

1 S.123

2 An act relating to miscellaneous changes to laws related to motor vehicles

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

4 \* \* \* Plug-in Electric Vehicles \* \* \*

5 Sec. 1. 23 V.S.A. § 4(28) is amended to read:

6 (28) "Pleasure car" shall include all motor vehicles not otherwise  
7 defined in this title and shall include plug-in electric vehicles, battery electric  
8 vehicles, or plug-in hybrid electric vehicles as defined pursuant to subdivision  
9 (85) of this section.

10 \* \* \* Veteran's Designation \* \* \*

11 Sec. 2. 23 V.S.A. § 7 is amended to read:

12 § 7. ENHANCED DRIVER'S LICENSE; MAINTENANCE OF DATABASE  
13 INFORMATION; FEE

14 \* \* \*

15 (b)(1) In addition to any other requirement of law or rule, before an  
16 enhanced license may be issued to an individual, the individual shall present  
17 for inspection and copying satisfactory documentary evidence to determine  
18 identity and U.S. citizenship. ~~An~~ A new application shall be accompanied by a  
19 photo identity document, documentation showing the individual's date and  
20 place of birth, proof of the individual's Social Security number, and  
21 documentation showing the individual's principal residence address. New and

1 renewal application forms shall include a space for the applicant to request that  
2 a “veteran” designation be placed on the enhanced license.

3 (2) If a veteran, as defined in 38 U.S.C. § 101(2) and including an  
4 individual disabled during active military, naval, air, or space service, as  
5 defined in 38 U.S.C. § 101(24), requests a veteran designation and provides a  
6 Department of Defense Form 214 or other proof of veteran status specified by  
7 the Commissioner, and the Office of Veterans’ Affairs confirms the  
8 individual’s status as an honorably discharged veteran; a veteran discharged  
9 under honorable conditions; or an individual disabled during active military,  
10 naval, air, or space service, the identification card shall include the term  
11 “veteran” on its face.

12 (3) To be issued, an enhanced license must meet the same requirements  
13 as those for the issuance of a U.S. passport. Before an application may be  
14 processed, the documents and information shall be verified as determined by  
15 the Commissioner.

16 (4) Any additional personal identity information not currently required  
17 by the U.S. Department of Homeland Security shall need the approval of either  
18 the General Assembly or the Legislative Committee on Administrative Rules  
19 prior to the implementation of the requirements.

20 \* \* \*

\* \* \* Documentation of Anatomical Gift \* \* \*

Sec. 3. 23 V.S.A. § 115 is amended to read:

§ 115. NONDRIVER IDENTIFICATION CARDS

\* \* \*

(g) An identification card issued to a first-time applicant and any subsequent renewals by that person shall contain a photograph or imaged likeness of the applicant. The photographic identification card shall be available at a location designated by the Commissioner. An individual issued an identification card under this subsection that contains an imaged likeness may renew ~~his or her~~ the individual's identification card by mail. Except that a renewal by an individual required to have a photograph or imaged likeness under this subsection must be made in person so that an updated imaged likeness of the individual is obtained not less often than once every nine years.

\* \* \*

(k) At the option of the applicant, ~~his or her~~ the applicant's valid Vermont license may be surrendered in connection with an application for an identification card. In those instances, the fee due under subsection (a) of this section shall be reduced by:

\* \* \*

(n) The Commissioner shall provide a form that, upon the individual's execution, shall serve as a document of an anatomical gift under 18 V.S.A.

1 chapter 110. An indicator shall be placed on the nondriver identification card  
2 of any individual who has executed an anatomical gift form in accordance with  
3 this section.

4 \* \* \* Disability Placards for Volunteer Drivers \* \* \*

5 Sec. 4. 23 V.S.A. § 304a is amended to read:

6 § 304a. SPECIAL REGISTRATION PLATES AND PLACARDS FOR  
7 INDIVIDUALS WITH DISABILITIES

8 (a) As used in this section:

9 (1) “Ambulatory disability” means an impairment that prevents or  
10 impedes walking. An individual shall be considered to have an ambulatory  
11 disability if ~~he or she~~ the individual:

12 \* \* \*

13 (F) is severely limited in ~~his or her~~ the individual’s ability to walk  
14 due to an arthritic, neurological, or orthopedic condition.

15 \* \* \*

16 (b) Special registration plates or removable windshield placards, or both,  
17 shall be issued by the Commissioner. The placard shall be issued without a fee  
18 to an individual who is blind or has an ambulatory disability. One set of plates  
19 shall be issued without additional fees for a vehicle registered or leased to an  
20 individual who is blind or has an ambulatory disability or to a parent or  
21 guardian of an individual with a permanent disability. The Commissioner shall

1 issue these placards or plates under rules adopted by ~~him or her~~ the  
2 Commissioner after proper application has been made to the Commissioner by  
3 any person residing within the State. Application forms shall be available on  
4 request at the Department of Motor Vehicles.

5 (1) Upon application for a special registration plate or removable  
6 windshield placard, the Commissioner shall send a form prescribed by ~~him or~~  
7 ~~her~~ the Commissioner to the applicant to be signed and returned by a licensed  
8 physician, licensed physician assistant, or licensed advanced practice  
9 registered nurse. The Commissioner shall file the form for future reference  
10 and issue the placard or plate. A new application shall be submitted every four  
11 years in the case of placards and at every third registration renewal for plates  
12 but in no case greater than every four years. When a licensed physician,  
13 licensed physician assistant, or licensed advanced practice registered nurse has  
14 previously certified to the Commissioner that an applicant's condition is both  
15 permanent and stable, a special registration plate or placard need not be  
16 renewed.

17 \* \* \*

18 (3) An individual with a disability who abuses such privileges or allows  
19 individuals not disabled to abuse the privileges provided in this section may  
20 have this privilege revoked after suitable notice and opportunity for hearing  
21 has been given ~~him or her~~ the individual by the Commissioner. Hearings

1 under the provisions of this section shall be held in accordance with sections  
2 105–107 of this title and shall be subject to review by the Civil Division of the  
3 Superior Court of the county where the individual with a disability resides.

4 (4) An applicant for a registration plate or placard for individuals with  
5 disabilities may request the Civil Division of the Superior Court in the county  
6 in which ~~he or she~~ the applicant resides to review a decision by the  
7 Commissioner to deny ~~his or her~~ the applicant's application for a special  
8 registration plate or placard.

9 \* \* \*

10 (6) On a form prescribed by the Commissioner, a nonprofit organization  
11 that provides volunteer drivers to transport individuals who have an  
12 ambulatory disability or are blind may apply to the Commissioner for a  
13 placard. ~~Placards shall be marked “volunteer driver.”~~ The organization shall  
14 ensure proper use of placards and maintain an accurate and complete record of  
15 the volunteer drivers to whom the placards are given by the organization.  
16 Placards shall be returned to the organization when the volunteer driver is no  
17 longer performing that service. Abuse of the privileges provided by the  
18 placards may result in the privileges being revoked and the placards  
19 repossessed by the Commissioner. Revocation may occur only after suitable  
20 notice and opportunity for a hearing. Hearings shall be held in accordance  
21 with sections 105–107 of this title.

1 \* \* \*

2 (e)(1) An individual, other than an eligible person, who for ~~his or her~~ the  
3 individual's own purposes parks a vehicle in a space for individuals with  
4 disabilities shall be subject to a civil penalty of not less than \$200.00 for each  
5 violation and shall be liable for towing charges.

6 (2) An individual, other than an eligible person, who displays a special  
7 registration plate or removable windshield placard not issued to ~~him or her~~ the  
8 individual under this section and parks a vehicle in a space for individuals with  
9 disabilities, shall be subject to a civil penalty of not less than \$400.00 for each  
10 violation and shall be liable for towing charges.

11 \* \* \*

12 (f) Individuals who have a temporary ambulatory disability may apply for a  
13 temporary removable windshield placard to the Commissioner on a form  
14 prescribed by ~~him or her~~ the Commissioner. The placard shall be valid for a  
15 period of up to six months and displayed as required under the provisions of  
16 subsection (c) of this section. The application shall be signed by a licensed  
17 physician, licensed physician assistant, or licensed advanced practice  
18 registered nurse. The validation period of the temporary placard shall be  
19 established on the basis of the written recommendation from a licensed  
20 physician, licensed physician assistant, or licensed advanced practice

1 registered nurse. The Commissioner shall adopt rules to implement the  
2 provisions of this subsection.

3 \* \* \* Fees \* \* \*

4 Sec. 5. 23 V.S.A. § 115(a) is amended to read:

5 (a)(1) Any Vermont resident may make application to the Commissioner  
6 and be issued an identification card that is attested by the Commissioner as to  
7 true name, correct age, residential address unless the listing of another address  
8 is requested by the applicant or is otherwise authorized by law, and any other  
9 identifying data as the Commissioner may require that shall include, in the case  
10 of minor applicants, the written consent of the applicant's parent, guardian, or  
11 other person standing in loco parentis.

12 (2) Every application for an identification card shall be signed by the  
13 applicant and shall contain such evidence of age and identity as the  
14 Commissioner may require, consistent with subsection (1) of this section. New  
15 and renewal application forms shall include a space for the applicant to request  
16 that a "veteran" designation be placed on the applicant's identification card. If  
17 a veteran, as defined in 38 U.S.C. § 101(2) and including an individual  
18 disabled during active military, naval, air, or space service, as defined in 38  
19 U.S.C. § 101(24), requests a veteran designation and provides a Department of  
20 Defense Form 214 or other proof of veteran status specified by the  
21 Commissioner, and the Office of Veterans' Affairs confirms the veteran's



1 status as an honorably discharged veteran; a veteran discharged under  
2 honorable conditions; or an individual disabled during active military, naval,  
3 air, or space service, the identification card shall include the term “veteran” on  
4 its face.

5 (3) The Commissioner shall require payment of a fee of \$29.00 at the  
6 time application for an identification card is made, except that an initial  
7 nondriver identification card shall be issued at no charge to:

8 (A) an individual who surrenders the individual’s license in  
9 connection with a suspension or revocation under subsection 636(b) of this title  
10 due to a physical or mental condition; or

11 (B) an individual under 23 years of age who was in the care and  
12 custody of the Commissioner for Children and Families pursuant to 33 V.S.A.  
13 § 4903(4) in Vermont after attaining 14 years of age.

14 Sec. 6. 23 V.S.A. § 376 is amended to read:

15 § 376. STATE, MUNICIPAL, FIRE DEPARTMENT, AND RESCUE

16 ORGANIZATION MOTOR VEHICLES

17 \* \* \*

18 (h)(1) The EV infrastructure fee, required pursuant subsections 361(b) and  
19 (c) of this subchapter, shall not be charged for vehicles owned by the State.

20 (2) The EV infrastructure fee, required pursuant subsections 361(b) and  
21 (c) of this subchapter, shall not be charged for vehicles that are owned by any

1 county or municipality in the State and used by that county or municipality or  
2 another county or municipality in this State for county or municipal purposes.

3 (i)(1) The EV infrastructure fee, required pursuant subsections 361(b) and  
4 (c) of this subchapter, shall not be charged for a motor truck, trailer,  
5 ambulance, or other motor vehicle that is:

6 (A) owned by a volunteer fire department or other volunteer  
7 firefighting organization, an ambulance service, or an organization conducting  
8 rescue operations; and

9 (B) used solely for firefighting, emergency medical, or rescue  
10 purposes, or any combination of those activities.

11 (2) A motor vehicle or trailer subject to the provisions of this subsection  
12 shall be plainly marked on both sides of the body or cab to indicate its  
13 ownership.

14 Sec. 7. 23 V.S.A. § 378 is amended to read:

15 § 378. VETERANS' EXEMPTIONS

16 No fees, including the annual emissions fee required pursuant to 3 V.S.A.  
17 § 2822(m)(1) and the electric vehicle infrastructure fees required pursuant to  
18 section 361 of this subchapter, shall be charged ~~an honorably discharged~~ to a  
19 veteran of the U.S. Armed Forces who received a discharge under other than  
20 dishonorable conditions and is a resident of the State of Vermont for the  
21 registration of a motor vehicle that the veteran has acquired with financial

1 assistance from the U.S. Department of Veterans Affairs, or for the registration  
2 of a motor vehicle owned by ~~him or her~~ the veteran during ~~his or her~~ the  
3 veteran's lifetime obtained as a replacement thereof, when ~~his or her~~ the  
4 veteran's application is accompanied by a copy of an approved VA Form 21-  
5 4502 issued by the U.S. Department of Veterans Affairs certifying ~~him or her~~  
6 the veteran to be entitled to the financial assistance.

7 Sec. 8. 23 V.S.A. § 608 is amended to read:

8 § 608. FEES

9 \* \* \*

10 (b) An additional fee of \$4.00 per year shall be paid for a motorcycle  
11 endorsement. The endorsement may be obtained for either a two-year or four-  
12 year period, to be coincidental with the length of the operator's license.

13 (c)(1) Individuals under 23 years of age who were in the care and custody  
14 of the Commissioner for Children and Families pursuant to 33 V.S.A.  
15 § 4903(4) in Vermont after attaining 14 years of age shall be provided with  
16 operator's licenses or operator privilege cards at no charge.

17 (2) No additional fee shall be due for a motorcycle endorsement for an  
18 individual under 23 years of age who was in the care and custody of the  
19 Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in  
20 Vermont after attaining 14 years of age.

1       Sec. 9. 23 V.S.A. § 608 is amended to read:

2       § 608. FEES

3                               \* \* \*

4       (d) Individuals receiving Supplemental Security Income or Social Security  
5       Disability Income and individuals with a disability as defined in 9 V.S.A. §  
6       4501 shall be provided with operator's licenses or operator privilege cards for  
7       the following fees:

8               (1) Original issuance: \$20.00.

9               (2) Renewal every four years: \$20.00.

10              (3) Replacement of lost, destroyed, or mutilated card or a new name is  
11       required: \$10.00.

12                           \* \* \* Learner's Permits \* \* \*

13       Sec. 10. 23 V.S.A. § 617 is amended to read:

14       § 617. LEARNER'S PERMIT

15                           \* \* \*

16       (b)(1) Notwithstanding the provisions of subsection (a) of this section, any  
17       licensed person may apply to the Commissioner of Motor Vehicles for a  
18       learner's permit for the operation of a motorcycle in the form prescribed by the  
19       Commissioner. The Commissioner shall offer both a motorcycle learner's  
20       permit that authorizes the operation of three-wheeled motorcycles only and a  
21       motorcycle learner's permit that authorizes the operation of any motorcycle.

1 The Commissioner shall require payment of a fee of \$24.00 at the time  
2 application is made, except that no fee shall be charged for an individual under  
3 23 years of age who was in the care and custody of the Commissioner for  
4 Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after  
5 attaining 14 years of age.

6 (2) After the applicant has successfully passed all parts of the applicable  
7 motorcycle endorsement examination, other than a skill test, the Commissioner  
8 may issue to the applicant a learner's permit that entitles the applicant, subject  
9 to subsection 615(a) of this title, to operate a three-wheeled motorcycle only,  
10 or to operate any motorcycle, upon the public highways for a period of 120  
11 days from the date of issuance. The fee for the examination shall be \$11.00,  
12 except that no fee shall be charged for an individual under 23 years of age who  
13 was in the care and custody of the Commissioner for Children and Families  
14 pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age.

15 (3) A motorcycle learner's permit may be renewed only twice upon  
16 payment of a \$24.00 fee. An individual under 23 years of age who was in the  
17 care and custody of the Commissioner for Children and Families pursuant to  
18 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age shall not be  
19 charged a fee for the renewal of a motorcycle learner's permit.

20 (4) If, during the original permit period and two renewals the permittee  
21 has not successfully passed the applicable skill test or motorcycle rider training

1 course, the permittee may not obtain another motorcycle learner's permit for a  
2 period of 12 months from the expiration of the permit unless:

3 (A) ~~he or she~~ the permittee has successfully completed the applicable  
4 motorcycle rider training course; or

5 (B) the learner's permit and renewals thereof authorized the  
6 operation of any motorcycle and the permittee is seeking a learner's permit for  
7 the operation of three-wheeled motorcycles only.

8 \* \* \*

9 (c) No learner's permit may be issued to any person under 18 years of age  
10 unless the parent or guardian of, or a person standing in loco parentis to, the  
11 applicant files ~~his or her~~ written consent to the issuance with the  
12 Commissioner.

13 (d)(1) An applicant shall pay \$24.00 to the Commissioner for each  
14 learner's permit or a duplicate or renewal thereof.

15 (2) An applicant under 23 years of age who was in the care and custody  
16 of the Commissioner for Children and Families pursuant to 33 V.S.A.  
17 § 4903(4) in Vermont after attaining 14 years of age shall not be charged a fee  
18 for a learner's permit or a duplicate or renewal thereof.

19 (3) A replacement learner's permit for the operation of a motorcycle  
20 may be generated from the applicant's electronic account for no charge.

1 (e)(1) A learner's permit, ~~which is not a learner's permit~~ for the operation  
2 of a motorcycle, shall contain a photograph or imaged likeness of the  
3 individual. A learner's permit for a motor vehicle shall contain a photograph  
4 or imaged likeness of the individual if the permit is obtained in person. ~~The~~  
5 ~~photographic learner's permit shall be available at locations designated by the~~  
6 ~~Commissioner.~~

7 (2) An individual issued a permit under this subsection may renew ~~his or~~  
8 ~~her~~ the individual's permit by mail or online, but a permit holder who chooses  
9 to have a photograph or imaged likeness under this subsection must renew in  
10 person so that an updated imaged likeness of the individual is obtained not less  
11 often than once every nine years.

12 \* \* \*

13 \* \* \* Commercial Learner's Permit \* \* \*

14 Sec. 11. 23 V.S.A. § 4111a is amended to read:

15 § 4111a. COMMERCIAL LEARNER'S PERMIT

16 (a) Contents of permit. A commercial learner's permit shall contain the  
17 following:

18 \* \* \*

19 (3) physical and other information to identify and describe the permit  
20 holder, including the month, day, and year of birth; sex; ~~and~~ height; and  
21 photograph;

\* \* \*

Sec. 12. 23 V.S.A. § 4122 is amended to read:

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

(a) No court, State's Attorney, or law enforcement officer may utilize the provisions of 13 V.S.A. § 7041 or any other program to defer imposition of sentence or judgment if the defendant holds a commercial driver's license, commercial learner's permit, or was operating a commercial motor vehicle when the violation occurred and is charged with violating any State or local traffic law other than a parking violation, vehicle weight, or vehicle defect violations.

\* \* \*

\* \* \* License Examinations \* \* \*

Sec. 13. 23 V.S.A. § 632 is amended to read:

§ 632. EXAMINATION REQUIRED; WAIVER

(a) Before an operator's or a junior operator's license is issued to an applicant for the first time in this State, or before a renewal license is issued to an applicant whose previous Vermont license had expired more than three years prior to the application for renewal, the applicant shall pass a satisfactory examination, except that the Commissioner may, in ~~his or her~~ the Commissioner's discretion, waive the examination when the applicant holds a



(b) The examination shall consist of:

(c) An applicant may have an individual of ~~his or her~~ the applicant's

Sec. 14. 23 V.S.A. § 634 is amended to read:

\* \* \*

(2) If the applicant does not appear as scheduled, the \$29.00 scheduling fee is shall be forfeited, unless either:

3 determined by the Commissioner.

9 \* \* \* Non-Real ID Operator's Privilege Cards \* \* \*

(a)(1) The Commissioner or ~~his or her~~ the Commissioner's authorized agent may license operators and junior operators when an application, on a form prescribed by the Commissioner, signed and sworn to by the applicant for the license, is filed with ~~him or her~~ the Commissioner, accompanied by the required license fee and any valid license from another state or Canadian jurisdiction is surrendered.

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1 mentally or physically unfit or, because of ~~his or her~~ the person's habits or  
2 record as to crashes or convictions, is unsafe to be trusted with the operation of  
3 motor vehicles. A person refused a license under the provisions of this  
4 subsection shall be entitled to hearing as provided in sections 105–107 of this  
5 title.

6 \* \* \*

7 (d) Except as provided in subsection (e) of this section:

8 (1) ~~A~~ An applicant who is a citizen of a foreign country shall produce  
9 ~~his or her~~ the applicant's passport and visa, alien registration receipt card  
10 (green card), or other proof of legal presence for inspection and copying as a  
11 part of the application process for an operator's license, junior operator's  
12 license, or learner's permit.

13 (2) An operator's license, junior operator's license, or learner's permit  
14 issued to an applicant who is a citizen of a foreign country shall expire  
15 coincidentally with ~~his or her~~ the applicant's authorized duration of stay.

16 (e)(1) A citizen of a foreign country unable to establish legal presence in  
17 the United States who furnishes reliable proof of Vermont residence and of  
18 name, date of birth, and place of birth, and who satisfies all other requirements  
19 of this chapter for obtaining a license or permit, shall be eligible to obtain an  
20 operator's privilege card, a junior operator's privilege card, or a learner's  
21 privilege card.

\* \* \*

(f) ~~Persons~~ Applicant's able to establish lawful presence in the United States but who otherwise fail to comply with the requirements of the REAL ID Act of 2005, Pub. L. No. 109-13, §§ 201-202, shall be eligible for an operator's privilege card, a junior operator's privilege card, or a learner's privilege card, provided the applicant furnishes reliable proof of Vermont residence and of name, date of birth, and place of birth, and satisfies all other requirements of this chapter for obtaining a license or permit. The Commissioner shall require applicants under this subsection to furnish a document or a combination of documents that reliably proves the applicant's Vermont residence and ~~his or her~~ the applicant's name, date of birth, and place of birth.

\* \* \*

(h) A privilege card issued under this section shall:

(1) on its face bear the phrase "~~privilege card~~" "non-Real ID" and text indicating that it is not valid for federal identification or official purposes; and

\* \* \*

\* \* \* License Extension \* \* \*

Sec. 16. 23 V.S.A § 604 is added to read:

§ 604. EARLY RENEWAL

1       (a) The holder of an operator's license or privilege card issued under the  
2       provisions of this subchapter may renew the operator's license or privilege  
3       card at any time prior to the expiration of the operator's license or privilege  
4       card. If one or more years remain before the expiration of the operator's  
5       license or privilege card, the Commissioner shall reduce the cost of the  
6       renewed operator's license or privilege card by an amount that is proportionate  
7       to the number of years rounded down to the next whole year remaining before  
8       the expiration of the operator's license or privilege card.

9       (b) All application and documentation requirements for the renewal of an  
10       operator's license or privilege card shall apply to the early renewal of an  
11       operator's license or privilege card.

12       Sec. 17. 23 V.S.A. § 115b is added to read:

13       § 115b. EARLY RENEWAL

14       (a) The holder of a nondriver identification card issued under the  
15       provisions of section 115 of this chapter may renew the nondriver  
16       identification card at any time prior to the expiration of the nondriver  
17       identification card. If one or more years remain before the expiration of the  
18       nondriver identification card, the Commissioner shall reduce the cost of the  
19       renewed nondriver identification card by an amount that is proportionate to the  
20       number of years rounded down to the next whole year remaining before the  
21       expiration of the nondriver identification card.

1       (b) All application and documentation requirements for the renewal of a  
2       nondriver identification card pursuant to section 115 of this chapter shall apply  
3       to the early renewal of a nondriver identification card.

4       Sec. 18. INFORMATION REGARDING PRIVILEGE CARDS AND

5               NONDRIVER IDENTIFICATION CARDS; INTENT

6       It is the intent of the General Assembly that the Commissioner of Motor  
7       Vehicles, to the extent permitted by federal law, ensures that any individual  
8       who is unable to or does not wish to comply with the requirements of the  
9       REAL ID Act of 2005, Pub. L. No. 109-13, §§ 201 and 202 continues to be  
10       informed of the option of applying for an operator's privilege card pursuant to  
11       the provisions of 23 V.S.A. § 603(f) or a nondriver identification card pursuant  
12       to the provisions of 23 V.S.A. § 115.

13       Sec. 19. OUTREACH; UPDATES

14       (a) On or before November 15, 2025, the Department of Motor Vehicles  
15       shall develop and implement a public education and outreach campaign to  
16       inform Vermont residents about:

17               (1) an individual's ability to obtain an operator's license, operator's  
18       privilege card, or nondriver identification card;

19               (2) an individual's ability under Vermont law to self-attest with respect  
20       to the gender marker on the individual's operator's license, operator's privilege  
21       card, or nondriver identification card; and

1           (3) reduced fees that are available to individuals who meet certain  
2           requirements.

3           (b) The Commissioner shall provide two brief, written updates to the House  
4           and Senate Committees on Transportation regarding the implementation and  
5           utilization of 23 V.S.A. §§ 115b and 604. The first shall be due not more than  
6           30 days after the Department implements the provisions of 23 V.S.A. §§ 115b  
7           and 604 and the second shall be due in January 2026.

8                                 \* \* \* Commercial Driving Instructors \* \* \*

9           Sec. 20. 23 V.S.A. § 705 is amended to read:

10          § 705. QUALIFICATIONS FOR INSTRUCTOR'S LICENSE

11          (a) In order to qualify for an instructor's license, each applicant shall:

12                 (1) not have been convicted of:

13                         (A) a felony nor incarcerated for a felony within the 10 years prior to  
14                         the date of application;

15                         (B) a violation of section 1201 of this title or a like offense in another  
16                         jurisdiction reported to the Commissioner pursuant to subdivision 3905(a)(2)  
17                         of this title within the three years prior to the date of application;

18                         (C) a subsequent violation of an offense listed in subdivision  
19                         2502(a)(5) of this title or of section 674 of this title; or

20                         (D) a sex offense that requires registration pursuant to 13 V.S.A.  
21                         chapter 167, subchapter 3;

1 (2) pass ~~such~~ an examination as required by the Commissioner ~~shall~~

2 ~~require~~ on:

3 (A) traffic laws;

4 (B) safe driving practices;

5 (C) operation of motor vehicles; and

6 (D) qualifications as a teacher;

7 (3) be physically able to operate a motor vehicle and to train others in  
8 such operation;

9 (4) have five years' experience as a licensed operator and be at least 21  
10 years of age on date of application; and

11 (5) pay the application and license fees prescribed in section 702 of this  
12 title.

13 (b) Commercial motor vehicle instructors shall satisfy the requirements of  
14 subdivisions (a)(1), (2), (3), and (5) of this section, and:

15 (1) If the commercial motor vehicle instructor is a behind the wheel

16 (BTW) instructor, shall either:

17 (A)(i) hold a CDL of the same or higher class and with all  
18 endorsements necessary to operate the commercial motor vehicle for which  
19 training is to be provided;

20 (ii) have at least two years of experience driving a commercial  
21 motor vehicle requiring the same or higher class of CDL and any applicable



1 endorsements required to operate the commercial motor vehicle for which  
2 training is to be provided; and

3 (iii) meet any additional applicable State requirements for  
4 commercial motor vehicle instructors; or

5 (B)(i) hold a CDL of the same or higher class and with all  
6 endorsements necessary to operate the commercial motor vehicle for which  
7 training is to be provided;

8 (ii) have at least two years' experience as a BTW instructor; and

9 (iii) meet any additional applicable State requirements for  
10 commercial motor vehicle instructors.

11 (2) If the commercial motor vehicle instructor is a theory instructor, the  
12 instructor shall:

13 (A)(i) hold a CDL of the same or higher class and with all  
14 endorsements necessary to operate the commercial motor vehicle for which  
15 training is to be provided;

16 (ii) have at least two years of experience driving a commercial  
17 motor vehicle requiring the same or higher class of CDL and any applicable  
18 endorsements required to operate the commercial motor vehicle for which  
19 training is to be provided; and

20 (iii) meet any additional applicable State requirements for  
21 commercial motor vehicle instructors; or

1           (B)(i) hold a CDL of the same or higher class and with all  
2           endorsements necessary to operate the commercial motor vehicle for which  
3           training is to be provided;

4           (ii) have at least two years' experience as a BTW instructor; and

5           (iii) meet any additional applicable State requirements for  
6           commercial motor vehicle instructors.

7                                 \* \* \* Motorcycle Instructors \* \* \*

8           Sec. 21. 23 V.S.A. § 734 is amended to read:

9           § 734. INSTRUCTOR REQUIREMENTS AND TRAINING

10                               \* \* \*

11           (b) The Department shall establish minimum requirements for the  
12           qualifications of a rider training instructor. The minimum requirements shall  
13           include the following:

14                               \* \* \*

15           (3) the instructor shall have at least ~~four~~ two years of licensed  
16           experience as a motorcycle riding experience operator during the last ~~five~~ four  
17           years;

18                               \* \* \*

19           (7) an applicant shall not be eligible for instructor status until ~~his or her~~  
20           the applicant's driving record for the preceding five years, or the maximum

1 number of years less than five for which a state retains driving records, is  
2 furnished; and

3 \* \* \*

4 \* \* \* Motor Vehicle Taxes \* \* \*

5 Sec. 22. 32 V.S.A. § 8902 is amended to read:

6 § 8902. DEFINITIONS

7 Unless otherwise expressly provided, as used in this chapter:

8 \* \* \*

9 (5)(A) “Taxable cost” means the purchase price as defined in  
10 subdivision (4) of this section or the taxable cost as determined under section  
11 8907 of this title.

12 (B) For any purchaser who has paid tax on the purchase or use of a  
13 motor vehicle that was sold or traded by the purchaser or for which the  
14 purchaser received payment under a contract of insurance, the taxable cost of  
15 the replacement motor vehicle other than a leased vehicle shall exclude:

16 (A)(i) The value allowed by the seller on any motor vehicle accepted  
17 by the seller as part of the consideration of the motor vehicle, provided the  
18 motor vehicle accepted by the seller is owned and previously or currently  
19 registered or titled by the purchaser, with no change of ownership since  
20 registration or titling, except for motor vehicles for which registration is not

1 required under the provisions of Title 23 or motor vehicles received under the  
2 provisions of subdivision 8911(8) of this title.

3 ~~(B)~~(ii) The amount received from the sale of a motor vehicle last  
4 registered or titled in the seller's name, the amount not to exceed the clean  
5 trade-in value of the same make, type, model, and year of manufacture as  
6 designated by the manufacturer and as shown in the ~~NADA Official Used Car~~  
7 ~~Guide (New England edition)~~ J.D. Power Values, or any comparable  
8 publication, provided ~~such~~ the sale occurs within three months after the taxable  
9 purchase. However, this three-month period shall be extended day-for-day for  
10 any time that a member of a guard unit or of the U.S. Armed Forces, as defined  
11 in 38 U.S.C. § 101(10), spends outside Vermont due to activation or  
12 deployment and an additional 60 days following the individual's return from  
13 activation or deployment. ~~Such~~ The amount shall be reported on forms  
14 supplied by the Commissioner of Motor Vehicles.

15 ~~(C)~~(iii) The amount actually paid to the purchaser within three  
16 months prior to the taxable purchase by any insurer under a contract of  
17 collision, comprehensive, or similar insurance with respect to a motor vehicle  
18 owned by ~~him or her~~ the purchaser, provided that the vehicle is not subject to  
19 the tax imposed by subsection 8903(d) of this title and provided that one of  
20 these events occur:

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1 vehicle is not acquired by purchase in Vermont or is received for an amount  
2 that does not represent actual value, or if no tax form is filed or it appears to  
3 the Commissioner that a tax form contains fraudulent or incorrect information,  
4 the Commissioner may, in the Commissioner's discretion, fix the taxable cost  
5 of the motor vehicle at the clean trade-in value of vehicles of the same make,  
6 type, model, and year of manufacture as designated by the manufacturer, as  
7 shown in ~~the NADA Official Used Car Guide (New England Edition)~~ J.D.  
8 Power Values or any comparable publication, less the lease end value of any  
9 leased vehicle. The Commissioner may develop a process to determine the  
10 value of vehicles that do not have clean trade-in value in J.D. Power Values.  
11 The Commissioner may compute and assess the tax due and notify the  
12 purchaser verbally, if the purchaser is at a DMV location, or immediately by  
13 ~~certified~~ mail, and the purchaser shall remit the same within 15 days ~~thereafter~~  
14 after notice is sent or provided.

15 \* \* \*

16 Sec. 24. 32 V.S.A. § 8914 is amended to read:

17 § 8914. REFUND

18 Any overpayment of such tax as determined by the Commissioner shall be  
19 refunded. To be eligible to receive a refund, a person shall submit a request for  
20 a refund within one year after paying the tax.

\* \* \* Refund of Registration Fee \* \* \*

Sec. 25. 23 V.S.A. § 326 is amended to read:

§ 326. REFUND UPON LOSS OF VEHICLE

The Commissioner may cancel the registration of a motor vehicle when the owner of the motor vehicle proves to the Commissioner's satisfaction that the motor vehicle has been totally destroyed by fire or, through crash or wear, has become wholly unfit for use and has been dismantled. After the Commissioner cancels the registration and the owner returns to the Commissioner either the registration certificate or the number plate or number plates, or other proof of cancellation to the satisfaction of the Commissioner, the Commissioner shall certify to the Commissioner of Finance and Management the fact of the cancellation, giving the name of the owner of the motor vehicle, the owner's address, the amount of the registration fee paid, and the date of cancellation. The Commissioner of Finance and Management shall issue the Commissioner of Finance and Management's warrant in favor of the owner for such percent of the registration fee paid as the unexpired term of the registration bears to the entire registration period, but in no case shall the Commissioner of Finance and Management retain less than \$5.00 of the fee paid.

\* \* \* Fuel Tax Refunds \* \* \*

Sec. 26. 23 V.S.A. § 3020 is amended to read:

§ 3020. CREDITS AND REFUNDS

1 (a) Credits.

2 (1) A user who purchased fuel within this State from a dealer or  
3 distributor upon which ~~he or she~~ the user paid the tax at the time of purchase,  
4 or a user exempt from the payment of the tax under subsection 3003(d) of this  
5 title who purchased fuel within this State upon which ~~he or she~~ the user paid  
6 tax at the time of purchase, shall be entitled to a credit equal to the amount of  
7 tax per gallon in effect when the fuel was purchased. When the amount of the  
8 credit to which any user is entitled for any reporting period exceeds the amount  
9 of ~~his or her~~ the user's tax for the same period, the excess shall be credited to  
10 the user's tax account and the user shall be notified of the date and amount of  
11 the credit by mail.

12 \* \* \*

13 (3) A user who also sells or delivers fuel subject to the tax imposed by  
14 32 V.S.A. chapter 233 upon which the tax imposed by this chapter has been  
15 paid shall be entitled to a credit equal to the amount of such tax paid pursuant  
16 to this chapter. When the amount of the credit to which any user is entitled for  
17 any reporting period exceeds the amount of ~~his or her~~ the user's tax for the  
18 same period, the excess shall be credited to the user's tax account and the user  
19 shall be notified of the date and amount of the credit by mail.

20 \* \* \*



1 (b) Refunds. A user may request, in writing by mail, a refund of any  
2 credits in the user's tax account, but in no case may a user collect a refund  
3 requested more than ~~33~~ 12 months following the date the amount was credited  
4 to the user's tax account.

5 \* \* \*

6 \* \* \* Alteration of Odometers \* \* \*

7 Sec. 27. 23 V.S.A. § 1704a is amended to read:

8 § 1704a. ALTERATION OF ODOMETERS

9 (a) ~~Any person who sells~~ No person shall:

10 (1) ~~sell, attempts attempt to sell, or causes cause~~ to be sold any motor  
11 vehicle, highway building appliance, motorboat, all-terrain vehicle, or  
12 snowmobile and has actual knowledge that if the odometer, hubometer  
13 reading, or clock meter reading has been changed, tampered with, or defaced  
14 without first disclosing same and a person who changes, tampers with, or  
15 defaces, or who attempts that information to the buyer;

16 (2) change, tamper with, or deface, or attempt to change, tamper with, or  
17 deface; any gauge, dial, or other mechanical instrument, commonly known as  
18 an odometer, hubometer, or clock meter; in a motor vehicle, highway building  
19 appliance, motorboat, all-terrain vehicle, or snowmobile, which, under normal  
20 circumstances and without being changed, tampered with, or defaced, is  
21 designed to show by numbers or words the distance that the motor vehicle,

1 ~~highway building appliance, motorboat, all-terrain vehicle, or snowmobile~~  
2 ~~travels; or who~~

3 (3) willfully ~~misrepresents~~ misrepresent the odometer, hubometer, or  
4 clock meter reading on the odometer disclosure statement or similar statement,  
5 title, or bill of sale.

6 (b) A person who violates subsection (a) of this section shall be fined not  
7 more than \$1,000.00 for a first offense and fined not more than \$2,500.00 for  
8 each subsequent offense.

9 \* \* \* Definition of Conviction \* \* \*

10 Sec. 28. 23 V.S.A. § 102 is amended to read:

11 § 102. DUTIES OF COMMISSIONER

12 \* \* \*

13 (d)(1) The Commissioner may authorize background investigations for  
14 potential employees, which may include criminal, traffic, and financial records  
15 checks; provided, however, that the potential employee is notified and has the  
16 right to withdraw ~~his or her~~ their name from application. Additionally,  
17 employees who are involved in the manufacturing or production of operator's  
18 licenses and identification cards, including enhanced licenses, or who have the  
19 ability to affect the identity information that appears on a license or  
20 identification card, or current employees who will be assigned to such  
21 positions, shall be subject to appropriate background checks and shall be

1 provided notice of the background check and the contents of that check. These  
2 background checks shall include a name-based and fingerprint-based criminal  
3 history records check using at a minimum the Federal Bureau of  
4 Investigation's National Crime Information Center and the Integrated  
5 Automated Fingerprint Identification database and State repository records on  
6 each covered employee.

7 (2) Employees may be subject to further appropriate security clearances  
8 if required by federal law, including background investigations that may  
9 include criminal and traffic records checks and providing proof of U.S.  
10 citizenship.

11 (3) The Commissioner may, in connection with a formal disciplinary  
12 investigation, authorize a criminal or traffic record background investigation of  
13 a current employee; provided, however, that the background review is relevant  
14 to the issue under disciplinary investigation. Information acquired through the  
15 investigation shall be provided to the Commissioner or designated division  
16 director and must be maintained in a secure manner. If the information  
17 acquired is used as a basis for any disciplinary action, it must be given to the  
18 employee during any pretermination hearing or contractual grievance hearing  
19 to allow the employee an opportunity to respond to or dispute the information.  
20 If no disciplinary action is taken against the employee, the information  
21 acquired through the background check shall be destroyed.

1       (e) As used in this section, “conviction” has the same meaning as in  
2       subdivision 4(60) of this title.

3       Sec. 29. 23 V.S.A. § 108 is amended to read:

4       § 108. APPLICATION FORMS

5       (a) The Commissioner shall prepare and furnish all forms for applications,  
6       crash reports, conviction reports, a pamphlet containing the full text of the  
7       motor vehicle laws of the State, and all other forms needed in the proper  
8       conduct of ~~his or her~~ the Commissioner’s office. ~~He or she~~ The Commissioner  
9       shall furnish an adequate supply of ~~such~~ registration forms, license  
10      applications, and motor vehicle laws each year to each town clerk, and to ~~such~~  
11      other persons ~~as may so~~ upon request.

12      (b) As used in this section, “conviction” has the same meaning as in  
13      subdivision 4(60) of this title.

14      Sec. 30. 23 V.S.A. § 1709 is amended to read:

15      § 1709. REPORT OF CONVICTIONS TO COMMISSIONER OF MOTOR  
16                      VEHICLES

17      (a) The Judicial Bureau and every court having jurisdiction over offenses  
18      committed under any law of this State or municipal ordinance regulating the  
19      operation of motor vehicles on the highways shall forward a record of any  
20      conviction to the Commissioner within 10 days for violation of any State or

1 local law relating to motor vehicle traffic control, other than a parking  
2 violation.

3 (b) As used in this section, “conviction” has the same meaning as in  
4 subdivision 4(60) of this title.

5 Sec. 31. 23 V.S.A. § 1200 is amended to read:

6 § 1200. DEFINITIONS

7 As used in this subchapter:

8 \* \* \*

9 (11) As used in this section, “conviction” has the same meaning as in  
10 subdivision 4(60) of this title.

11 \* \* \* Drunken Driving \* \* \*

12 Sec. 32. 23 V.S.A. § 1205 is amended to read:

13 § 1205. CIVIL SUSPENSION; SUMMARY PROCEDURE

14 (a) Refusal; alcohol concentration at or above legal limits; suspension  
15 periods.

16 \* \* \*

17 (2) Upon affidavit of a law enforcement officer that the officer had  
18 reasonable grounds to believe that the person was operating, attempting to  
19 operate, or in actual physical control of a vehicle in violation of section 1201  
20 of this title and that the person submitted to a test and the test results indicated  
21 that the person’s alcohol concentration was at or above a limit specified in

1 subsection 1201(a) of this title, at the time of operating, attempting to operate,  
2 or being in actual physical control, the Commissioner shall suspend the  
3 person's operating license or nonresident operating privilege or the privilege of  
4 an unlicensed operator to operate a vehicle for a period of 90 days and until the  
5 person complies with section 1209a of this title. However, during the  
6 suspension, an eligible person may operate under the terms of an ignition  
7 interlock RDL or ignition interlock certificate issued pursuant to section 1213  
8 of this title.

9 \* \* \*

10 (b) Form of officer's affidavit. A law enforcement officer's affidavit in  
11 support of a suspension under this section shall be in a standardized form for  
12 use throughout the State and shall be sufficient if it contains the following  
13 statements:

14 \* \* \*

15 (4) The officer informed the person of ~~his or her~~ the person's rights  
16 under subsection 1202(d) of this title.

17 (5) The officer obtained an evidentiary test (noting the time and date the  
18 test was taken) and the test indicated that the person's alcohol concentration  
19 was at or above a legal limit specified in subsection 1201(a) or (d) of this title,  
20 or the person refused to submit to an evidentiary test.

21 \* \* \*

1 (c) Notice of suspension. On behalf of the Commissioner of Motor  
2 Vehicles, a law enforcement officer requesting or directing the administration  
3 of an evidentiary test shall serve notice of intention to suspend and of  
4 suspension on a person who refuses to submit to an evidentiary test or on a  
5 person who submits to a test the results of which indicate that the person's  
6 alcohol concentration was at or above a legal limit specified in subsection  
7 1201(a) or (d) of this title, at the time of operating, attempting to operate, or  
8 being in actual physical control of a vehicle in violation of section 1201 of this  
9 title. The notice shall be signed by the law enforcement officer requesting the  
10 test. A copy of the notice shall be sent to the Commissioner of Motor  
11 Vehicles, and a copy shall be mailed or given to the defendant within three  
12 business days after the date the officer receives the results of the test. If  
13 mailed, the notice is deemed received three days after mailing to the address  
14 provided by the defendant to the law enforcement officer. A copy of the  
15 affidavit of the law enforcement officer shall also be mailed by first-class mail  
16 or given to the defendant within seven days after the date of notice.

17 \* \* \*

18 (h) Final hearing.

19 (1) If the defendant requests a hearing on the merits, the court shall  
20 schedule a final hearing on the merits to be held within 21 days after the date  
21 of the preliminary hearing. In no event may a final hearing occur more than 42

1 days after the date of the alleged offense without the consent of the defendant  
2 or for good cause shown. The final hearing may only be continued by the  
3 consent of the defendant or for good cause shown. The issues at the final  
4 hearing shall be limited to the following:

5 \* \* \*

6 (D) Whether the test was taken and the test results indicated that the  
7 person's alcohol concentration was at or above a legal limit specified in  
8 subsection 1201(a) or (d) of this title, at the time of operating, attempting to  
9 operate, or being in actual physical control of a vehicle in violation of section  
10 1201 of this title, whether the testing methods used were valid and reliable, and  
11 whether the test results were accurate and accurately evaluated. Evidence that  
12 the test was taken and evaluated in compliance with rules adopted by the  
13 Department of Public Safety shall be prima facie evidence that the testing  
14 methods used were valid and reliable and that the test results are accurate and  
15 were accurately evaluated.

16 \* \* \*

17 (i) Finding by the court. The court shall electronically forward a report of  
18 the hearing to the Commissioner. Upon a finding by the court that the law  
19 enforcement officer had reasonable grounds to believe that the person was  
20 operating, attempting to operate, or in actual physical control of a vehicle in  
21 violation of section 1201 of this title and that the person refused to submit to a



1 test, or upon a finding by the court that the law enforcement officer had  
2 reasonable grounds to believe that the person was operating, attempting to  
3 operate, or in actual physical control of a vehicle in violation of section 1201  
4 of this title and that the person submitted to a test and the test results indicated  
5 that the person's alcohol concentration was at or above a legal limit specified  
6 in subsection 1201(a) or (d) of this title, at the time the person was operating,  
7 attempting to operate, or in actual physical control, the person's operating  
8 license, or nonresident operating privilege, or the privilege of an unlicensed  
9 operator to operate a vehicle shall be suspended or shall remain suspended for  
10 the required term and until the person complies with section 1209a of this title.  
11 Upon a finding in favor of the person, the Commissioner shall cause the  
12 suspension to be canceled and removed from the record, without payment of  
13 any fee.

14 \* \* \*

15 (n) Presumption. In a proceeding under this section, if at any time within  
16 two hours of operating, attempting to operate, or being in actual physical  
17 control of a vehicle a person had an alcohol concentration ~~of~~ at or above a legal  
18 limit specified in subsection 1201(a) or (d) of this title, it shall be a rebuttable  
19 presumption that the person's alcohol concentration was at or above the  
20 applicable limit at the time of operating, attempting to operate, or being in  
21 actual physical control.

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(d) Form of notice. The notice of intention to suspend and of suspension shall be in a form prescribed by the Supreme Court. The notice shall include an explanation of rights, a form to be used to request a hearing, and, if a hearing is requested, the date, time, and location of the Criminal Division of the Superior Court where the person must appear for a preliminary hearing. The notice shall also contain, in boldface print, the following:

(2) ~~This notice shall serve as a temporary operator's license and is valid until 12:01 a.m. of the date of suspension.~~ If this is your first violation of section 1201 of this title and if you do not request a hearing, your license will be suspended as provided in this notice. If this is your second or subsequent violation of section 1201 of this title, your license will be suspended on the 11th day after you receive this notice. It is a crime to drive while your license is suspended unless you have been issued an ignition interlock restricted driver's license or ignition interlock certificate.

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\* \* \* Registration Fees for Trucks \* \* \*

Sec. 34. 23 V.S.A. § 367 is amended to read:

§ 367. TRUCKS

(a)(1) The annual fee for registration of tractors, truck-tractors, or motor trucks except truck cranes, truck shovels, road oilers, bituminous distributors, and farm trucks used as specified in subsection (f) of this section shall be based on the total weight of the truck-tractor or motor truck, including body and cab plus the heaviest load to be carried. In computing the fees for registration of tractors, truck-tractors, or motor trucks with trailers or semi-trailers attached, except trailers or semi-trailers with a gross weight of less than ~~6,000~~ 6,099 pounds, the fee shall be based upon the weight of the tractor, truck-tractor, or motor truck, the weight of the trailer or semi-trailer, and the weight of the heaviest load to be carried by the combined vehicles. In addition to the fee set out in the following schedule, the fee for vehicles weighing between ~~10,000~~ 10,100 and ~~25,999~~ 26,099 pounds inclusive shall be an additional \$42.53, the fee for vehicles weighing between ~~26,000~~ 26,100 and ~~39,999~~ 40,099 pounds inclusive shall be an additional \$85.03, the fee for vehicles weighing between ~~40,000~~ 40,100 and ~~59,999~~ 60,099 pounds inclusive shall be an additional \$297.68, and the fee for vehicles ~~60,000~~ 60,100 pounds and over shall be an additional \$467.80. The fee shall be computed at the following rates per 1,000 pounds of weight determined pursuant to this subdivision and rounded up to

1 the nearest whole dollar; the minimum fee for registering a tractor, truck-  
2 tractor, or motor truck to ~~6,000~~ 6,099 pounds shall be the same as for the  
3 pleasure car type:

4 \$18.21 when the weight ~~exceeds 6,000 pounds but does not exceed~~  
5 ~~8,000 pounds~~ is at least 6,100 pounds but not more than 8,099 pounds.

6 \$20.83 when the weight ~~exceeds 8,000 pounds but does not exceed~~  
7 ~~12,000 pounds~~ is at least 8,100 pounds but not more than 12,099 pounds.

8 \$22.97 when the weight ~~exceeds 12,000 pounds but does not exceed~~  
9 ~~16,000 pounds~~ is at least 12,100 pounds but not more than 16,099 pounds.

10 \$24.56 when the weight ~~exceeds 16,000 pounds but does not exceed~~  
11 ~~20,000 pounds~~ is at least 16,100 pounds but not more than 20,099 pounds.

12 \$25.71 when the weight ~~exceeds 20,000 pounds but does not exceed~~  
13 ~~30,000 pounds~~ is at least 20,100 pounds but not more than 30,099 pounds.

14 \$26.26 when the weight ~~exceeds 30,000 pounds but does not exceed~~  
15 ~~40,000 pounds~~ 30,100 pounds but not more than 40,099 pounds.

16 \$26.90 when the weight ~~exceeds 40,000 pounds but does not exceed~~  
17 ~~50,000 pounds~~ is at least 40,100 pounds but not more than 50,099 pounds.

18 \$27.13 when the weight ~~exceeds 50,000 pounds but does not exceed~~  
19 ~~60,000 pounds~~ is at least 50,100 pounds but not more than 60,099 pounds.

20 \$28.06 when the weight ~~exceeds 60,000 pounds but does not exceed~~  
21 ~~70,000 pounds~~ is at least 60,100 pounds but not more than 70,099 pounds.



1 together with the amount of tax due at the time of first registering or  
2 transferring a registration to ~~such~~ the motor vehicle as a condition precedent to  
3 registration ~~thereof~~ of the vehicle.

4 (b) Every person subject to a use tax under subsection 8903(b) of this title  
5 shall forward ~~such~~ the tax form and the tax due to the Commissioner with the  
6 registration application or transfer, as the case may be, and fee at the time of  
7 first registering or transferring a registration to ~~such~~ the motor vehicle as a  
8 condition precedent to registration ~~thereof~~ of the vehicle.

9 \* \* \*

10 (d) Every person required to collect the use tax under subsection 8903(d) of  
11 this title shall forward ~~such~~ the tax and a report of ~~same~~ the tax on forms  
12 prescribed and furnished by the Commissioner at the frequency determined by  
13 the Commissioner.

14 \* \* \*

15 (f) Every person subject to the tax imposed by subsection 8903(g) of this  
16 title shall forward the tax form and the tax due to the Commissioner along with  
17 the title application and fee at the time of applying for a certificate of title to  
18 ~~such~~ the motor vehicle as a condition precedent to the titling ~~thereof~~ of the  
19 motor vehicle.

20 (g) The Commissioner shall establish procedures for taxpayers to file an  
21 appeal regarding the taxpayer's liability for the tax due pursuant to section

1 8903 of this chapter and compliance with the requirements of this section. The  
2 procedures shall include a process by which a taxpayer can resolve the dispute  
3 prior to the issuance of a final administrative decision on the appeal.

4 (h) The Commissioner shall create educational and outreach materials for  
5 taxpayers that provide information regarding the appeal process established  
6 pursuant to subsection (g) of this section and opportunities to resolve disputes.

7 \* \* \* Excessive Speed \* \* \*

8 Sec. 37. 23 V.S.A. § 2502 is amended to read:

9 § 2502. POINT ASSESSMENT; SCHEDULE

10 (a) Unless the assessment of points is waived by a Superior judge or a  
11 Judicial Bureau hearing officer in the interests of justice and in accordance  
12 with subsection 2501(b) of this title, a person operating a motor vehicle shall  
13 have points assessed against ~~his or her~~ the person's driving record for  
14 convictions for moving violations of the indicated motor vehicle statutes in  
15 accord with the following schedule: (All references are to this title of the  
16 Vermont Statutes Annotated.)

17 \* \* \*

18 (9) Eight points assessed for sections 1003 ~~and~~, 1007, and 1097. State  
19 speed zones and local speed limits, more than 30 miles per hour over and in  
20 excess of the speed limit.

21 \* \* \*

\* \* \* Tinted Windows \* \* \*

Sec. 38. 2024 Acts and Resolves No. 165, Secs. 14, 15, and 16 are amended to read:

Sec. 14. [Deleted.]

Sec. 15. [Deleted.]

Sec. 16. [Deleted.]

\* \* \* All-Terrain Vehicles \* \* \*

Sec. 39. 23 V.S.A. § 3501 is amended to read:

§ 3501. DEFINITIONS

As used in this chapter:

(1) “All-terrain vehicle” or “ATV” means any nonhighway recreational vehicle, except snowmobiles, having not less than two low pressure tires (10 pounds per square inch, or less); not wider than ~~64~~ 72 inches, with two-wheel ATVs having permanent, full-time power to both wheels; and having a dry weight of less than 2,500 pounds, when used for cross-country travel on trails or on any one of the following or a combination thereof: land, water, snow, ice, marsh, swampland, and natural terrain. An ATV on a public highway shall be considered a motor vehicle, as defined in section 4 of this title, only for the purposes of those offenses listed in subdivisions 2502(a)(1)(H), (N), (R), (U), (Y), (FF), (GG), (II), and (AAA); (2)(A) and (B); (3)(A), (B), (C), and (D); (4)(A) and (B); and (5) of this title and as provided in section 1201 of this title.



1 An ATV does not include an electric personal assistive mobility device, a  
2 motor-assisted bicycle, or an electric bicycle.

3 \* \* \*

4 \* \* \* Purchase and Use Tax and Inspections Report \* \* \*

5 Sec. 40. MOTOR VEHICLE PURCHASE AND USE TAX; INSPECTIONS;  
6 REPORT

7 (a) On or before January 31, 2026, the Commissioner of Motor Vehicles  
8 shall submit a written report to the House Committees on Transportation and  
9 on Ways and Means and the Senate Committees on Finance and on  
10 Transportation regarding the process for determining the taxable cost of a used  
11 motor vehicle for purposes of the purchase and use tax and the impact of  
12 annual motor vehicle safety and emissions inspections on Vermonters.

13 (b) The report shall include, at a minimum, the following:

14 (1) the number of persons during calendar years 2024 and 2025 who  
15 utilized the dealer appraisal process for determining the taxable cost of a used  
16 motor vehicle for purposes of the purchase and use tax;

17 (2) the age and type of vehicles for which the dealer appraisal process  
18 was utilized during calendar years 2024 and 2025;

19 (3) the difference between the clean trade-in value and the appraised  
20 value of vehicles for which the dealer appraisal process was utilized during  
21 calendar years 2024 and 2025;

1           (4) the number of appeals of the taxable cost of a motor vehicle that  
2           were filed in calendar years 2024 and 2025;

3           (5) the number appeals that resulted in a revision of the taxable cost and  
4           the difference between the originally assessed taxable cost and the revised  
5           taxable cost following the appeal;

6           (6) a summary of issues identified by persons contacting the Department  
7           pursuant to subsection (c) of this section;

8           (7) a summary of funding and other assistance related to annual motor  
9           vehicle safety and emissions inspections that is available to Vermonters with  
10          lower income;

11          (8) an examination of the potential approaches to reduce the financial  
12          burden of annual motor vehicle safety and emissions inspections on  
13          Vermonters, including the potential to reduce the frequency of inspections to  
14          every two years; and

15          (9) any recommendations for legislative action.

16          (c)(1) The Commissioner of Motor Vehicles shall establish an email  
17          address or other electronic means, or both, for Vermonters to contact the  
18          Department of Motor Vehicles regarding concerns with the motor vehicle  
19          purchase and use tax process.

20          (2) The Commissioner of Motor Vehicles shall establish an email  
21          address or other electronic means, or both, for Vermonters to contact the

1 Department of Motor Vehicles regarding the affordability of the annual motor  
2 vehicle inspection process and suggestions for reducing the financial impact of  
3 the inspection process on Vermonters.

4 (3) The Commissioner shall conduct outreach at Department locations,  
5 on the Department's website, and through motor vehicle dealers to make the  
6 public aware of the opportunity to contact the Department pursuant to  
7 subdivisions (1) and (2) of this subsection.

8 \* \* \* Operation of Bicycles \* \* \*

9 Sec. 41. 23 V.S.A. § 1139 is amended to read:

10 § 1139. RIDING ON ROADWAYS AND BICYCLE PATHS

11 (a) ~~A person~~ Due care and riding on the right. An individual operating a  
12 bicycle upon a roadway shall exercise due care when passing a standing  
13 vehicle or one proceeding in the same direction. Bicyclists generally shall ride  
14 as near to the right side of the improved area of the highway right-of-way as is  
15 safe, except that a bicyclist:

16 \* \* \*

17 (b) ~~Persons riding~~ Riding two abreast. Individuals operating bicycles upon  
18 a roadway ~~may~~ shall not ride more than two abreast except on paths or parts of  
19 roadways set aside for the exclusive use of bicycles or except as otherwise  
20 permitted by the Commissioner of Public Safety in connection with a public  
21 sporting event in which case the Commissioner shall be authorized to adopt

1 such rules as the public good requires. ~~Persons~~ Individuals riding two abreast  
2 shall not impede the normal and reasonable movement of traffic and, on a  
3 laned roadway, shall ride within a single lane.

4 (c) Obedience to traffic-control devices and traffic-control signals. An  
5 individual operating a bicycle shall follow all traffic-control devices and  
6 traffic-control signals governing motor vehicles except that an individual  
7 operating a bicycle who is facing a “walk” signal, as defined in section 1023 of  
8 this chapter, may make a turn or proceed across the roadway or intersection in  
9 the direction of the signal but shall yield the right of way to any vehicles or  
10 pedestrians in the roadway or intersection.

11 (d) Riding on a partially controlled access highway. Bicycles may be  
12 operated on the shoulders of partially controlled access highways, which are  
13 those highways where access is controlled by public authority but where there  
14 are some connections with selected public highways, some crossings at grade,  
15 and some private driveway connections. The Traffic Committee may  
16 determine that any portion of these highways is unsafe and therefore closed to  
17 bicycle operation.

18 Sec. 42. 23 V.S.A. § 1139a is added to read:

19 § 1139a. BICYCLE CONTROL SIGNALS

1       (a) Bicycles shall obey bicycle-control signals. An individual operating a  
2       bicycle shall obey the instructions of a bicycle-control signal, if present,  
3       instead of any traffic-control signal for motor vehicles.

4       (b) Bicycle-control signal legend.

5       (1) Green bicycle signal.

6               (A) An individual operating a bicycle facing a green bicycle signal  
7       may proceed straight through the intersection or turn right or left unless a sign  
8       prohibits such a turn, provided that:

9                       (i) the individual operating the bicycle will not be in conflict with  
10       any simultaneous motor vehicle movements at that location; or

11                      (ii) the bicycle movement at that location is not modified by lane-  
12       use signs, turn-prohibition signs, pavement markings, separate turn signal  
13       indications, or other traffic-control devices.

14               (B) An individual operating a bicycle pursuant to a green bicycle  
15       signal, including when turning right and left, shall yield the right-of-way to  
16       other individuals operating bicycles and pedestrians that are in the intersection  
17       when the signal is exhibited.

18               (2) Steady yellow bicycle signal. An individual operating a bicycle  
19       facing a steady yellow bicycle signal is warned that the steady green signal is  
20       being terminated and that the red signal will be exhibited immediately

1 following the steady yellow signal, at which time bicycle traffic traveling in  
2 that direction shall not enter the intersection.

3 (3) Steady red bicycle signal.

4 (A) An individual operating a bicycle facing a steady red bicycle  
5 signal alone shall stop at a clearly marked stop line, or if there is none, shall  
6 stop before entering the crosswalk on the near side of the intersection.

7 (B) Except when a sign is in place prohibiting a turn, an individual  
8 operating a bicycle facing a steady red bicycle signal may:

9 (i) cautiously enter the intersection to turn right; or

10 (ii) after stopping as required pursuant to subdivision (A) of this  
11 subdivision (b)(3), turn left from a one-way street onto a one-way street.

12 (C) An individual making a turn pursuant to subdivision (B) of this  
13 subdivision (b)(3) shall yield the right-of-way to pedestrians and other vehicles  
14 that are in the intersection.

15 (D) An individual operating a bicycle shall not turn right when facing  
16 a red arrow signal unless a sign permitting such a turn is present.

17 (E) An individual operating a bicycle to the left of adjacent motor  
18 vehicle traffic approaching the same intersection shall be prohibited from  
19 turning right when facing a steady red bicycle signal and an individual  
20 operating a bicycle to the right of adjacent motor vehicle traffic approaching

1 the same intersection shall be prohibited from turning left when facing a steady  
2 red bicycle signal.

3 Sec. 43. BICYCLE OPERATION AT STOP SIGNS AND SIGNALS;  
4 EDUCATION; OUTREACH

5 On or before April 1, 2026, the Commissioners of Motor Vehicles and of  
6 Public Safety, in consultation with stakeholders representing bicyclists,  
7 pedestrians, municipalities, and law enforcement agencies, shall develop  
8 education and outreach materials to inform vehicle operators, law enforcement  
9 officers, municipalities, and members of the public regarding the laws  
10 governing to the operation of bicycles on roadways, including at signalized  
11 intersections. The materials shall include both written and graphical materials  
12 explaining permitted bicycle operations and requirements for the operation of  
13 motor vehicles in relation to bicycles, including safe passing distance  
14 requirements.

15 \* \* \* Legal Trails \* \* \*

16 Sec. 44. FINDINGS; INTENT; LEGAL TRAILS

17 (a) Findings. The General Assembly finds the following:

18 (1) Outdoor recreation is a significant part of Vermont's identity and  
19 economy.

1           (2) Trails provide Vermonters and visitors with access to natural beauty  
2           throughout the State and are used for a wide variety of outdoor recreational  
3           activities throughout the year.

4           (3) Some trails are also used by Vermonters for travel or to access their  
5           homes and properties.

6           (4) The State and municipalities use some trails to provide maintenance  
7           to State and municipal lands and facilities, as well as to provide public safety  
8           and rescue services.

9           (5) Trails may require regular maintenance to ensure that they remain  
10          passable and can continue to support recreation, travel, access, and various  
11          public services.

12          (6) While many trails in Vermont have been established through private  
13          easements or other agreements, a subset of trails, known as legal trails, lie  
14          along public rights-of-way that were once town highways and are governed by  
15          the provisions of 19 V.S.A. chapter 3.

16          (b) Intent. It is the intent of the General Assembly to clarify  
17          municipalities' authority to exclusively or cooperatively maintain legal trails  
18          under the provisions of 19 V.S.A. chapter 3.

19          Sec. 45. 19 V.S.A. chapter 3 is amended to read:

20                               CHAPTER 3. TOWN HIGHWAYS

21          § 301. DEFINITIONS



1 As used in this chapter:

2 \* \* \*

3 (2) “Legislative body” ~~includes boards of selectmen, aldermen, and~~  
4 ~~village trustees~~ means a legislative body as defined in 24 V.S.A. § 2001.

5 (3) “~~Selectmen~~” ~~includes village trustees and aldermen~~ “Selectboard”  
6 means a selectboard as defined in 24 V.S.A. § 2001.

7 \* \* \*

8 (8)(A) “Trail” means a public right-of-way that is not a highway and  
9 that:

10 (i) municipalities have the authority to exclusively or  
11 cooperatively maintain pursuant to the provisions of this chapter; and

12 ~~(A)(ii)(I)~~ previously was a designated town highway having the  
13 same width as the designated town highway, or a lesser width if so designated;  
14 or

15 ~~(B)(II)~~ a new public right-of-way laid out as a trail by the  
16 ~~selectmen~~ legislative body for the purpose of providing access to abutting  
17 properties or for recreational use.

18 (B) Nothing in this ~~section~~ subdivision (8) shall be deemed to  
19 independently authorize the condemnation of land for recreational purposes or  
20 to affect the authority of ~~selectmen~~ legislative bodies to reasonably regulate the  
21 uses of recreational trails.

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§ 303. TOWN HIGHWAY CONTROL

Town highways shall be under the general supervision and control of the ~~selectmen~~ legislative body of the town where the roads are located. ~~Selectmen~~  
The legislative body of a town shall supervise all expenditures.

§ 304. DUTIES OF SELECTBOARD

(a) It shall be the duty and responsibility of the selectboard of the town to,  
or acting as a board, it shall have the authority to:

\* \* \*

(16) Unless the town electorate votes otherwise, under the provisions of  
17 V.S.A. § 2646, appoint a road commissioner, or remove ~~him or her~~ the road  
commissioner from office, pursuant to 17 V.S.A. § 2651. Road  
commissioners, elected or appointed, shall have only the powers and authority  
regarding highways granted to them by the selectboard.

\* \* \*

(24) Maintain trails, but shall not be required to maintain trails.

\* \* \*

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

Sec. 46. EFFECTIVE DATES

(a) This section and Secs. 16 and 17 (early renewal of operator's licenses,  
operator's privilege cards, and nondriver identification) shall take effect on  
passage.

- 1        (b) Sec. 45 (maintenance of legal trails) shall take effect on April 1, 2026.
- 2        (c) Secs. 9 (reduced license fees for individuals receiving SSI or SSDI
- 3        benefits) and 41 (operation of bicycles) shall take effect on July 1, 2026.
- 4        (d) The remaining sections shall take effect on July 1, 2025.