

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

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

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

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

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

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

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

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

18 (7) if the object is shading or tinting material and the visible light  
19 transmission of that shading or tinting material is not less than the level of  
20 visible light transmission required under 49 C.F.R. § 571.205, as amended.

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

18 (d) **Rear side window obstructions.** The rear side windows and the back  
19 window may be obstructed only if the motor vehicle is equipped on each side  
20 with a securely attached mirror, ~~which~~ that provides the operator with a clear  
21 view of the roadway in the rear and on both sides of the motor vehicle.

1 (e) Removal. Any shading or tinting material that is painted or adhered on  
2 or over, or hung in back of, the windshield, vent windows, or side windows in  
3 accordance with subdivision (b)(7) or subsection (c) of this section shall be  
4 removed if it tears, bubbles, or is otherwise worn to prohibit clear vision.

5 (f) Definition. As used in this section, “visible light transmission” means  
6 the amount of visible light that can pass through shading, tinting, or glazing  
7 material applied to or within the transparent portion of a window or windshield  
8 of a motor vehicle.

9 Sec. 13c. LEGISLATIVE INTENT; TINTED WINDOWS

10 It is the intent of the General Assembly that a motor vehicle with shading or  
11 tinting material that is not allowed under 23 V.S.A. § 1125, as amended by  
12 Sec. 13b of this act, poses a danger to the individual operating the motor  
13 vehicle, any passengers in the motor vehicle, and other highway users and that  
14 such a motor vehicle shall fail the annual safety inspection required under  
15 23 V.S.A. § 1222.

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

18 (a) The Department of Motor Vehicles shall, unless extended by the  
19 Legislative Committee on Administrative Rules, adopt amendments to  
20 Department of Motor Vehicles, Inspection of Motor Vehicles (CVR 14-050-  
21 022) consistent with the legislative intent in Sec. 13c of this act to be effective

1 not later than the effective date of Sec. 13b of this act. **The amendments shall**  
2 **include what level of visible light transmission is required for windshields and**  
3 **the windows to the immediate right and left of the driver under 49 C.F.R.**  
4 **§ 571.205 as of the effective date of the amendments.**

5 (b) The Department of Motor Vehicles, in consultation with the  
6 Department of Public Safety, shall implement a public outreach campaign on  
7 window tinting to provide information on the prohibitions and exceptions  
8 under 23 V.S.A. § 1125, as amended by Sec. 13b of this act, and the  
9 requirements of the Inspection of Motor Vehicles (CVR 14-050-022), with  
10 amendments adopted under the Administrative Procedure Act consistent with  
11 subsection (a) of this section, **including what level of visible light transmission**  
12 **is currently required for windshields and the windows to the immediate right**  
13 **and left of the driver under 49 C.F.R. § 571.205.** The Department of Motor  
14 Vehicles shall start to disseminate information as required under this  
15 subsection (b) not later than two months prior to the effective date of Sec. 13b  
16 of this act and shall disseminate information on window tinting through e-mail,  
17 bulletins, software updates, and the Department of Motor Vehicles' website.

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

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

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

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

9 Sec. 13f. RULEMAKING; PERIODIC INSPECTION MANUAL; RUSTED

10 BRAKE ROTORS

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

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

17 **HIGHLIGHTED IN YELLOW]**

18 \* \* \* Effective Dates \* \* \*

19 Sec. 27. EFFECTIVE DATES

1        (a) Notwithstanding 1 V.S.A. § 214, this section and Sec. 21 (certificate of  
2        title exemptions; 23 V.S.A. § 2012) shall take effect retroactively on January 1,  
3        2024.

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

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

DRAFT