

1 **[ADDITION OF THE MOTORCYCLE MUFFLER STAMP LANGUAGE,**

2 **S.99 (2023) (as introduced), Sec. 21]**

3 * * * Motor Vehicle Noise; Motorcycles * * *

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

5 § 1221. CONDITION OF VEHICLE; EXCESSIVE NOISE

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

7 (1) “Exhaust system” means a series of mechanical devices designed or
8 used for the purpose of receiving exhaust gas from an internal combustion
9 engine and expelling it into the atmosphere.

10 (2) “Muffler” means a device consisting of a series of chambers or
11 baffle plates or other mechanical device designed for the purpose of receiving
12 exhaust gas from an internal combustion engine, and that is effective in
13 reducing noise.

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

17 (c) Motorcycles. Every motorcycle manufactured after December 31,
18 1985, operated or driven on any highway, shall at all times be equipped with a
19 muffler bearing the U.S. Environmental Protection Agency required labeling
20 applicable to the motorcycle’s model year stating that the exhaust system

1 meets the 80-decibel standard at 50 feet, as set out in 40 C.F.R. Part 205,

2 Subparts D and E.

3 **[ADDITION OF TINTED WINDOW LANGUAGE, S.279 (2024)],**

4 **with grammatical correction]**

5 * * * Tinted Windows * * *

6 * * * Prohibition on the Sale or Lease of

7 Motor Vehicles with Tinted Windows * * *

8 Sec. 13b. 23 V.S.A. § 469 is added to read:

9 § 469. PROHIBITION ON THE SALE OR LEASE OF MOTOR VEHICLES

10 WITH TINTED WINDOWS

11 No dealer shall sell, lease, or exchange a motor vehicle with tinting material
12 that has been painted or adhered on or over, or hung in back of, any transparent
13 part of a motor vehicle windshield, vent windows, or side windows located
14 immediately to the left and right of the operator or a motor vehicle with tinting
15 that is within any transparent part of a motor vehicle windshield, vent
16 windows, or side windows located immediately to the left and right of the
17 operator unless the purchaser or lessor has been granted an exemption to allow
18 for the operation of a motor vehicle with tinted windows pursuant to
19 subsection 1125(c) of this title.

20 Sec. 13c. RULEMAKING; ADMINISTRATIVE PENALTIES

1 The Department of Motor Vehicles shall, unless extended by the Legislative
2 Committee on Administrative Rules, adopt amendments to the Department of
3 Motor Vehicles, Vermont Dealer Licensing and Schedule of Penalties and
4 Suspension (CVR 14-050-050) to establish an administrative penalty for
5 violating 23 V.S.A. § 469 (prohibition on the sale or lease of motor vehicles
6 with tinted windows) as added by Sec. 13b of this act to be effective not later
7 than the effective date of this section.

8 * * * Prohibition on Operation of Motor Vehicles with Tinted Windows * * *

9 Sec. 13d. 23 V.S.A. § 1125 is amended to read:

10 § 1125. OBSTRUCTING WINDSHIELDS, AND WINDOWS

11 (a) Except as otherwise provided in this section, ~~a person~~ an individual
12 shall not operate a motor vehicle ~~on which~~ when the operator's view is
13 materially obstructed by either:

14 (1) material or items that have been painted or adhered on or over, or
15 hung in back of, any transparent part of a motor vehicle windshield, vent
16 windows, or side windows located immediately to the left and right of the
17 operator; or

18 (2) tinting that is within any transparent part of a motor vehicle
19 windshield, vent windows, or side windows located immediately to the left and
20 right of the operator. ~~The prohibition of this section on hanging items shall~~
21 ~~apply only when a hanging item materially obstructs the driver's view.~~

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

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

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

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

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

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

1 (6) if the object is a rearview mirror, or is an electronic toll-collection
2 transponder located either between the roof line and the rearview mirror post
3 or behind the rearview mirror.

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

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

5 * * * Safety Inspection * * *

6 Sec. 13e. LEGISLATIVE INTENT; TINTED WINDOWS

7 It is the intent of the General Assembly that a motor vehicle with material
8 or items that have been painted or adhered on or over, or hung in back of, any
9 transparent part of a motor vehicle windshield, vent windows, or side windows
10 located immediately to the left and right of the operator or with tinting that is
11 within any transparent part of a motor vehicle windshield, vent windows, or
12 side windows located immediately to the left and right of the operator poses a
13 danger to the operator or to other highway users unless one of the exemptions
14 in 23 V.S.A. § 1125 is met and that such a motor vehicle shall fail the annual
15 safety inspection required under 23 V.S.A. § 1222.

16 Sec. 13f. RULEMAKING; PERIODIC INSPECTION MANUAL; TINTED
17 WINDOWS

18 The Department of Motor Vehicles shall, unless extended by the Legislative
19 Committee on Administrative Rules, adopt amendments to Department of
20 Motor Vehicles, Inspection of Motor Vehicles (CVR 14-050-022) consistent

1 with the legislative intent in Sec. 13e of this act to be effective not later than
2 the effective date of this section.

3 **[ADDITION OF RUSTED BRAKE ROTOR LANGUAGE]**

4 * * * Rusted Brake Rotors; Safety Inspection * * *

5 Sec. 13g. LEGISLATIVE INTENT; RUSTED BRAKE ROTORS

6 It is the intent of the General Assembly that the presence of rust or pitting
7 on brake rotors, by itself, does not constitute a failure for the purpose of the
8 annual safety inspection required under 23 V.S.A. § 1222 and that inspectors
9 should determine if rust is a temporary condition, also known as surface rust,
10 which sometimes results from the vehicle being parked for a period of time,
11 and only fail a motor vehicle for one or more rusted or pitted rotors that are
12 causing diminished braking performance that prevents the vehicle from
13 stopping within prescribed distances.

14 Sec. 13h. RULEMAKING; PERIODIC INSPECTION MANUAL; RUSTED
15 BRAKE ROTORS

16 The Department of Motor Vehicles shall, unless extended by the Legislative
17 Committee on Administrative Rules, adopt amendments to Department of
18 Motor Vehicles, Inspection of Motor Vehicles (CVR 14-050-022) consistent
19 with the legislative intent in Sec. 13g of this act to be effective not later than
20 July 1, 2025.

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[ADDITION OF CAR SEAT LANGUAGE,

S.187 (2024), Secs. 2 and 3 with corrections]

* * * Child Restraint Systems * * *

Sec. 18a. 23 V.S.A. § 1258 is amended to read:

§ 1258. CHILD RESTRAINT SYSTEMS; ~~PERSONS~~ INDIVIDUALS
UNDER AGE 18 YEARS OF AGE

(a) No ~~person~~ individual shall operate a motor vehicle, other than a type I school bus, in this State upon a public highway unless every occupant under ~~age~~ 18 years of age is properly restrained in a federally approved child ~~passenger-restraining~~ restraint system as defined in 49 C.F.R. § 571.213, as may be amended, or a federally approved safety belt, as follows:

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

(2) ~~a child weighing more than 20 pounds, and who is one year of age or older and under the age of eight~~ five years; of age who is not properly secured in a federally approved rear-facing child restraint system in accordance with

1 subdivision (1) of this subsection shall be restrained in a child passenger
2 restraining system properly secured in a forward-facing federally approved
3 child restraint system with a harness until the child reaches the weight or
4 height limit of the child restraint system as set by the manufacturer; and

5 (3) a child under eight years of age who is not properly secured in a
6 federally approved child restraint system in accordance with subdivision (1) or
7 (2) of this subsection shall be properly secured in a booster seat, as defined in
8 49 C.F.R. § 571.213, as may be amended;

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

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

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

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

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

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

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

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

6 (1) \$25.00 for a first violation;

7 (2) \$50.00 for a second violation; and

8 (3) \$100.00 for third and subsequent violations.

9 Sec. 18b. CHILD RESTRAINT SYSTEMS; PUBLIC OUTREACH

10 CAMPAIGN

11 (a) The Department of Health, in consultation with the State Highway
12 Safety Office, shall implement a public outreach campaign on car seat safety
13 that builds upon the current Be Seat Smart program; utilizes materials on child
14 safety prepared by the U.S. Department of Transportation, Traffic Safety
15 Marketing; is consistent with the recommendations from the American
16 Academy of Pediatrics in the Child Passenger Safety Policy Statement
17 published in 2018; and educates Vermonters on 23 V.S.A. § 1258, as amended
18 by Sec. 18b of this act.

19 (b) The public outreach campaign shall disseminate information on car seat
20 safety through e-mail; a dedicated web page on car seat safety that is linked
21 through the websites for the Agency of Transportation and the Department of

1 Health; social media platforms; community posting websites; radio; television;
2 and informational materials that can be printed and shall be made available to
3 all pediatricians, obstetricians, and midwives licensed in the State and all Car
4 Seat Inspection Stations in the State.

5 **[CHANGES TO THE EFFECTIVE DATES,**

6 **HIGHLIGHTED IN YELLOW]**

7 * * * Effective Dates * * *

8 Sec. 27. EFFECTIVE DATES

9 (a) Notwithstanding 1 V.S.A. § 214, this section and Sec. 21 (certificate of
10 title exemptions; 23 V.S.A. § 2012) shall take effect retroactively on January 1,
11 2024.

12 (b) Secs. 13b–13f (tinted windows) shall take effect on January 1, 2025.

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