

1 Introduced by Committee on Transportation

2 Date:

3 Subject: Motor vehicles; Department of Motor Vehicles; transporters; all-  
4 surface vehicles; record keeping; certificates of title; registration;  
5 residents; low-number plates; weight limitations; signal lamps; sirens;  
6 law enforcement; vessels; motorboats; fire extinguishers; motorboat  
7 numbering; commercial driver’s licenses; commercial learner’s  
8 permits; masking violations

9 Statement of purpose of bill as introduced: This bill proposes to make  
10 miscellaneous changes to laws related to motor vehicles and vessels.

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

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

14 \* \* \* Transporters \* \* \*

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

16 § 4. DEFINITIONS

17 \* \* \*

18 (8)(A)(i) “Dealer” means a person, partnership, corporation, or other  
19 entity engaged in the business of selling or exchanging new or used motor  
20 vehicles, snowmobiles, motorboats, or all-terrain vehicles. A dealer may, as

1 part of or incidental to such business, repair such vehicles or motorboats, sell  
2 parts and accessories, or lease or rent such vehicles or motorboats. “Dealer”  
3 ~~shall~~ does not include a finance or auction dealer or a transporter.

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

8 (II) For a dealer in snowmobiles, motorboats, or all-terrain  
9 vehicles, “engaged in the business” means having sold or exchanged at least  
10 one snowmobile, motorboat, or all-terrain vehicle, respectively, in the  
11 immediately preceding year or two in the two immediately preceding years.

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

16 However, the sale or exchange of a trailer with a gross vehicle weight rating of  
17 3,500 pounds or less shall be excluded under this subdivision (III).

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

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\* \* \*

(42)(A) “Transporter” means:

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

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

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

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

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

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

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

1 (II) persons whose business is the repossession of motor  
2 vehicles; ~~and~~

3 (III) persons whose business involves moving vehicles from  
4 the place of business of a registered dealer to another registered dealer, or  
5 between a motor vehicle auction site and a registered dealer or another motor  
6 vehicle auction site, leased vehicles to the lessor at the expiration of the lease,  
7 or vehicles purchased at the place of auction of an auction dealer to the  
8 purchaser; and

9 (IV) persons who sell or exchange new or used motor vehicles  
10 but who are not engaged in business as that phrase is defined in subdivision  
11 (8)(A)(ii) of this section.

12 \* \* \*

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

14 § 491. TRANSPORTER APPLICATION; ELIGIBILITY; USE OF  
15 TRANSPORTER PLATES

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

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

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

5 (b) When ~~he or she~~ a transporter displays ~~thereon his or her~~ the  
6 transporter’s registration plate, a the transporter or ~~his or her~~ the transporter’s  
7 employee or contractor may transport a motor vehicle owned by the  
8 transporter, repossessed, or temporarily in the transporter’s custody, and it  
9 shall be considered ~~to be~~ properly registered under this title. ~~Transporter’s~~ A  
10 transporter’s registration plates shall not be used for any other purposes and  
11 shall not be used by the holder of such number plates for personal purposes.

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

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

14 (80) An “all-surface vehicle” or “ASV” means any non-highway  
15 recreational vehicle, except a snowmobile, when used for cross-country travel  
16 on trails or on any one of the following or combination of the following: land,  
17 water, snow, ice, marsh, swampland, and natural terrain. An all-surface  
18 vehicle shall be designed for use both on land and in water, with or without  
19 tracks, shall be capable of flotation and shall be equipped with a skid-steering  
20 system, a sealed body, a fully contained cooling system, and ~~six or~~ up to eight  
21 tires designed to be inflated with an operating pressure not exceeding

1 10 pounds per square inch as recommended by the manufacturer. An all-  
2 surface vehicle shall have a net weight of 1,500 pounds or less, shall have a  
3 width of 75 inches or less, shall be equipped with an engine of not more than  
4 50 horsepower, and shall have a maximum speed of not more than 25 miles per  
5 hour. An ASV when operated in water shall be considered to be a motorboat  
6 and shall be subject to the provisions of chapter 29, subchapter 2 of this title.  
7 An ASV operated anywhere except in water shall be subject to the provisions  
8 of chapter 31 of this title.

9 \* \* \* Record Keeping \* \* \*

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

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

12 (a) Original records. Original certificate of title records, including  
13 surrendered certificates of title and requests for salvage title, as issued pursuant  
14 to chapters 21 and 36 of this title, shall be maintained as an electronic image or  
15 electronic copy or other form of image, which allows for the tracing of  
16 anything for which the Department of Motor Vehicles issues a certificate of  
17 title, for a period of five years.

18 (b) Electronic format. Records of title shall be maintained indefinitely in  
19 an electronic format, determined by the Commissioner, that allows for the  
20 tracing of anything for which the Department of Motor Vehicles issues a  
21 certificate of title.

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

2 (c) The Commissioner shall maintain a record of all certificates of title  
3 issued and of all exempt vehicle titles issued ~~under a distinctive title number~~  
4 ~~assigned to the vehicle; under the identification number of the vehicle;~~  
5 ~~alphabetically, under the name of the owner; and, in the discretion of the~~  
6 ~~Commissioner, by any other method the Commissioner determines. The~~  
7 ~~original records may be maintained on microfilm or electronic imaging~~  
8 pursuant to section 117 of this title.

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

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

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

14 § 2092. ISSUANCE OF SALVAGE TITLE

15 The Commissioner shall file and maintain in the manner provided in section  
16 ~~2017~~ 117 of this title each application received and when satisfied as to its  
17 genuineness and regularity and that the applicant is entitled to the issuance of a  
18 salvage certificate of title, shall issue a salvage certificate of title to the vehicle.

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

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

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

3           ~~(B) under the identification number of the vessel, snowmobile, or all~~  
4           ~~terrain vehicle;~~

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

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

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

13   \* \* \* Registration; Residents \* \* \*

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

15          § 301. PERSONS REQUIRED TO REGISTER

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

19           (b) Temporary residents and foreign partnerships, firms, associations, and  
20          corporations having a place of business in this State may annually register



1 motor vehicles owned or leased for a period of more than 30 days and operated  
2 by them **or an employee.**

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

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

11 (e) As used in this section:

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

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

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

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

11 \* \* \* Weight Limitations on Low-Number Plates \* \* \*

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

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

17 \* \* \*

18 (4) A person holding a reserved registration number on a pleasure car, a  
19 truck ~~that is registered at the pleasure-car rate~~ for less than 26,001 pounds, or a  
20 motorcycle may be issued the same reserved registration number for the other

1 authorized vehicle types, provided that the person receives ~~no~~ not more than  
2 one such plate or set of plates for each authorized vehicle type.

3 \* \* \* License Plates; Registration; Prorated Refunds \* \* \*

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

5 § 327. REFUND WHEN PLATES NOT USED

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

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

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

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

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

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

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

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

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

11           \* \* \* Signal Lamp and Sirens for Municipal and State Law Enforcement \* \* \*

12           Sec. 14. 23 V.S.A. § 1251 is amended to read:

13           § 1251. SIRENS AND COLORED SIGNAL LAMPS; OUT-OF-STATE

14                           EMERGENCY AND RESCUE VEHICLES

15           (a) **Prohibition.** A motor vehicle shall not be operated upon a highway of  
16 this State equipped with a siren or signal lamp colored other than amber unless  
17 either a permit authorizing this equipment, issued by the Commissioner of  
18 Motor Vehicles, is carried in the vehicle or a permit is not required pursuant to  
19 section 1252 of this subchapter.

20           (b) **Permit transfer.** A permit may be transferred following the same  
21 procedure and subject to the same time limits as set forth in section 321 of this

1 title. The Commissioner may adopt additional rules as may be required to  
2 govern the acquisition of permits and the use pertaining to sirens and colored  
3 signal lamps.

4 ~~(b)~~(c) Exception for vehicles from another state. Notwithstanding the  
5 provisions of subsection (a) of this section, when responding to emergencies,  
6 law enforcement vehicles, ambulances, fire vehicles, or vehicles owned or  
7 leased by, or provided to, volunteer firefighters or rescue squad members that  
8 are registered or licensed by another state or province may use sirens and  
9 signal lamps in Vermont, and a permit shall not be required for such use, as  
10 long as provided the vehicle is properly permitted or otherwise permitted to  
11 use the sirens and signal lamps in its home state or province.

12 Sec. 15. 23 V.S.A. § 1252 is amended to read:

13 § 1252. LAW ENFORCEMENT VEHICLES; ISSUANCE OF PERMITS  
14 FOR SIRENS OR COLORED LAMPS, OR BOTH; USE OF  
15 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, the State, or the Vermont Criminal Justice

2 Council:

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

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

13 ~~(C)(2)~~ Law enforcement vehicles owned or leased by a certified  
14 constable.

15 ~~(A) If the applicant is a~~ The following are authorized for use, without  
16 permit, on all law enforcement vehicles owned or leased by a Vermont  
17 Criminal Justice Council certified constable, the application shall be  
18 accompanied by a certification by the town clerk that the applicant is the duly  
19 elected or appointed constable and attesting that the town for a municipality  
20 that has not voted to limit the constable's authority to engage in enforcement  
21 activities under 24 V.S.A. § 1936a: a red signal lamp or an amber signal lamp,

1 or a combination thereof, provided that the lamp or lamps are mounted so as to  
2 be visible primarily from the rear of the vehicle.

3 (B) A constable for a municipality that has voted to limit the  
4 constable’s authority to engage in enforcement activities under 24 V.S.A.  
5 § 1936a shall not operate, in the course of the constable’s elected duties, a  
6 motor vehicle with a siren or signal lamp or lamps except an amber signal  
7 lamp.

8 ~~(2)~~(b) **Emergency services vehicles.**

9 (1) When satisfied as to the condition and use of the vehicle, the  
10 Commissioner shall issue and may revoke, for cause, permits for sirens and  
11 colored signal lamps in the following manner:

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

19 (B) A blue signal lamp or an amber signal lamp, or a combination  
20 thereof, may be authorized for all EMS vehicles or vehicles owned or leased

1 by a fire department, provided that the Commissioner shall require the lamp or  
2 lamps be mounted so as to be visible primarily from the rear of the vehicle.

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

4 ~~(4)~~(2) 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 ~~(5)~~(3) Upon application to the Commissioner, the Commissioner may  
8 issue a single permit for all the vehicles owned or leased by the applicant.

9 ~~(6)~~(4) Sirens and red or red and white signal lamps or sirens and blue or  
10 blue and white signal lamps may be authorized for restored emergency or  
11 enforcement vehicles used for exhibition purposes. Sirens and lamps  
12 authorized under this subdivision may only be activated during an exhibition,  
13 such as a car show or parade.

14 ~~(b)~~(c) **Amber signal lamps.** Amber signal lamps shall be used on road  
15 maintenance vehicles, service vehicles, and wreckers and shall be used on all  
16 registered snow removal equipment when in use removing snow on public  
17 highways, and the amber lamps shall be mounted so as to be visible from all  
18 sides of the motor vehicle.

19 Sec. 16. 23 V.S.A. § 4(1) is amended to read:

20 (1) “Authorized emergency vehicle” means a vehicle of a fire  
21 department, ~~police~~ law enforcement vehicle, public and private ambulance, and



1 a vehicle ~~to which a permit has been issued pursuant to subdivision 1252(a)(1)~~  
2 ~~or (2)~~ equipped as provided in subsections 1252(a) and (b) of this title.

3 Sec. 17. 23 V.S.A. § 1050a(b) is amended to read:

4 (b) The driver of a vehicle shall yield the right of way to any authorized  
5 vehicle obviously and actually engaged in work upon a highway when the  
6 vehicle displays flashing lights meeting the requirements of subsection  
7 1252~~(b)~~(c) of this title.

8 Sec. 18. 23 V.S.A. § 1255(b) is amended to read:

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

21 \* \* \* Exempt Vehicle Title \* \* \*

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

2 (15) “Title or certificate of title” means a written instrument or  
3 document that certifies ownership of a vehicle and is issued by the  
4 Commissioner or equivalent official of another jurisdiction. These terms do not  
5 include an exempt vehicle title ~~authorized to be issued under subdivision~~  
6 ~~2013(a)(2) of this chapter.~~

7 Sec. 20. 23 V.S.A. § 2002(a)(1) is amended to read:

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

10 Sec. 21. 23 V.S.A. § 2012 is amended to read:

11 § 2012. EXEMPTED VEHICLES

12 No certificate of title need be obtained for:

13 \* \* \*

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

17 Sec. 22. 23 V.S.A. § 2016 is amended to read:

18 § 2016. COMMISSIONER TO CHECK IDENTIFICATION NUMBER

19 The Commissioner, upon receiving application for a first certificate of title  
20 ~~or exempt vehicle title~~, shall check the identification number of the vehicle  
21 shown in the application against the records of vehicles required to be

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

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

4 § 2021. REFUSAL OF CERTIFICATE

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

8 \* \* \*

9 \* \* \* Vessels \* \* \*

10 \* \* \* Fire Extinguishers \* \* \*

11 Sec. 24. 23 V.S.A. § 3306 is amended to read:

12 § 3306. LIGHTS AND EQUIPMENT

13 \* \* \*

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

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

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

4 (B) 26 feet or longer, but less than 40 feet, not less than two  
5 extinguishers; and

6 (C) 40 feet or longer, not less than three extinguishers; and

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

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

10 (B) 26 feet or longer but less than 40 feet, not less than one  
11 extinguisher; and

12 ~~(B)~~(C) 40 feet or longer, not less than two extinguishers.

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

17 (e)(1) The extinguishers referred to by this section are class B-I or 5-B  
18 extinguishers, but one class B-II or 20-B extinguisher may be substituted for  
19 two class B-I or 5-B extinguishers.

20 (2) Notwithstanding subdivision (1) of this subsection, motorboats with  
21 a model year between 1953 and 2017 with previously approved fire

1 extinguishers that are not in compliance with the types identified in subdivision  
2 (1) of this subsection need not be replaced until such time as they are no longer  
3 in good and serviceable condition.

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

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

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

1                               \* \* \* Vermont Numbering Provisions \* \* \*

2       Sec. 25. 23 V.S.A. § 3307(a) is amended to read:

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

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

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

10   \* \* \*

11                               \* \* \* Commercial Driver’s Licenses and Permits;

12   Prohibition on Masking or Diversion \* \* \*

13       Sec. 26. 23 V.S.A. § 4122 is amended to read:

14       § 4122. DEFERRING IMPOSITION OF SENTENCE; PROHIBITION ON  
15                               MASKING OR DIVERSION

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

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

8                           \* \* \* Effective Dates \* \* \*

9           Sec. 27. EFFECTIVE DATES

10           (a) Notwithstanding 1 V.S.A. § 214, this section and Sec. 21 (certificate of  
11           title exemptions; 23 V.S.A. § 2012) shall take effect retroactively on January 1,  
12           2024.

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