

1 **[ADDITION OF THE MOTORCYCLE MUFFLER STAMP LANGUAGE,**
2 **S.99 (2023) (as introduced), Sec. 21), with technical correction]**

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** on any
15 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** on any highway, shall at all times be equipped with a muffler
19 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 modifications***

5 * * * Tinted Windows * * *

6 Sec. 13b. 23 V.S.A. § 1125 is amended to read:

7 § 1125. OBSTRUCTING WINDSHIELDS, AND WINDOWS

8 (a) Except as otherwise provided in this section, ~~a person~~ an individual
9 shall not operate a motor vehicle on which material or items have been painted
10 or adhered on or over, or hung in back of, any transparent part of a motor
11 vehicle windshield, vent windows, or side windows located immediately to the
12 left and right of the operator. The prohibition of this section on hanging items
13 shall apply ~~only to shading or tinting material or~~ when a hanging item
14 materially obstructs the driver's view.

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

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

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

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

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

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

13 (6) if the object is a rearview mirror; or is an electronic toll-collection
14 transponder located either between the roof line and the rearview mirror post
15 or behind the rearview mirror; or

16 (7) if the object is shading or tinting material and the visible light
17 transmission, which is the amount of visible light that can pass through
18 shading or tinting material applied to the window or windshield of a motor
19 vehicle, tints to not less than the comparable allowance for tinting that is
20 within any transparent part of a motor vehicle windshield or window, also
21 known as glazing, as allowed under 49 C.F.R. § 393.60, as amended, and the

1 shading or tinting material is removed if it tears, bubbles, or is otherwise worn
2 to prohibit clear vision.

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

20 (d) The rear side windows and the back window may be obstructed only if
21 the motor vehicle is equipped on each side with a securely attached mirror;

1 ~~which~~ that provides the operator with a clear view of the roadway in the rear
2 and on both sides of the motor vehicle.

3 Sec. 13c. LEGISLATIVE INTENT; TINTED WINDOWS

4 It is the intent of the General Assembly that a motor vehicle with shading or
5 tinting material that is not allowed under 23 V.S.A. § 1125, as amended by
6 Sec. 13b of this act, poses a danger to the individual operating the motor
7 vehicle, any passengers in the motor vehicle, and other highway users and that
8 such a motor vehicle shall fail the annual safety inspection required under
9 23 V.S.A. § 1222.

10 Sec. 13d. RULEMAKING; PERIODIC INSPECTION MANUAL; TINTED
11 WINDOWS; OUTREACH

12 (a) The Department of Motor Vehicles shall, unless extended by the
13 Legislative Committee on Administrative Rules, adopt amendments to
14 Department of Motor Vehicles, Inspection of Motor Vehicles (CVR 14-050-
15 022) consistent with the legislative intent in Sec. 13c of this act to be effective
16 not later than the effective date of Sec. 13b of this act.

17 (b) The Department of Motor Vehicles, in consultation with the
18 Department of Public Safety, shall implement a public outreach campaign on
19 window tinting to provide information on the prohibitions and exceptions
20 under 23 V.S.A. § 1125, as amended by Sec. 13b of this act, and the
21 requirements of the Inspection of Motor Vehicles (CVR 14-050-022), with

1 amendments adopted under the Administrative Procedure Act consistent with
2 subsection (a) of this section. The Department of Motor Vehicles shall start to
3 disseminate information as required under this subsection (b) not later than two
4 months prior to the effective date of Sec. 13b of this act and shall disseminate
5 information on window tinting through e-mail, bulletins, software updates, and
6 the Department of Motor Vehicles’ website.

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

8 * * * Rusted Brake Rotors; Safety Inspection * * *

9 Sec. 13e. LEGISLATIVE INTENT; RUSTED BRAKE ROTORS

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

18 Sec. 13f. RULEMAKING; PERIODIC INSPECTION MANUAL; RUSTED
19 BRAKE ROTORS

20 The Department of Motor Vehicles shall, unless extended by the Legislative
21 Committee on Administrative Rules, adopt amendments to Department of

1 Motor Vehicles, Inspection of Motor Vehicles (CVR 14-050-022) consistent
2 with the legislative intent in Sec. 13g of this act to be effective not later than
3 July 1, 2025.

4 **[ADDITION OF CAR SEAT LANGUAGE,**

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

6 * * * Child Restraint Systems * * *

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

8 § 1258. CHILD RESTRAINT SYSTEMS; ~~PERSONS~~ INDIVIDUALS
9 UNDER AGE 18 YEARS OF AGE

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

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

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

8 (3) a child under eight years of age who is not properly secured in a
9 federally approved child restraint system in accordance with subdivision (1) or
10 (2) of this subsection shall be properly secured in a booster seat, as defined in
11 49 C.F.R. § 571.213, as may be amended;

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

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

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

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

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

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

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

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

10 (1) \$25.00 for a first violation;

11 (2) \$50.00 for a second violation; and

12 (3) \$100.00 for third and subsequent violations.

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

14 CAMPAIGN

15 (a) The Department of Health, in consultation with the State Highway
16 Safety Office, shall implement a public outreach campaign on car seat safety
17 that builds upon the current Be Seat Smart program; utilizes materials on child
18 safety prepared by the U.S. Department of Transportation, Traffic Safety
19 Marketing; is consistent with the recommendations from the American
20 Academy of Pediatrics in the Child Passenger Safety Policy Statement

1 published in 2018; and educates Vermonters on 23 V.S.A. § 1258, as amended
2 by Sec. 18b of this act.

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

10 **CHANGES TO THE EFFECTIVE DATES,**

11 **HIGHLIGHTED IN YELLOW**

12 * * * Effective Dates * * *

13 Sec. 27. EFFECTIVE DATES

14 (a) Notwithstanding 1 V.S.A. § 214, this section and Sec. 21 (certificate of
15 title exemptions; 23 V.S.A. § 2012) shall take effect retroactively on January 1,
16 2024.

17 (b) Secs. 13b–13c (tinted windows; 23 V.S.A. § 1125 and legislative
18 intent) shall take effect on July 1, 2025.

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