

1 S.123

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

3 The House proposes to the Senate to amend the bill by striking out all after  
4 the enacting clause and inserting in lieu thereof the following:

5 \* \* \* Plug-in Electric Vehicles \* \* \*

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

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

11 \* \* \* Veteran's Designation \* \* \*

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

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

15 \* \* \*

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

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

\* \* \* 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

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disabilities shall be subject to a civil penalty of not less than \$200.00 for each

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violation and shall be liable for towing charges.

6

(2) An individual, other than an eligible person, who displays a special

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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

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disabilities, shall be subject to a civil penalty of not less than \$400.00 for each

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violation and shall be liable for towing charges.

11

\* \* \*

12

(f) Individuals who have a temporary ambulatory disability may apply for a

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temporary removable windshield placard to the Commissioner on a form

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prescribed by ~~him or her~~ the Commissioner. The placard shall be valid for a

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period of up to six months and displayed as required under the provisions of

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subsection (c) of this section. The application shall be signed by a licensed

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physician, licensed physician assistant, or licensed advanced practice

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registered nurse. The validation period of the temporary placard shall be

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established on the basis of the written recommendation from a licensed

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

2   Sec. 9. 23 V.S.A. § 617 is amended to read:

3   § 617. LEARNER'S PERMIT

4                                   \* \* \*

5       (b)(1) Notwithstanding the provisions of subsection (a) of this section, any  
6   licensed person may apply to the Commissioner of Motor Vehicles for a  
7   learner's permit for the operation of a motorcycle in the form prescribed by the  
8   Commissioner. The Commissioner shall offer both a motorcycle learner's  
9   permit that authorizes the operation of three-wheeled motorcycles only and a  
10   motorcycle learner's permit that authorizes the operation of any motorcycle.  
11   The Commissioner shall require payment of a fee of \$24.00 at the time  
12   application is made, except that no fee shall be charged for an individual under  
13   23 years of age who was in the care and custody of the Commissioner for  
14   Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after  
15   attaining 14 years of age.

16       (2) After the applicant has successfully passed all parts of the applicable  
17   motorcycle endorsement examination, other than a skill test, the Commissioner  
18   may issue to the applicant a learner's permit that entitles the applicant, subject  
19   to subsection 615(a) of this title, to operate a three-wheeled motorcycle only,  
20   or to operate any motorcycle, upon the public highways for a period of 120  
21   days from the date of issuance. The fee for the examination shall be \$11.00,

1 except that no fee shall be charged for an individual under 23 years of age who  
2 was in the care and custody of the Commissioner for Children and Families  
3 pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age.

4 (3) A motorcycle learner's permit may be renewed only twice upon  
5 payment of a \$24.00 fee. An individual under 23 years of age who was in the  
6 care and custody of the Commissioner for Children and Families pursuant to  
7 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age shall not be  
8 charged a fee for the renewal of a motorcycle learner's permit.

9 (4) If, during the original permit period and two renewals the permittee  
10 has not successfully passed the applicable skill test or motorcycle rider training  
11 course, the permittee may not obtain another motorcycle learner's permit for a  
12 period of 12 months from the expiration of the permit unless:

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

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

18 \* \* \*

19 (c) No learner's permit may be issued to any person under 18 years of age  
20 unless the parent or guardian of, or a person standing in loco parentis to, the

1 applicant files ~~his or her~~ written consent to the issuance with the  
2 Commissioner.

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

5 (2) An applicant under 23 years of age who was in the care and custody  
6 of the Commissioner for Children and Families pursuant to 33 V.S.A.  
7 § 4903(4) in Vermont after attaining 14 years of age shall not be charged a fee  
8 for a learner's permit or a duplicate or renewal thereof.

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

11 (e)(1) A learner's permit, ~~which is not a learner's permit~~ for the operation  
12 of a motorcycle, shall contain a photograph or imaged likeness of the  
13 individual. A learner's permit for a motor vehicle shall contain a photograph  
14 or imaged likeness of the individual if the permit is obtained in person. ~~The~~  
15 ~~photographic learner's permit shall be available at locations designated by the~~  
16 ~~Commissioner.~~

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

1 \* \* \*

2 \* \* \* Commercial Learner's Permit \* \* \*

3 Sec. 10. 23 V.S.A. § 4111a is amended to read:

4 § 4111a. COMMERCIAL LEARNER'S PERMIT

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

7 \* \* \*

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

11 \* \* \*

12 Sec. 11. 23 V.S.A. § 4122 is amended to read:

13 § 4122. DEFERRING IMPOSITION OF SENTENCE; PROHIBITION ON  
14 MASKING OR DIVERSION

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

1 \* \* \*

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

3 Sec. 12. 23 V.S.A. § 632 is amended to read:

4 § 632. EXAMINATION REQUIRED; WAIVER

5 (a) Before an operator's or a junior operator's license is issued to an  
6 applicant for the first time in this State, or before a renewal license is issued to  
7 an applicant whose previous Vermont license had expired more than three  
8 years prior to the application for renewal, the applicant shall pass a satisfactory  
9 examination, except that the Commissioner may, in ~~his or her~~ the  
10 Commissioner's discretion, waive the examination when the applicant holds a  
11 chauffeur's, junior operator's, or operator's license in force at the time of  
12 application or within three years prior to the application in some other  
13 jurisdiction where an examination is required similar to the examination  
14 required in this State.

15 (b) The examination shall consist of:

16 \* \* \*

17 (3) at the discretion of the Commissioner, such other examination or  
18 demonstration as ~~he or she~~ the Commissioner may prescribe, including an oral  
19 eye examination.



1 (c) An applicant may have an individual of ~~his or her~~ the applicant's  
2 choosing at the oral examination or road test to serve as an interpreter,  
3 including to translate any oral commands given as part of the road test.

4 Sec. 13. 23 V.S.A. § 634 is amended to read:

5 § 634. FEE FOR EXAMINATION

6 \* \* \*

7 (b)(1) A Beginning on or before July 1, 2026, a scheduling fee of \$29.00  
8 shall be paid by the applicant before the applicant may schedule the road test  
9 required under section 632 of this title. ~~Unless an applicant gives the~~  
10 ~~Department at least 48 hours' notice of cancellation, if~~

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

13 (A) the applicant gives the Department at least 48 hours' notice; or

14 (B) the applicant shows good cause for the cancellation, as  
15 determined by the Commissioner.

16 (3) If the applicant appears for the scheduled road test, the fee shall be  
17 applied toward the license examination fee. ~~The Commissioner may waive the~~  
18 scheduling fee until the Department is capable of administering the fee  
19 electronically.

20 \* \* \*

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

Sec. 14. 23 V.S.A. § 603 is amended to read:

§ 603. APPLICATION FOR AND ISSUANCE OF LICENSE

(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.

(2) The Commissioner may, however, in ~~his or her~~ the Commissioner's discretion, refuse to issue a license to any person whenever ~~he or she~~ the Commissioner is satisfied from information given ~~him or her~~ the Commissioner by credible persons, and upon investigation, that the person is mentally or physically unfit or, because of ~~his or her~~ the person's habits or record as to crashes or convictions, is unsafe to be trusted with the operation of motor vehicles. A person refused a license under the provisions of this subsection shall be entitled to hearing as provided in sections 105–107 of this title.

\* \* \*

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

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

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

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

16 \* \* \*

17 (f) ~~Persons~~ Applicant's able to establish lawful presence in the United  
18 States but who otherwise fail to comply with the requirements of the REAL ID  
19 Act of 2005, Pub. L. No. 109-13, §§ 201-202, shall be eligible for an  
20 operator's privilege card, a junior operator's privilege card, or a learner's  
21 privilege card, provided the applicant furnishes reliable proof of Vermont

1 residence and of name, date of birth, and place of birth, and satisfies all other  
2 requirements of this chapter for obtaining a license or permit. The  
3 Commissioner shall require applicants under this subsection to furnish a  
4 document or a combination of documents that reliably proves the applicant's  
5 Vermont residence and ~~his or her~~ the applicant's name, date of birth, and place  
6 of birth.

7 \* \* \*

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

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

11 \* \* \*

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

13 Sec. 15. 23 V.S.A § 604 is added to read:

14 § 604. EARLY RENEWAL

15 (a) The holder of an operator's license or privilege card issued under the  
16 provisions of this subchapter may renew the operator's license or privilege  
17 card at any time prior to the expiration of the operator's license or privilege  
18 card. If one or more years remain before the expiration of the operator's  
19 license or privilege card, the Commissioner shall reduce the cost of the  
20 renewed operator's license or privilege card by an amount that is proportionate

1 to the number of years rounded down to the next whole year remaining before  
2 the expiration of the operator's license or privilege card.

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

6 Sec. 16. 23 V.S.A. § 115b is added to read:

7 § 115b. EARLY RENEWAL

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

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

1   Sec. 17. INFORMATION REGARDING PRIVILEGE CARDS AND  
2               NONDRIVER IDENTIFICATION CARDS; INTENT

3       It is the intent of the General Assembly that the Commissioner of Motor  
4       Vehicles shall ensure that any individual who is unable to or does not wish to  
5       comply with the requirements of the REAL ID Act of 2005, Pub. L. No. 109-  
6       13, §§ 201 and 202 shall continue to be informed of the option of obtaining an  
7       operator's privilege card pursuant to the provisions of 23 V.S.A. § 603(f) or a  
8       nondriver identification card pursuant to the provisions of 23 V.S.A. § 115.

9   Sec. 18. OUTREACH; UPDATES

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

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

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

18               (3) reduced fees that are available to individuals who meet certain  
19       requirements.

20       (b) The Commissioner shall provide two brief, written updates to the House  
21       and Senate Committees on Transportation regarding the implementation and

1 utilization of 23 V.S.A. §§ 115b and 604. The first shall be due not more than  
2 30 days after the Department implements the provisions of 23 V.S.A. §§ 115b  
3 and 604 and the second shall be due in January 2026.

4 \* \* \* Commercial Driving Instructors \* \* \*

5 Sec. 19. 23 V.S.A. § 705 is amended to read:

6 § 705. QUALIFICATIONS FOR INSTRUCTOR'S LICENSE

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

8 (1) not have been convicted of:

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

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

14 (C) a subsequent violation of an offense listed in subdivision  
15 2502(a)(5) of this title or of section 674 of this title; or

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

18 (2) pass ~~such~~ an examination as required by the Commissioner ~~shall~~  
19 ~~require~~ on:

20 (A) traffic laws;

21 (B) safe driving practices;

1 (C) operation of motor vehicles; and

2 (D) qualifications as a teacher;

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

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

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

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

11 (1) If the commercial motor vehicle instructor is a behind the wheel  
12 (BTW) instructor, shall either:

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

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

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

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

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

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

1                    (iii) meet any additional applicable State requirements for  
2                    commercial motor vehicle instructors.

3                    \* \* \* Motorcycle Instructors \* \* \*

4                    Sec. 20. 23 V.S.A. § 734 is amended to read:

5                    § 734. INSTRUCTOR REQUIREMENTS AND TRAINING

6                    \* \* \*

7                    (b) The Department shall establish minimum requirements for the  
8                    qualifications of a rider training instructor. The minimum requirements shall  
9                    include the following:

10                    \* \* \*

11                    (3) the instructor shall have at least ~~four~~ two years of licensed  
12                    experience as a motorcycle riding-experience operator during the last ~~five~~ four  
13                    years;

14                    \* \* \*

15                    (7) an applicant shall not be eligible for instructor status until ~~his or her~~  
16                    the applicant's driving record for the preceding five years, or the maximum  
17                    number of years less than five for which a state retains driving records, is  
18                    furnished; and

19                    \* \* \*

1                                   \* \* \* Motor Vehicle Taxes \* \* \*

2    Sec. 21. 32 V.S.A. § 8902 is amended to read:

3    § 8902. DEFINITIONS

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

5                                   \* \* \*

6       (5)(A) “Taxable cost” means the purchase price as defined in  
7    subdivision (4) of this section or the taxable cost as determined under section  
8    8907 of this title.

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

13       (A)(i) The value allowed by the seller on any motor vehicle accepted  
14   by the seller as part of the consideration of the motor vehicle, provided the  
15   motor vehicle accepted by the seller is owned and previously or currently  
16   registered or titled by the purchaser, with no change of ownership since  
17   registration or titling, except for motor vehicles for which registration is not  
18   required under the provisions of Title 23 or motor vehicles received under the  
19   provisions of subdivision 8911(8) of this title.

20       (B)(ii) The amount received from the sale of a motor vehicle last  
21   registered or titled in the seller’s name, the amount not to exceed the clean

1 trade-in value of the same make, type, model, and year of manufacture as  
2 designated by the manufacturer and as shown in the ~~NADA Official Used Car~~  
3 ~~Guide (New England edition)~~ J.D. Power Values, or any comparable  
4 publication, provided ~~such~~ the sale occurs within three months after the taxable  
5 purchase. However, this three-month period shall be extended day-for-day for  
6 any time that a member of a guard unit or of the U.S. Armed Forces, as defined  
7 in 38 U.S.C. § 101(10), spends outside Vermont due to activation or  
8 deployment and an additional 60 days following the individual's return from  
9 activation or deployment. ~~Such~~ The amount shall be reported on forms  
10 supplied by the Commissioner of Motor Vehicles.

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

17 ~~(i)~~(I) the motor vehicle with respect to which ~~such~~ the payment is  
18 made by the insurer is accepted by the seller as a trade-in on the purchased  
19 motor vehicle before the repair of the damage giving rise to insurer's payment;  
20 or

8 \* \* \*

13 \* \* \*

14 Sec. 22. 32 V.S.A. § 8907 is amended to read:

15     § 8907. COMMISSIONER; COMPUTATION OF TAXABLE COSTS

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1 of the motor vehicle at the clean trade-in value of vehicles of the same make,  
2 type, model, and year of manufacture as designated by the manufacturer, as  
3 shown in ~~the NADA Official Used Car Guide (New England Edition)~~ J.D.  
4 Power Values or any comparable publication, less the lease end value of any  
5 leased vehicle. The Commissioner may develop a process to determine the  
6 value of vehicles that do not have clean trade-in value in J.D. Power Values.  
7 The Commissioner may compute and assess the tax due and notify the  
8 purchaser verbally, if the purchaser is at a DMV location, or immediately by  
9 ~~certified~~ mail, and the purchaser shall remit the same within 15 days ~~thereafter~~  
10 after notice is sent or provided.

11 \* \* \*

12 Sec. 23. 32 V.S.A. § 8914 is amended to read:

13 § 8914. REFUND

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

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

18 Sec. 24. 23 V.S.A. § 326 is amended to read:

19 § 326. REFUND UPON LOSS OF VEHICLE

20 The Commissioner may cancel the registration of a motor vehicle when the  
21 owner of the motor vehicle proves to the Commissioner's satisfaction that the

1 motor vehicle has been totally destroyed by fire or, through crash or wear, has  
2 become wholly unfit for use and has been dismantled. After the Commissioner  
3 cancels the registration and the owner returns to the Commissioner either the  
4 registration certificate or the number plate or number plates, or other proof of  
5 cancellation to the satisfaction of the Commissioner, the Commissioner shall  
6 certify to the Commissioner of Finance and Management the fact of the  
7 cancellation, giving the name of the owner of the motor vehicle, the owner's  
8 address, the amount of the registration fee paid, and the date of cancellation.  
9 The Commissioner of Finance and Management shall issue the Commissioner  
10 of Finance and Management's warrant in favor of the owner for such percent  
11 of the registration fee paid as the unexpired term of the registration bears to the  
12 entire registration period, but in no case shall the Commissioner of Finance and  
13 Management retain less than \$5.00 of the fee paid.

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

15 Sec. 25. 23 V.S.A. § 3020 is amended to read:

16 § 3020. CREDITS AND REFUNDS

17 (a) Credits.

18 (1) A user who purchased fuel within this State from a dealer or  
19 distributor upon which ~~he or she~~ the user paid the tax at the time of purchase,  
20 or a user exempt from the payment of the tax under subsection 3003(d) of this  
21 title who purchased fuel within this State upon which ~~he or she~~ the user paid

1 tax at the time of purchase, shall be entitled to a credit equal to the amount of  
2 tax per gallon in effect when the fuel was purchased. When the amount of the  
3 credit to which any user is entitled for any reporting period exceeds the amount  
4 of ~~his or her~~ the user's tax for the same period, the excess shall be credited to  
5 the user's tax account and the user shall be notified of the date and amount of  
6 the credit by mail.

7 \* \* \*

8 (3) A user who also sells or delivers fuel subject to the tax imposed by  
9 32 V.S.A. chapter 233 upon which the tax imposed by this chapter has been  
10 paid shall be entitled to a credit equal to the amount of such tax paid pursuant  
11 to this chapter. When the amount of the credit to which any user is entitled for  
12 any reporting period exceeds the amount of ~~his or her~~ the user's tax for the  
13 same period, the excess shall be credited to the user's tax account and the user  
14 shall be notified of the date and amount of the credit by mail.

15 \* \* \*

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

20 \* \* \*



1                                   \* \* \* Alteration of Odometers \* \* \*

2    Sec. 26. 23 V.S.A. § 1704a is amended to read:

3    § 1704a. ALTERATION OF ODOMETERS

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

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

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

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

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

4                               \* \* \* Definition of Conviction \* \* \*

5       Sec. 27. 23 V.S.A. § 102 is amended to read:

6       § 102. DUTIES OF COMMISSIONER

7                               \* \* \*

8       **(d)(1)** The Commissioner may authorize background investigations for  
9       potential employees, which may include criminal, traffic, and financial records  
10      checks; provided, however, that the potential employee is notified and has the  
11      right to withdraw ~~his or her~~ their name from application. Additionally,  
12      employees who are involved in the manufacturing or production of operator's  
13      licenses and identification cards, including enhanced licenses, or who have the  
14      ability to affect the identity information that appears on a license or  
15      identification card, or current employees who will be assigned to such  
16      positions, shall be subject to appropriate background checks and shall be  
17      provided notice of the background check and the contents of that check. These  
18      background checks shall include a name-based and fingerprint-based criminal  
19      history records check using at a minimum the Federal Bureau of  
20      Investigation's National Crime Information Center and the Integrated

1 Automated Fingerprint Identification database and State repository records on  
2 each covered employee.

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

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

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

1 Sec. 28. 23 V.S.A. § 108 is amended to read:

2 § 108. APPLICATION FORMS

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

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

12 Sec. 29. 23 V.S.A. § 1709 is amended to read:

13 § 1709. REPORT OF CONVICTIONS TO COMMISSIONER OF MOTOR  
14 VEHICLES

15 (a) The Judicial Bureau and every court having jurisdiction over offenses  
16 committed under any law of this State or municipal ordinance regulating the  
17 operation of motor vehicles on the highways shall forward a record of any  
18 conviction to the Commissioner within 10 days for violation of any State or  
19 local law relating to motor vehicle traffic control, other than a parking  
20 violation.



1 person's operating license or nonresident operating privilege or the privilege of  
2 an unlicensed operator to operate a vehicle for a period of 90 days and until the  
3 person complies with section 1209a of this title. However, during the  
4 suspension, an eligible person may operate under the terms of an ignition  
5 interlock RDL or ignition interlock certificate issued pursuant to section 1213  
6 of this title.

7 \* \* \*

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

12 \* \* \*

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

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

19 \* \* \*

20 (c) Notice of suspension. On behalf of the Commissioner of Motor  
21 Vehicles, a law enforcement officer requesting or directing the administration

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

15 \* \* \*

16 (h) Final hearing.

17 (1) If the defendant requests a hearing on the merits, the court shall  
18 schedule a final hearing on the merits to be held within 21 days after the date  
19 of the preliminary hearing. In no event may a final hearing occur more than 42  
20 days after the date of the alleged offense without the consent of the defendant  
21 or for good cause shown. The final hearing may only be continued by the

1 consent of the defendant or for good cause shown. The issues at the final  
2 hearing shall be limited to the following:

3 \* \* \*

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

14 \* \* \*

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



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

12 \* \* \*

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

20 \* \* \*

(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.

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

Sec. 33. 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.

~~(2) Fractions of 1,000 pounds shall be computed at the next highest~~  
~~1,000 pounds, excepting, however, fractions of hundredweight shall be~~  
~~disregarded. [Repealed.]~~

8 \*\*\*

9 \*\*\* Purchase and Use Tax \*\*\*

10     Sec. 34. 32 V.S.A. § 8902 is amended to read:

11      § 8902. DEFINITIONS

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

13 \* \* \*

14 (6) “Motor vehicle” ~~shall have~~ has the same ~~definition~~ meaning as in 23

15 V.S.A. § 4(21).

16 \* \* \*

17 (12) “Mail” has the same meaning as in 23 V.S.A. § 4(87).

18     Sec. 35. 32 V.S.A. § 8905 is amended to read:

19     § 8905. COLLECTION OF TAX; EDUCATION; APPEALS

(a) Every purchaser of a motor vehicle subject to a tax under subsection 8903(a) of this title shall forward ~~such~~ the tax form to the Commissioner,

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. 36. 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 \* \* \*

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

2    Sec. 37. 2024 Acts and Resolves No. 165, Secs. 14, 15, and 16 are amended to  
3    read:

4       Sec. 14. [Deleted.]

5       Sec. 15. [Deleted.]

6       Sec. 16. [Deleted.]

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

8    Sec. 38. 23 V.S.A. § 3501 is amended to read:

9    § 3501. DEFINITIONS

10       As used in this chapter:

11           (1) “All-terrain vehicle” or “ATV” means any nonhighway recreational  
12    vehicle, except snowmobiles, having not less than two low pressure tires (10  
13    pounds per square inch, or less); not wider than ~~64~~ 72 inches, with two-wheel  
14    ATVs having permanent, full-time power to both wheels; and having a dry  
15    weight of less than 2,500 pounds, when used for cross-country travel on trails  
16    or on any one of the following or a combination thereof: land, water, snow, ice,  
17    marsh, swampland, and natural terrain. An ATV on a public highway shall be  
18    considered a motor vehicle, as defined in section 4 of this title, only for the  
19    purposes of those offenses listed in subdivisions 2502(a)(1)(H), (N), (R), (U),  
20    (Y), (FF), (GG), (II), and (AAA); (2)(A) and (B); (3)(A), (B), (C), and (D);  
21    (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. 39. 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. 40. 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.

1 Sec. 41. 23 V.S.A. § 1139a is added to read:

2 § 1139a. BICYCLE CONTROL SIGNALS

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

6 (b) Bicycle-control signal legend.

7 (1) Green bicycle signal.

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

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

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

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

20 (2) Steady yellow bicycle signal. An individual operating a bicycle  
21 facing a steady yellow bicycle signal is warned that the steady green signal is

1 being terminated and that the red signal will be exhibited immediately  
2 following the steady yellow signal, at which time bicycle traffic traveling in  
3 that direction shall not enter the intersection.

4 (3) Steady red bicycle signal.

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

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

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

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

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

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

18 (E) An individual operating a bicycle to the left of adjacent motor  
19 vehicle traffic approaching the same intersection shall be prohibited from  
20 turning right when facing a steady red bicycle signal and an individual  
21 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. 42. 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. 43. 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. 44. 19 V.S.A. chapter 3 is amended to read:

20                               CHAPTER 3. TOWN HIGHWAYS



1 § 301. DEFINITIONS

2 As used in this chapter:

3 \* \* \*

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

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

8 \* \* \*

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

11 (i) municipalities have the authority to exclusively or  
12 cooperatively maintain; and

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

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

19 (B) Nothing in this ~~section~~ subdivision (8) shall be deemed to  
20 independently authorize the condemnation of land for recreational purposes or

1 to affect the authority of ~~selectmen~~ legislative bodies to reasonably regulate the  
2 uses of recreational trails.

3 § 302. CLASSIFICATION OF TOWN HIGHWAYS

4 (a) For the purposes of this section and receiving State aid, all town  
5 highways shall be categorized into one or another of the following classes:

6 \* \* \*

7 (2) Class 2 town highways are those town highways selected as the most  
8 important highways in each town. As far as practicable, they shall be selected  
9 with the purposes of securing trunk lines of improved highways from town to  
10 town and to places that by their nature have more than normal amount of  
11 traffic. The ~~selectmen~~ legislative body, with the approval of the Agency, shall  
12 determine which highways are to be class 2 highways.

13 (3) Class 3 town highways:

14 (A) Class 3 town highways are all traveled town highways other than  
15 class 1 or 2 highways. The ~~selectmen~~ legislative body, after conference with a  
16 representative of the Agency, shall determine which highways are class 3 town  
17 highways.

18 \* \* \*

19 (5) Trails shall not be considered highways ~~and the town.~~ A  
20 municipality shall have the authority to maintain trails but shall not be  
21 responsible for any maintenance, including culverts and bridges.

1 \* \* \*

2 § 303. TOWN HIGHWAY CONTROL

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

6 § 304. DUTIES OF SELECTBOARD

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

9 \* \* \*

10 (16) Unless the town electorate votes otherwise, under the provisions of  
11 17 V.S.A. § 2646, appoint a road commissioner, or remove ~~him or her~~ the road  
12 commissioner from office, pursuant to 17 V.S.A. § 2651. Road  
13 commissioners, elected or appointed, shall have only the powers and authority  
14 regarding highways granted to them by the selectboard.

15 \* \* \*

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

1

\* \* \*

2

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

3

Sec. 45. EFFECTIVE DATES

4

(a) This section and Secs. 15 and 16 (early renewal of operator's licenses,

5

operator's privilege cards, and nondriver identification) shall take effect on

6

passage.

7

(b) The remaining sections shall take effect on July 1, 2025.