provided for a motor vehicle of the

12 classification and weight under the terms of this chapter.

13 (b) Notwithstanding subsection (a) of this section, the annual and biennial
14 registration fees for a pleasure car, as defined in subdivision 4(28) of this title,
15 that is a plug-in electric vehicle, as defined in subdivision 4(85) of this title,
16 shall be determined pursuant to section 361 of this chapter, and the annual
17 registration fee for a motorcycle, as defined in subdivision 4(18)(A) of this
18 title, that is a plug-in electric vehicle, as defined in subdivision 4(85) of this
19 title, shall be determined pursuant to section 364 of this chapter.

1 * * * Statutory Default Speed Limits on
2 Unpaved and Unposted Town Highways * * *

3 Sec. 17. 23 V.S.A. § 1081 is amended to read:

4 § 1081. BASIC RULE AND MAXIMUM LIMITS

5 (a) No individual shall drive a vehicle on a highway at a speed greater than
6 is reasonable and prudent under the conditions, having regard for the actual
7 and potential hazards then existing. In every event, speed shall be controlled
8 as necessary to avoid colliding with any individual, vehicle, or other object on
9 or adjacent to the highway.

10 (b) Except when there exists a special hazard that requires lower speed in
11 accordance with subsection (a) of this section, the limits specified in this
12 section or established pursuant to this section are maximum lawful speeds, and
13 no individual shall drive a vehicle on a highway at a speed in excess of:

14 (1) 50 miles per hour; or

15 (2) 35 miles per hour on an unpaved town highway, as defined in 19
16 V.S.A. § 301(7), appearing on the official town highway map, as required
17 pursuant to 19 V.S.A. § 305, that does not have a posted speed limit.

18 (c) The maximum speed limits set forth in this section may be altered in
19 accordance with sections 1003, 1004, 1007, and 1010 of this title.

20 (d) The driver of every vehicle shall, consistent with the requirements of
21 subsection (a) of this section, drive at an appropriate, reduced speed when

1 approaching and crossing an intersection or railway grade crossing, when
2 approaching and going around a curve, when approaching the crest of a hill,
3 when traveling upon any narrow or winding roadway, and when special hazard
4 exists.

5 Sec. 18. OUTREACH CAMPAIGN

6 The Agency of Transportation, in consultation with the Vermont League of
7 Cities and Towns and the State's regional planning commissions, shall prepare
8 materials disseminating information on the new statutory default speed limits
9 for unposted and unpaved town highways in 23 V.S.A. § 1081(b)(2), as added
10 by Sec. 17 of this act, and provide those materials to municipalities, law
11 enforcement, and the general public not later than March 1, 2024. At a
12 minimum, the materials shall include:

13 (1) what the new statutory default speed limit is;

14 (2) an easy-to-understand description of what town highways the new
15 statutory default speed limit applies to; and

16 (3) the effective date of Sec. 17 of this act.

17 * * * Total Abstinence Program * * *

18 Sec. 19. 23 V.S.A. § 1209a is amended to read:

19 § 1209a. CONDITIONS OF REINSTATEMENT; ALCOHOL AND

20 DRIVING EDUCATION; SCREENING; THERAPY PROGRAMS

1 (a) Conditions of reinstatement. No license or privilege to operate
2 suspended or revoked under this subchapter, except a license or privilege to
3 operate suspended under section 1216 of this title, shall be reinstated except as
4 follows:

5 (1) In the case of a first suspension, a license or privilege to operate
6 shall be reinstated only:

7 (A) after the ~~person~~ individual has successfully completed the
8 Alcohol and Driving Education Program, at the ~~person's~~ individual's own
9 expense, followed by an assessment of the need for further treatment by a
10 State-designated counselor, at the ~~person's~~ individual's own expense, to
11 determine whether reinstatement should be further conditioned on satisfactory
12 completion of a therapy program agreed to by the ~~person~~ individual and the
13 Drinking Driver Rehabilitation Program Director;

14 (B) if the screening indicates that therapy is needed, after the ~~person~~
15 individual has satisfactorily completed or shown substantial progress in
16 completing a therapy program at the ~~person's~~ individual's own expense agreed
17 to by the ~~person~~ individual and the Driver Rehabilitation Program Director;

18 (C) if the ~~person~~ individual elects to operate under an ignition
19 interlock RDL or ignition interlock certificate, after the ~~person~~ individual
20 operates under the RDL or certificate for the applicable period set forth in

1 subsection 1205(a) or section 1206 of this title, plus any extension of this
2 period arising from a violation of section 1213 of this title; and

3 (D) if the ~~person~~ individual has no pending criminal charges, civil
4 citations, or unpaid fines or penalties for a violation under this chapter.

5 (2) In the case of a second suspension, a license or privilege to operate
6 shall not be reinstated until:

7 (A) the ~~person~~ individual has successfully completed an alcohol and
8 driving rehabilitation program;

9 (B) the ~~person~~ individual has completed or shown substantial
10 progress in completing a therapy program at the ~~person's~~ individual's own
11 expense agreed to by the ~~person~~ individual and the Driver Rehabilitation
12 Program Director;

13 (C) after the ~~person~~ individual operates under an ignition interlock
14 RDL or ignition interlock certificate for 18 months or, in the case of a ~~person~~
15 someone subject to the one-year hard suspension prescribed in subdivision
16 1213(a)(1)(C) of this title, for one year, plus any extension of the relevant
17 period arising from a violation of section 1213 of this title, except if otherwise
18 provided in subdivision (4) of this subsection (a); and

19 (D) the ~~person~~ individual has no pending criminal charges, civil
20 citations, or unpaid fines or penalties for a violation under this chapter.

1 (3) In the case of a third or subsequent suspension or a revocation, a
2 license or privilege to operate shall not be reinstated until:

3 (A) the ~~person~~ individual has successfully completed an alcohol and
4 driving rehabilitation program;

5 (B) the ~~person~~ individual has completed or shown substantial
6 progress in completing a therapy program at the ~~person's~~ individual's own
7 expense agreed to by the ~~person~~ individual and the Driver Rehabilitation
8 Program Director;

9 (C) the ~~person~~ individual has satisfied the requirements of subsection
10 (b) of this section; and

11 (D) the ~~person~~ individual has no pending criminal charges, civil
12 citations, or unpaid fines or penalties for a violation under this chapter.

13 (4) The Commissioner shall waive a requirement under subdivision (2)
14 of this subsection or subsection (b) of this section that a ~~person~~ an individual
15 operate under an ignition interlock RDL or certificate prior to eligibility for
16 reinstatement if:

17 (A) the ~~person~~ individual furnishes sufficient proof as prescribed by
18 the Commissioner that ~~he or she~~ the individual is incapable of using an ignition
19 interlock device because of a medical condition that will persist permanently or
20 at least for the term of the suspension or, in the case of suspensions or
21 revocations for life, for a period of at least three years; or

1 (B) the underlying offenses arose solely from being under the
2 influence of a drug other than alcohol.

3 (b) Total Abstinence Program.

4 (1) As used in this subsection:

5 (A) “Drug” means:

6 (i) a regulated drug, as defined in 18 V.S.A. § 4201, that is used in
7 any way other than as prescribed for a legitimate medical use in conformity
8 with instructions from the prescriber; or

9 (ii) any substance or combination of substances, other than alcohol
10 or a regulated drug, that potentially affects the nervous system, brain, or
11 muscles of an individual so as to impair an individual’s ability to drive a
12 vehicle safely to the slightest degree.

13 (B) “Total abstinence” means refraining from consuming any amount
14 of alcohol or drugs at any time, regardless of whether the alcohol or drugs are
15 consumed by an individual when attempting to operate, operating, or in actual
16 physical control of a vehicle.

17 (2)(A) Notwithstanding any other provision of this subchapter, ~~a person~~
18 an individual whose license or privilege to operate has been suspended or
19 revoked for life under this subchapter may apply to the Commissioner for
20 reinstatement of ~~his or her~~ the individual’s driving privilege if the individual
21 satisfies the requirements set forth in subdivision (3) of this subsection (b).

1 ~~The person shall have completed three years of total abstinence from~~
2 ~~consumption of alcohol and nonprescription regulated drugs. The use of a~~
3 ~~regulated drug in accordance with a valid prescription shall not disqualify an~~
4 ~~applicant for reinstatement of his or her driving privileges unless the applicant~~
5 ~~used the regulated drug in a manner inconsistent with the prescription label.~~

6 (B) The beginning date for the period of total abstinence shall be not
7 earlier than the effective date of the suspension or revocation from which the
8 ~~person~~ individual is requesting reinstatement and shall not include any period
9 during which the ~~person~~ individual is serving a sentence of incarceration to
10 include furlough. The application shall include the applicant's authorization
11 for a urinalysis examination, or another examination if it is approved as a
12 preliminary screening test under this subchapter, to be conducted prior to
13 reinstatement under this subdivision (2). The application to the Commissioner
14 shall be accompanied by a fee of \$500.00. The Commissioner shall have the
15 discretion to waive the application fee if the Commissioner determines that
16 payment of the fee would present a hardship to the applicant.

17 ~~(2)~~(3) If the Commissioner or a medical review board convened by the
18 Commissioner is satisfied by a preponderance of the evidence that the
19 applicant has ~~abstained for the required number of years~~ maintained total
20 abstinence for the three years immediately preceding the application, has
21 successfully completed a therapy program as required under this section, and

1 has operated under a valid ignition interlock RDL or under an ignition
2 interlock certificate for at least three years following the suspension or
3 revocation, and the ~~person~~ applicant provides a written acknowledgment that
4 ~~he or she cannot drink any amount of alcohol at all and cannot consume~~
5 ~~nonprescription regulated drugs under any circumstances~~ the applicant must
6 maintain total abstinence at all times while participating in the Total
7 Abstinence Program, the ~~person's~~ applicant's license or privilege to operate
8 shall be reinstated immediately, subject to the condition that the ~~person's~~
9 applicant's suspension or revocation will be put back in effect in the event any
10 further investigation reveals a ~~return to the consumption of alcohol or drugs~~
11 failure to maintain total abstinence and to ~~such~~ any additional conditions as the
12 Commissioner may impose to advance the public interest in public safety. The
13 requirement to operate under an ignition interlock RDL or ignition interlock
14 certificate shall not apply if the ~~person~~ applicant is exempt under subdivision
15 (a)(4) of this section.

16 ~~(3)(4)~~ If after notice and an opportunity for a hearing the Commissioner
17 later finds that the ~~person~~ individual was violating the conditions of the
18 ~~person's~~ individual's reinstatement under this subsection, the ~~person's~~
19 individual's operating license or privilege to operate shall be immediately
20 suspended or revoked for life.

1 ~~(4)~~(5) If the Commissioner finds that ~~a person~~ an individual reinstated
2 under this subsection is suspended pursuant to section 1205 of this title or is
3 convicted of a violation of section 1201 of this title subsequent to
4 reinstatement under this subsection, the ~~person~~ individual shall be conclusively
5 presumed to be in violation of the conditions of ~~his or her~~ the reinstatement.

6 ~~(5)~~(6) ~~A person~~ An individual shall be eligible for reinstatement under
7 this subsection only once following a suspension or revocation for life.

8 ~~(6)~~(7)(A) If an applicant for reinstatement under this subsection (b)
9 resides in a jurisdiction other than Vermont, the Commissioner may elect not
10 to conduct an investigation. If the Commissioner elects not to conduct an
11 investigation, ~~he or she~~ the Commissioner shall provide a letter to the
12 applicant's jurisdiction of residence stating that Vermont does not object to the
13 jurisdiction issuing the applicant a license if the applicant is required to operate
14 only vehicles equipped with an ignition interlock device for at least a three-
15 year period, unless exempt under subdivision (a)(4) of this section, and is
16 required to complete any alcohol rehabilitation or treatment requirements of
17 the licensing jurisdiction.

18 (B) If the applicant's jurisdiction of residence is prepared to issue or
19 has issued a license in accordance with subdivision (A) of this subdivision (6)
20 and the applicant satisfies the requirements of section 675 of this title, the
21 Commissioner shall update relevant State and federal databases to reflect that

1 the applicant's lifetime suspension or revocation in Vermont under chapter 13,
2 subchapter 13 of this title has terminated.

3 (c) Screening and therapy programs. In the case of a second or subsequent
4 suspension, the Commissioner shall notify the ~~person that he or she is required~~
5 individual of the requirement to enroll in the alcohol and driving education
6 screening and therapy program provided for in this section within 30 days ~~of~~
7 after license suspension. If the ~~person~~ individual fails to enroll or fails to
8 remain so enrolled until completion, the Drinking Driver Rehabilitation
9 Program shall report such failure to the sentencing court. The court may order
10 the ~~person~~ individual to appear and show cause why ~~he or she~~ the individual
11 failed to comply.

12 (d) Judicial review. ~~A person~~ An individual aggrieved by a decision of a
13 designated counselor under this section may seek review of that decision
14 pursuant to Rule 75 of the Vermont Rules of Civil Procedure.

15 * * *

16 Sec. 20. CURRENT TOTAL ABSTINENCE PROGRAM PARTICIPANTS

17 (a) Not later than September 1, 2023, the Commissioner of Motor Vehicles
18 shall provide written notice to all individuals participating in or applying to
19 participate in the Total Abstinence Program as of the effective date of this
20 section of amendments to 23 V.S.A. § 1209a and that, as of the effective date
21 of this section, they must maintain total abstinence, as defined in 23 V.S.A.

1 § 1209a(b)(1) as amended by Sec. 19 of this act, at all times while participating
2 in or applying to participate in the Total Abstinence Program. Notice shall be
3 mailed to an individual's residence or mailing address as currently listed with
4 the Department of Motor Vehicles.

5 (b) Notwithstanding any provision of law to the contrary, the license or
6 privilege to operate of an individual participating in the Total Abstinence
7 Program on the effective date of this section may be suspended or revoked for
8 life in accordance with 23 V.S.A. § 1209a(b)(3), as amended by Sec. 19 of this
9 act, in the event that any further investigation reveals a failure to maintain total
10 abstinence, as defined in 23 V.S.A. § 1209a(b)(1) as amended by Sec. 19 of
11 this act.

12 * * * Motor Vehicle Noise; Motorcycles * * *

13 Sec. 21. 23 V.S.A. § 1221 is amended to read:

14 § 1221. CONDITION OF VEHICLE; EXCESSIVE NOISE

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

16 (1) "Exhaust system" means a series of mechanical devices designed or
17 used for the purpose of receiving exhaust gas from an internal combustion
18 engine and expelling it into the atmosphere.

19 (2) "Muffler" means a device consisting of a series of chambers or
20 baffle plates, or other mechanical device designed for the purpose of receiving

1 exhaust gas from an internal combustion engine, and that is effective in
2 reducing noise.

3 (b) Good mechanical condition. A motor vehicle, operated or driven on
4 any highway, shall be in good mechanical condition and shall be properly
5 equipped.

6 (c) Motorcycles. Every motorcycle manufactured after December 31,
7 1985, operated or driven on any highway, shall at all times be equipped with a
8 muffler bearing the U.S. Environmental Protection Agency required labeling
9 applicable to the motorcycle's model year stating that the exhaust system
10 meets the 80-decibel standard at 50 feet, as set out in 40 C.F.R. Part 205,
11 Subparts D and E.

12 * * * Overweight Permits * * *

13 Sec. 22. 23 V.S.A. § 1392 is amended to read:

14 § 1392. GROSS WEIGHT LIMITS ON HIGHWAYS

15 Except as provided in section 1400 of this title, a person or corporation shall
16 not operate or cause to be operated a motor vehicle in excess of the total
17 weight, including vehicle, object, or contrivance and load, of:

18 * * *

19 (3) No vehicle may exceed a gross weight in excess of 80,000 pounds
20 unless the operator or owner of the vehicle has complied with the provisions of
21 section 1400 of this title or except as otherwise provided in this section.

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(13) Despite the axle-load provisions of section 1391 of this title and the maximum gross load of subdivision (4) of this section, a special annual permit, which shall expire with the vehicle's registration, except for vehicles not registered in Vermont in which case the permit shall become void on January 1 following date of issue, may be issued to a person ~~or corporation~~ operating on designated routes on the State Highway System for a fee of ~~\$415.00~~ \$382.00 for each vehicle ~~that must be~~ registered for a weight of 80,000 pounds. This special permit shall be issued only for a combination of vehicle and semi-trailer or trailer equipped with five or more axles, with a distance between axles that meets the minimum requirements of registering the vehicle to 80,000 pounds as allowed under subdivision (4) of this section. The maximum gross load under this special permit shall be 90,000 pounds. Unless authorized by federal law, this subdivision shall not apply to operation on the Dwight D. Eisenhower National System of Interstate and Defense Highways.

(14) Despite the axle-load provisions of section 1391 of this title and the axle spacing and maximum gross load provisions of subdivision (4) of this section, a special annual permit, which shall expire with the vehicle's registration, except for vehicles not registered in Vermont in which case the permit shall become void on January 1 following date of issue, may be issued to a person ~~or corporation~~ transporting loads on vehicles on designated routes

1 on the State Highway System for the following fees for each vehicle unit.
2 Unless authorized by federal law, the provisions of this subdivision regarding
3 weight limits, or tolerances, or both, shall not apply to operation on the Dwight
4 D. Eisenhower National System of Interstate and Defense Highways. This
5 special permit shall be issued for the following vehicles and conditions:

6 * * *

7 (16) Notwithstanding the axle load provisions of section 1391 of this
8 title and the maximum gross load of subdivision (4) of this section, a five or
9 more axle truck tractor, semi-trailer combination, or truck trailer combination,
10 when the load consists solely of unprocessed milk products as defined in
11 subdivision 4(55) of this title, may be registered for and operated with a
12 maximum gross weight of 90,000 pounds on State highways without permit
13 and upon posted State and town highways ~~and those highways designated as~~
14 ~~the Dwight D. Eisenhower National System of Interstate and Defense~~
15 ~~Highways~~ when the vehicle has been issued a permit in compliance with the
16 provisions of section 1400 of this title; however:

17 (A) Vehicles operated pursuant to this subdivision (16) shall be
18 subject to the same axle spacing restrictions as are applied to five or more axle
19 vehicles registered to 80,000 pounds as set forth in subdivision (4) of this
20 section.

1 (B) ~~On those highways designated as the Dwight D. Eisenhower~~
2 ~~National System of Interstate and Defense Highways, the provisions of~~
3 ~~subsection 1391(c) of this title shall apply unless other axle load limits,~~
4 ~~tolerances, or both, are authorized under federal law. Unless prohibited by~~
5 ~~federal law, the provisions of this subdivision (16) shall apply to operation on~~
6 ~~the Dwight D. Eisenhower National System of Interstate and Defense~~
7 ~~Highways.~~

8 (C) ~~The fee for the annual permit as provided in this subdivision (16)~~
9 ~~shall be \$10.00 when the fee has been paid to register the vehicle for 90,000~~
10 ~~pounds or \$382.00 when the vehicle is registered for 80,000 pounds.~~

11 [Repealed.]

12 (17) Notwithstanding the gross vehicle weight provisions of subdivision
13 (4) of this section, a truck trailer combination or truck tractor, semi-trailer
14 combination with six or more load-bearing axles registered for 80,000 pounds
15 shall be allowed to bear a maximum of 99,000 pounds by special annual
16 permit, which shall expire with the vehicle's registration, except for vehicles
17 not registered in Vermont in which case the permit shall become void on
18 January 1 following the date of issue, for operating on designated routes on
19 State and town highways, subject to the following:

20 (A) The combination of vehicles must have, as a minimum, a
21 distance of 51 feet between extreme axles.

1 (2) ~~In addition, a Vermont resident may apply at any time to the~~
2 ~~Commissioner to obtain an “exempt vehicle title” for a vehicle that is more~~
3 ~~than 15 years old. Such titles shall be in a form prescribed by the~~
4 ~~Commissioner and shall include a legend indicating that the title is issued~~
5 ~~under the authority of this subdivision. The Commissioner shall issue an~~
6 ~~exempt vehicle title if the applicant pays the applicable fee and fulfills the~~
7 ~~requirements of this section, and if the Commissioner is satisfied that:~~

8 ~~(A) the applicant is the owner of the vehicle;~~

9 ~~(B) the applicant is a Vermont resident; and~~

10 ~~(C) the vehicle is not subject to any liens or encumbrances.~~

11 [Repealed.]

12 (3) ~~Prior to issuing an exempt vehicle title pursuant to subdivision (2) of~~
13 ~~this subsection, the Commissioner shall require all of the following:~~

14 ~~(A) The applicant to furnish one of the following proofs of~~
15 ~~ownership, in order of preference:~~

16 ~~(i) a previous Vermont or out of state title indicating the~~
17 ~~applicant’s ownership;~~

18 ~~(ii) an original or a certified copy of a previous Vermont or out of~~
19 ~~state registration indicating the applicant’s ownership;~~

1 (b) The Commissioner may issue an electronic certificate of title, provided
2 that the applicant is entitled to the issuance of the certificate of title pursuant to
3 subsection (a) of this section.

4 (c) The Commissioner shall maintain ~~at his or her central office~~ a record of
5 all certificates of title issued ~~by him or her for vehicles 15 years old and newer,~~
6 and of all exempt vehicle titles issued ~~by him or her,~~ under a distinctive title
7 number assigned to the vehicle; under the identification number of the vehicle;
8 alphabetically, under the name of the owner; and, in the discretion of the
9 Commissioner, by any other method ~~he or she~~ the Commissioner determines.
10 The original records may be maintained on microfilm or electronic imaging.

11 Sec. 28. 23 V.S.A. § 2091(a) is amended to read:

12 (a) Except for vehicles for which no certificate of title is required pursuant
13 to section 2012 of this title ~~and for vehicles that are more than 15 years old,~~
14 any person who purchases or in any manner acquires a vehicle as salvage; any
15 person who scraps, dismantles, or destroys a motor vehicle; or any insurance
16 company or representative thereof who declares a motor vehicle to be a total
17 loss, shall apply to the Commissioner for a salvage certificate of title within 15
18 days ~~of~~ after the time the vehicle is purchased or otherwise acquired as
19 salvage; is scrapped, dismantled, or destroyed; or is declared a total loss.

20 However, an insurance company or representative thereof proceeding under

1 subsection (c) of this section may apply outside this 15-day window to the
2 extent necessary to comply with the requirements of that subsection.

3 * * * Nonresident Title * * *

4 Sec. 29. 23 V.S.A. § 2020 is amended to read:

5 § 2020. WITHHOLDING OF CERTIFICATE; BOND REQUIRED

6 If the Commissioner is not satisfied as to the ownership of the vehicle or
7 that there are no undisclosed security interests in it, the Commissioner may
8 register the vehicle but shall either:

9 (1) Withhold issuance of a certificate of title until the applicant presents
10 documents reasonably sufficient to satisfy the Commissioner as to the
11 applicant's ownership of the vehicle and that there are no undisclosed security
12 interests in it; ~~or,~~

13 (2) As a condition of issuing a certificate of title, require ~~the~~ an
14 applicant who is a Vermont resident to file with the Commissioner a bond in
15 the form prescribed by the Commissioner and executed by the applicant, and
16 either accompanied by the deposit of cash with the Commissioner or also
17 executed by a person authorized to conduct a surety business in this State. The
18 bond shall be in an amount equal to one and one-half times the value of the
19 vehicle as determined by the Commissioner and conditioned to indemnify any
20 prior owner and lienholder and any subsequent purchaser of the vehicle or
21 person acquiring any security interest in it, and their respective successors in

1 interest, against any expense, loss, or damage, including reasonable attorney's
2 fees, by reason of the issuance of the certificate of title of the vehicle or on
3 account of any defect in or undisclosed security interest upon the right, title,
4 and interest of the applicant in and to the vehicle. Any such interested person
5 has a right of action to recover on the bond for any breach of its conditions, but
6 the aggregate liability of the surety to all persons shall not exceed the amount
7 of the bond. The bond, and any deposit accompanying it, shall be returned at
8 the end of three years or earlier if the vehicle is no longer registered in this
9 State and the currently valid certificate of title is surrendered to the
10 Commissioner, unless the Commissioner has been notified of the pendency of
11 an action to recover on the bond. The Commissioner shall not issue titles to
12 nonresidents under the provisions of this subdivision.

13 * * * Towing; Abandoned Vehicles * * *

14 Sec. 30. 23 V.S.A. § 4(88) is added to read:

15 (88) "Towing business" means a person that regularly engages in one or
16 more of the following: recovery, impoundment, transport, storage, or disposal
17 of motor vehicles.

18 Sec. 31. 23 V.S.A. § 2151 is amended to read:

19 § 2151. DEFINITIONS

20 As used in this subchapter:

21 (1)(A) "Abandoned motor vehicle" means:

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

6 (ii) a motor vehicle that has remained on public or private property
7 or on or along a highway without the consent of the owner or person in control
8 of the property for any period of time if:

9 (I) the vehicle does not have a valid registration plate or the
10 public vehicle identification number has been removed, destroyed, or altered;
11 or

12 (II) a law enforcement officer has requested that the vehicle be
13 removed by a towing business.

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

18 (2) “Landowner” means a person who owns or leases or otherwise has
19 authority to control use of real property.

20 (3) “Law enforcement officer” means a State Police officer, municipal
21 police officer, motor vehicle inspector, Capitol Police officer, constable,

1 sheriff, or deputy sheriff certified by the Vermont Criminal Justice Council
2 under 20 V.S.A. § 2358.

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

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

7 (B) a public vehicle identification number; or

8 (C) a certificate of title.

9 ~~(3)~~(5) “Public vehicle identification number” means the public vehicle
10 identification number that is usually visible through the windshield and
11 attached to the driver’s side of the dashboard, instrument panel, or windshield
12 pillar post or on the doorjamb on the driver’s side of the vehicle.

13 Sec. 32. 23 V.S.A. § 2153(a) is amended to read:

14 (a) A landowner on whose property an abandoned motor vehicle ~~is located~~
15 was discovered or has been relocated shall apply to the Department for an
16 abandoned motor vehicle certification on forms supplied by the Department
17 within ~~30~~ 90 days ~~of~~ after the date the vehicle was discovered ~~on or brought to~~
18 ~~the property unless the vehicle has been removed from the property or~~
19 relocated. An abandoned motor vehicle certification form shall indicate the
20 date that the abandoned motor vehicle was discovered or ~~brought to the~~
21 ~~property~~ relocated; the make, color, model, and location of the vehicle; the

1 name, address, and telephone number of the landowner of the property where
2 the vehicle is currently located; and a certification of the public vehicle
3 identification number, if any, ~~to be recorded~~ prepared by a law enforcement
4 officer, licensed dealer, or inspection station designated by the Commissioner
5 of Motor Vehicles. This subsection shall not be construed as creating a private
6 right of action against the landowner of the property where an abandoned
7 motor vehicle is located.

8 Sec. 33. 23 V.S.A. § 2158 is amended to read:

9 § 2158. FEES FOR TOWING; PUBLIC PROPERTY; FUNDING

10 (a) A towing service may charge a fee of up to ~~\$40.00~~ \$125.00 for towing
11 an abandoned motor vehicle from public property under the provisions of
12 sections 2151–2157 of this ~~title~~ subchapter. This fee shall be paid to the
13 towing service upon the issuance by the Department of Motor Vehicles of a
14 certificate of abandoned motor vehicles under section 2156 of this title. The
15 Commissioner of Motor Vehicles shall notify the Commissioner of Finance
16 and Management who shall issue payment to the towing service for vehicles
17 removed from public property. ~~Payments under this section shall terminate~~
18 ~~upon the payment of a total of \$16,000.00 for towing abandoned motor~~
19 ~~vehicles from public property in any fiscal year. A towing company shall not~~
20 ~~be eligible for more than 50 percent of this annual allocation.~~

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* * * Proof of Liability Insurance; Snowmobiles * * *

Sec. 35. 23 V.S.A. § 3206(b) is amended to read:

(b) A snowmobile shall not be operated:

* * *

(19) Without carrying proof of liability insurance as described in this subdivision. No owner or operator of a snowmobile shall operate or permit the operation of the snowmobile on the Statewide Snowmobile Trail System or public right of way, except on the property of the owner, without having in effect a liability policy or bond in the amounts of at least \$25,000.00 for one person and \$50,000.00 for two or more persons killed or injured and \$10,000.00 for damages to property in any one crash. In lieu thereof, evidence of self-insurance in the amount of \$115,000.00 must be filed with the Commissioner. Such financial responsibility shall be maintained and evidenced in a form prescribed by the Commissioner. The standards and process established in subsection 801(c) of this title shall be adopted. An operator may prove financial responsibility using a portable electronic device; however, use of a device for this purpose does not in itself constitute consent for an enforcement officer to access other contents of the device. An operator cited for violating this subsection shall not be convicted if the operator sends or produces to the issuing enforcement agency within seven business days of the

1 traffic stop proof of financial responsibility that was in effect at the time of the
2 traffic stop.

3 * * *

4 * * * Commercial Driver's License; Federal Motor Carrier Safety
5 Administration Drug and Alcohol Clearinghouse * * *

6 Sec. 36. 23 V.S.A. § 4108 is amended to read:

7 § 4108. COMMERCIAL DRIVER'S LICENSE, COMMERCIAL
8 LEARNER'S PERMIT QUALIFICATION STANDARDS

9 (a) Before issuing a commercial driver's license or commercial learner's
10 permit, the Commissioner shall request the applicant's complete operating
11 record from any state in which the applicant was previously licensed to operate
12 any type of motor vehicle in the past 10 years and conduct a check of the
13 applicant's operating record by querying the National Driver Register
14 established under 49 U.S.C. § 30302 ~~and~~, the Commercial Driver's License
15 Information System established under 49 U.S.C. § 31309, and the Commercial
16 Driver's License Drug and Alcohol Clearinghouse established under 49 C.F.R.
17 Part 382, Subpart G and required pursuant to 49 C.F.R. § 382.725 to determine
18 if:

19 (1) the applicant has already been issued a commercial driver's license;

20 (2) the applicant's commercial driver's license has been suspended,
21 revoked, or canceled; ~~or~~

1 designated by the manufacturer and as shown in the NADA Official Used Car
2 Guide (New England edition), or any comparable publication, provided such
3 sale occurs within three months ~~of~~ after the taxable purchase. However, this
4 three-month period shall be extended day-for-day for any time that a member
5 of a guard unit or of the U.S. Armed Forces, as defined in 38 U.S.C. § 101(10),
6 spends outside Vermont due to activation or deployment, and an additional
7 60 days following the ~~person's~~ individual's return from activation or
8 deployment. Such amount shall be reported on forms supplied by the
9 Commissioner of Motor Vehicles.

10 * * *

11 Sec. 38. 32 V.S.A. § 8911 is amended to read:

12 § 8911. EXCEPTIONS

13 The tax imposed by this chapter shall not apply to:

14 * * *

15 (22) Motor vehicles that have been registered to the applicant ~~for a~~
16 ~~period of at least three years~~ in a jurisdiction that imposes a state sales or use
17 tax on motor vehicles. An applicant for exemption under this subdivision shall
18 bear the burden of establishing to the satisfaction of the Commissioner that the
19 vehicle was registered in a qualifying jurisdiction ~~for the requisite period.~~

20 * * *

1 * * * Gross Weight Limits on Highways; Report * * *

2 Sec. 39. REPORT ON INCREASING GROSS WEIGHT LIMITS ON
3 HIGHWAYS THROUGH SPECIAL ANNUAL PERMIT

4 (a) The Secretary of Transportation or designee, in collaboration with the
5 Commissioner of Forests, Parks and Recreation or designee; the Executive
6 Director of the Vermont League of Cities and Towns or designee; and the
7 President of the Vermont Forest Products Association or designee and with the
8 assistance of the Commissioner of Motor Vehicles or designee, shall examine
9 adding one or more additional special annual permits to 23 V.S.A. § 1392 to
10 allow for the operation of motor vehicles at a gross vehicle weight over 99,000
11 pounds and shall file a written report on the examination and any
12 recommendations with the House and Senate Committees on Transportation on
13 or before January 15, 2024.

14 (b) At a minimum, the examination shall address:

15 (1) allowing for a truck trailer combination or truck tractor, semi-trailer
16 combination transporting cargo of legal dimensions that can be separated into
17 units of legal weight without affecting the physical integrity of the load to bear
18 a maximum of 107,000 pounds on six axles or a maximum of 117,000 pounds
19 on seven axles by special annual permit;

20 (2) limitations for any additional special annual gross vehicle weight
21 permits based on highway type, including limited access State highway, non-

1 limited-access State highway, class 1 town highway, and class 2 town
2 highway;

3 (3) limitations for any additional special annual gross vehicle weight
4 permits based on axle spacing and axle-weight provisions;

5 (4) reciprocity treatment for foreign trucks from a state or province that
6 recognizes Vermont vehicles permitted at increased gross weights;

7 (5) permit fees for any additional special annual gross vehicle weight
8 permits;

9 (6) additional penalties, including civil penalties and permit revocation,
10 for gross vehicle weight violations; and

11 (7) impacts of any additional special annual gross vehicle permits on the
12 forest economy and on the management and forest cover of Vermont's
13 landscape.

14 * * * Implementation of DMV Modernization Project; Driver Services * * *

15 Sec. 40. IMPLEMENTATION OF DEPARTMENT OF MOTOR VEHICLES

16 MODERNIZATION PROJECT; GENERAL ASSEMBLY

17 OVERSIGHT

18 (a) Findings. The General Assembly finds that:

19 (1) The Department of Motor Vehicles provides services to almost all
20 Vermonters, including, in fiscal year 2022, engaging in more than a million
21 transactions, with almost half of all transactions being conducted online.

1 (2) The Department is in the middle of the DMV Core System
2 Modernization project, with an estimated launch date for the vehicle services
3 module in November 2023 and with the driver services module expected to
4 launch approximately 18 months after it commences in February 2024.

5 (3) As part of its design and implementation of the vehicle services
6 module, the Department has discovered that one of the barriers to modernizing
7 Department operations is certain outdated statutes. In order to best modernize
8 and optimize Department processes for the future during the months-long
9 module design and development process, the Commissioner of Motor Vehicles
10 has had to make business decisions that conflict with current statutes while the
11 General Assembly was adjourned, prior to an opportunity to seek amendments
12 to those statutes through the legislative process.

13 (4) The driver services module of the DMV Core System Modernization
14 project will design and implement processes to issue and maintain driver's
15 licenses and other credentials; support fraud detection and investigation;
16 administer hearings; and administer, manage, and report driver restrictions,
17 convictions, and other information related to driver improvement.

18 (5) Driver services processes are regulated by statute in 23 V.S.A.
19 chapters 1, 3, 5, 9, 11, 24, 25, and 39, as well as more than 15 rules adopted
20 pursuant to authority under Title 23.

21 (6) It is anticipated that in designing and implementing the driver

1 services module, the Commissioner will need to make additional business
2 decisions that conflict with current statutes in order to modernize and optimize
3 Department processes to best serve Vermonters.

4 (7) Of the modernization projects in which the State is currently
5 engaged, the DMV Core System Modernization Project will likely have the
6 most significant impact on existing statutory language, but it is anticipated that
7 other modernization projects, such as the one that the Department of Labor will
8 undertake related to unemployment insurance, will raise similar tensions
9 between promoting efficiencies as part of modernization and contending with
10 outdated statutory provisions.

11 (8) A collaborative partnership between the Department and the General
12 Assembly throughout the driver services module, monitored during legislative
13 adjournment by the Joint Transportation Oversight Committee, the Joint Fiscal
14 Committee, and the House and Senate Committees on Transportation, provides
15 the best opportunity to save money, promote transparency, streamline the
16 process of amending statute to optimize potential efficiencies for Vermonters,
17 and serve as a model for collaboration between branches of State government
18 in future modernization projects.

19 (b) Reports.

20 (1) The Commissioner of Motor Vehicles shall provide two written
21 reports on the design and implementation of the driver services module of the

1 DMV Core System Modernization project to the Joint Transportation
2 Oversight Committee, the Joint Fiscal Committee, and the House and Senate
3 Committees on Transportation. The first shall be due on or before July 1, 2024
4 and the second shall be due on or before December 1, 2024.

5 (2) To the extent practicable, at the time each written report is filed, the
6 Department shall include recommendations on which provisions of statute and
7 rule the Department anticipates will need to be amended or repealed in order to
8 best modernize and optimize Department processes related to the provision of
9 driver services.

10 (c) Joint meetings. The Commissioner of Motor Vehicles shall provide
11 updates on the implementation of the driver services module of the DMV Core
12 System Modernization project by testifying at two joint meetings of the House
13 and Senate Committees on Transportation. The first joint meeting shall be
14 held on or before January 31, 2025 and the second joint meeting shall be held
15 on or before April 30, 2025.

16 (d) General Assembly oversight. To the extent practicable, the Joint
17 Transportation Oversight Committee, the Joint Fiscal Committee, and the
18 House and Senate Committees on Transportation shall promptly express any
19 concerns to the Department regarding any Department recommendations
20 contained in any written report or testimony provided pursuant to subsections

21 (b) and (c) of this section

1 Sec. 41. [Deleted.]

2 Sec. 42. [Deleted.]

3 Sec. 43. [Deleted.]

4 * * * ATV Fees and Penalties * * *

5 Sec. 44. REPEALS

6 (a) 2018 Acts and Resolves No. 158, Secs. 29 (July 1, 2023 amendment to
7 23 V.S.A. § 3513(a)) and 43(c) (effective date) are repealed.

8 (b) 2022 Acts and Resolves No. 185, Sec. E.702 (July 1, 2023 amendment
9 to 23 V.S.A. § 3513) is repealed.

10 Sec. 45. 2022 Acts and Resolves No. 185, Sec. H.100(d) is amended to read:

11 (d) Secs. E.240.1 (7 V.S.A. § 845); E.240.2 (32 V.S.A. § 7909); ~~E.702~~
12 ~~(Fish and Wildlife)~~; F.100(b), F.101(b), F.102(b) and F.103 (Executive
13 Branch; Exempt Employees, Misc. Statutory Salaries; Fiscal Year 2024);
14 F.104–106 (Judicial Branch; Statutory Salaries, Fiscal Year 2024); F.107
15 (Sheriffs, Statutory Salaries, Fiscal Year 2024); F.108 (State’s Attorney’s;
16 Statutory Salaries; Fiscal Year 2024); and Secs. F.109(a)(2), F.109(b)(3), and
17 F.109(c)(2) (Appropriations; Fiscal Year 2024) shall take effect on July 1,
18 2023.

19 Sec. 46. 23 V.S.A. § 3513(a) is amended to read:

20 (a) The amount of 90 percent of the fees and penalties collected under this
21 chapter, except interest, is allocated to the ~~Agency of Natural Resources~~

1 Department of Forests, Parks and Recreation for use by the Vermont ATV
2 Sportsman's Association (VASA) for development and maintenance of a
3 Statewide ATV Trail Program, for trail liability insurance, and to contract for
4 law enforcement services with any constable, sheriff's department, municipal
5 police department, the Department of Public Safety, and the Department of
6 Fish and Wildlife for purposes of trail compliance pursuant to this chapter.
7 The Departments of Public Safety and of Fish and Wildlife are authorized to
8 contract with VASA to provide these law enforcement services. The ~~Agency~~
9 ~~of Natural Resources~~ Department of Forests, Parks and Recreation shall retain
10 for its use up to \$7,000.00 during each fiscal year to be used for administration
11 of the State grant that supports this ~~program~~ Program.

12 * * * Excessive Motor Vehicle Noise Report * * *

13 Sec. 47. EXCESSIVE MOTOR VEHICLE NOISE REPORT

14 (a) The Commissioner of Motor Vehicles, in consultation with the
15 Commissioner of Public Safety and the Vermont League of Cities and Towns,
16 shall study and report on current and potential enforcement practices around
17 excessive motor vehicle noise and make recommendations on ways to limit
18 excessive motor vehicle noise in Vermont.

19 (b) The study and report shall, at a minimum, address:

20 (1) if there should be a noise standard in statute or the Periodic
21 Inspection Manual, or both, and, if so, what that standard should be;

1 of applying to participate in the Total Abstinence Program as of the effective
2 date of this section without regard to when the individual's license was
3 reinstated under the Total Abstinence Program.

4 (c) Secs. 4–13 (license plate stickers; validation stickers) shall take effect
5 on November 1, 2023.

6 (d) Secs. 25–28 (title; 23 V.S.A. §§ 2012, 2013, 2017, and 2091(a)) shall
7 take effect upon completion of the vehicle services module of the DMV Core
8 System Modernization project.

9 (e) Sec. 17 (statutory default speed limits; 23 V.S.A. § 1081) shall take
10 effect on July 1, 2024.

11 (f) Sec. 36 (commercial driver's license clearinghouse; 23 V.S.A. § 4108)
12 shall take effect on November 18, 2024.

13 (g) All other sections shall take effect on July 1, 2023.