

1 an action to recover on the bond. The Commissioner shall not issue titles to
2 nonresidents under the provisions of this subdivision.

3 * * * Towing; Abandoned Vehicles * * *

4 **Sec. 26a. 23 V.S.A. § 4(87) is added to read:**

5 **(87) “Towing business” means a person that regularly engages in one or**
6 **more of the following: recovery, impoundment, transport, storage, or disposal**
7 **of motor vehicles.**

8 Sec. 27. 23 V.S.A. § 2151 is amended to read:

9 § 2151. DEFINITIONS

10 As used in this subchapter:

11 (1)(A) “Abandoned motor vehicle” means:

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

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

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

3 or

4 (II) the State or any political subdivision of the State, including
5 a fire department, emergency medical service, or employee of any of these
6 entities, has requested that the vehicle be removed by a towing business.

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

11 * * *

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

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

16 (B) a public vehicle identification number; or

17 (C) a certificate of title.

18 Sec. 28. 23 V.S.A. § 2153(a) is amended to read:

19 (a) ~~A landowner on whose~~ The legal occupant of property on which an
20 abandoned motor vehicle is located was discovered or has been relocated to

21 shall apply to the Department for an abandoned motor vehicle certification on

1 forms supplied by the Department within ~~30~~ 90 days ~~of~~ after the date the
2 vehicle was discovered ~~on or brought to the property unless the vehicle has~~
3 ~~been removed from the property or relocated~~. An abandoned motor vehicle
4 certification form shall indicate the date that the abandoned motor vehicle was
5 discovered or ~~brought to the property~~ relocated; the make, color, model, and
6 location of the vehicle; the name, address, and telephone number of the
7 ~~landowner legal occupant of the property where the vehicle is currently~~
8 ~~located~~; and a certification of the public vehicle identification number, if any,
9 ~~to be recorded prepared~~ by a law enforcement officer, ~~licensed dealer, or~~
10 ~~inspection station designated by the Commissioner of Motor Vehicles~~. This
11 subsection shall not be construed as creating a private right of action against
12 the ~~landowner legal occupant of the property where an abandoned motor~~
13 ~~vehicle is located~~.

14 Sec. 28a. 23 V.S.A. § 2158 is amended to read:

15 § 2158. FEES FOR TOWING; PUBLIC PROPERTY; FUNDING

16 (a) A towing service may charge a fee of up to ~~\$40.00~~ \$125.00 for towing
17 an abandoned motor vehicle from public property under the provisions of
18 sections 2151–2157 of this ~~title~~ subchapter. This fee shall be paid to the
19 towing service upon the issuance by the Department of Motor Vehicles of a
20 certificate of abandoned motor vehicles under section 2156 of this title. The
21 Commissioner of Motor Vehicles shall notify the Commissioner of Finance

1 and Management who shall issue payment to the towing service for vehicles
2 removed from public property. Payments under this section shall terminate
3 upon the payment of a total of \$16,000.00 for towing abandoned motor
4 vehicles from public property in any fiscal year. A towing company shall not
5 be eligible for more than 50 percent of this annual allocation.

6 (b) The Commissioner of Motor Vehicles is authorized to expend up to
7 \$16,000.00 of the Department’s annual appropriation for the purpose of this
8 section.

9 Sec. 28b. 9 V.S.A. chapter 51, subchapter 2 is amended to read:

10 **SUBCHAPTER 2.**

11 **ARTISAN’S SERVICE PROVIDER LIENS FOR PERSONAL PROPERTY**

12 * * *

13 **§ 1951a. TOWING AND STORING LIEN**

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

15 (1) “Abandoned motor vehicle” has the same meaning as in 23 V.S.A.

16 § 2151(1).

17 (2) “Towing business” has the same meaning as in 23 V.S.A. § 4(87).

18 (b) Lien. A towing business that tows a motor vehicle at the request of the
19 owner or an abandoned motor vehicle shall have a lien on the motor vehicle for
20 the towing business’s reasonable towing, storage, and remediation charges and
21 may retain possession of the motor vehicle and its contents at the towing

1 business's place of business until the towing business is satisfied that the
2 reasonable charges for towing and storage have been paid.

3 (c) Bond. The owner of a motor vehicle that is being retained pursuant to
4 subsection (b) of this section shall be allowed to provide a surety bond in an
5 amount equal to the towing business's reasonable towing, storage, and
6 remediation charges in exchange for the release of the motor vehicle.

7 * * *

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

10 Sec. 29. 23 V.S.A. § 4108 is amended to read:

11 § 4108. COMMERCIAL DRIVER'S LICENSE, COMMERCIAL
12 LEARNER'S PERMIT QUALIFICATION STANDARDS

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