

# Senate Calendar

THURSDAY, FEBRUARY 26, 2026

SENATE CONVENES AT: 1:00 P.M.

## TABLE OF CONTENTS

Page No.

### ACTION CALENDAR

#### UNFINISHED BUSINESS OF FEBRUARY 25, 2026

##### Second Reading

###### Favorable with Recommendation of Amendment

<b>S. 255</b> An act relating to establishing a pilot Law Enforcement Governance Council in Windham County	
Government Operations Report - Sen. Collamore .....	216
Amendment - Sen. Hardy .....	216

##### NEW BUSINESS

##### Second Reading

###### Favorable with Recommendation of Amendment

<b>S. 157</b> An act relating to recovery residence certification	
Health and Welfare Report - Sen. Benson .....	220
Finance Report - Sen. Gulick .....	224
<b>S. 163</b> An act relating to the role of advanced practice registered nurses in hospital care	
Health and Welfare Report - Sen. Morley .....	225

### NOTICE CALENDAR

#### Committee Bill for Second Reading

##### Favorable with Recommendation of Amendment

<b>S. 326</b> An act relating to miscellaneous amendments to laws relating to motor vehicles	
By the Committee on Transportation (Senator Westman for the Committee) .....	225
Transportation Report - Sen. Westman .....	225

**Second Reading**

**S. 211** An act relating to motor vehicle inspections  
Transportation Report - Sen. White .....250

**S. 243** An act relating to distributing funds to the Vermont Language Justice  
Project  
Health and Welfare Report - Sen. Gulick ..... 251  
Appropriations Report - Sen. Lyons .....252

**Proposed Amendments to the Vermont Constitution**

**Prop 4** Declaration of rights; government for the people; equality of  
rights..... 253

**CONCURRENT RESOLUTIONS FOR NOTICE**

**H.C.R. 212-216** (For text of Resolutions, see Addendum to House Calendar  
for February 26, 2026) .....254

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**ORDERS OF THE DAY**

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**ACTION CALENDAR**

**UNFINISHED BUSINESS OF WEDNESDAY, FEBRUARY 25, 2026**

**Second Reading**

**Favorable with Recommendation of Amendment**

**S. 255.**

An act relating to establishing a pilot Law Enforcement Governance Council in Windham County.

**Reported favorably with recommendation of amendment by Senator Collamore for the Committee on Government Operations.**

The Committee recommends that the bill be amended as follows:

First: In Sec. 3, membership, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read:

(a) A municipality within Windham County may join the Council by majority vote of the legislative body of the municipality.

Second: In Sec. 3, membership, subsection (c), by striking out “at an annual or special town meeting” and inserting in lieu thereof “of the legislative body of the municipality”

Third: In Sec. 5, budget and financing, subsection (b), by striking out “on the grand list of member municipalities only.”

(Committee vote: 4-1-0)

**Amendment to the recommendation of amendment of the Committee on Government Operations to S. 255 to be offered by Senator Hardy**

Senator Hardy moves to amend the recommendation of amendment of the Committee on Government Operations as follows:

First: By adding a new section to be Sec. 10a to read as follows:

Sec. 10a. 24 V.S.A. chapter 5 is amended to read:

CHAPTER 5. COUNTY OFFICERS; POWERS AND DUTIES

\* \* \*

§ 290. COUNTY SHERIFF’S DEPARTMENT

\* \* \*

(d)(1) Upon the election of a sheriff-elect who is not the incumbent sheriff, an announcement that the incumbent sheriff will not seek reelection, or an announcement that the incumbent sheriff intends to resign, whichever occurs earliest, all financial disbursements from the accounts of the department, including the transfer of real or personal property, or other assets, of the department, shall be co-signed by the sheriff and at least one assistant judge in that county, and the sheriff shall, within two weeks, provide the Department of State's Attorneys and Sheriffs, the Auditor of Accounts, and the assistant judges of that county with a written list of all transfers of departmental assets and financial disbursements to a single source, in aggregate, greater than \$10,000.00 anticipated to occur before the sheriff leaves office. Assistant judges shall consult with the Director of Sheriffs' Operations when considering whether to co-sign any transfers of departmental assets or financial disbursements to a single source, in aggregate, greater than \$10,000.00. The assistant judges shall not unreasonably refuse to co-sign any disbursements or transfer of sheriff's department assets.

(2) A report of all financial disbursements and transfers made pursuant to this subsection shall be forwarded by the assistant judges to the Auditor of Accounts and the Department of State's Attorneys and Sheriffs within 15 days following the sheriff leaving office.

#### § 290b. AUDITS

\* \* \*

(d) Annually, each sheriff shall furnish the Auditor of Accounts on forms provided by the Auditor a financial report reflecting the financial transactions and condition of the sheriff's department. The sheriff shall submit a copy of this report to the assistant judges of the county. The assistant judges shall prepare a report reflecting funds disbursed by the county in support of the sheriff's department and forward a copy of their report to the Auditor of Accounts. The Auditor of Accounts shall compile the reports and submit ~~one~~ report copies to the Department of State's Attorneys and Sheriffs, the House and Senate Committees on Government Operations and Military Affairs and on Judiciary, and the Senate Committees on Government Operations and on Judiciary. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the required report to be made under this subsection.

(e)(1) Biennially, according to a schedule established by the Auditor of Accounts, the Auditor shall retain a public accountant to conduct an audit of the financial systems, controls, and procedures within each department. The public accountant shall prepare a written report detailing the review of the department. A copy of this report shall be forwarded to the sheriff, assistant

judges, ~~and the Auditor of Accounts, the Department of State's Attorneys and Sheriffs, the House Committees on Government Operations and Military Affairs and on Judiciary, and the Senate Committees on Government Operations and on Judiciary.~~ The Auditor shall charge for the costs of the report pursuant to 32 V.S.A. § 168(b).

(2) After receiving the written report pursuant to subdivision (1) of this subsection, a sheriff shall implement any recommendations made in the report by the start of the following fiscal year. On or before the 30 days after implementing these recommendations, the sheriff shall submit a letter to the Auditor of Accounts detailing the changes made, including pertinent timelines, modified accounting practices, and anticipated outcomes.

(3) Willful failure to comply with this subsection shall constitute Category B conduct pursuant to 20 V.S.A. § 2401(2).

\* \* \*

#### § 291a. CONTRACTS

(a) In the name of the sheriff's department, the sheriff may enter into written contracts with the State of Vermont, ~~an agency of the United States,~~ one or more towns within or ~~without~~ outside the county, or any nongovernmental entity, to provide law enforcement or other related services, including security services; central dispatching for police, fire, or ambulance services; and centralized support services. Contracts between the sheriff's department and a town shall be valid if approved by the sheriff and by a majority of the selectboard of the town, provided that funding has been approved by a duly warned annual or special town meeting. Deputy sheriffs engaged in the performance of a contract shall be considered employees of the sheriff's department for all purposes, except that for purposes of determining eligibility for Social Security, employees under this section shall be considered county employees; provided, however, that the sheriffs' departments shall be responsible for employers' contributions.

\* \* \*

#### § 293. DUTIES

(a) A sheriff so commissioned and sworn shall serve and execute lawful writs, warrants, and processes directed to the sheriff, according to the precept thereof, and do all other things pertaining to the office of sheriff.

(b) A sheriff shall maintain a record of the sheriff's work schedule, including work days, leave taken, and any remote work performed outside the sheriff's district for a period of more than three days. The sheriff shall submit

this record monthly to the Department of State's Attorneys and Sheriffs and publicly post this record on the sheriff's department's website.

(c) If an individual who has a relief from abuse order pursuant to 15 V.S.A. § 1103 requires assistance in the retrieval of personal belongings from the individual's residence and that individual requests assistance from a sheriff's department providing law enforcement services in the county in which that individual resides, the sheriff's department shall provide the assistance.

(d) A sheriff shall provide law enforcement and security services for each county and State courthouse within the sheriff's county of jurisdiction in accordance with section 291a of this title.

(e) Willful failure to comply with this section shall constitute Category B conduct pursuant to 20 V.S.A. § 2401(2).

#### § 294. SHERIFF IMPRISONED

(a) If a sheriff is confined in prison by legal process, ~~his or her~~ the sheriff's functions as ~~sheriff~~ shall be suspended. When the sheriff is released from imprisonment during ~~his or her~~ the sheriff's term of office, ~~he or she~~ the sheriff shall file a certificate of ~~his or her~~ the sheriff's discharge signed by one of the judges of the Superior Court, in the office of the county clerk, and deliver a like certificate to the high bailiff. Thereupon ~~he or she~~ the sheriff shall resume the powers and execute the duties of ~~sheriff~~ the office.

(b) If a sheriff is confined pursuant to subsection (a) of this section, notwithstanding the provisions of 32 V.S.A. § 1182, the sheriff's salary is suspended for the duration of the confinement or until the sheriff's duties are restored in accordance with any conditions of release or court order, whichever occurs later.

\* \* \*

#### § 367. DEPARTMENT OF STATE'S ATTORNEYS AND SHERIFFS

\* \* \*

(e)(1) The Executive Director of the Department of State's Attorneys and Sheriffs shall appoint a Director of Sheriffs' Operations who shall serve at the pleasure of the Executive Director.

(2) The Director of Sheriffs' Operations shall provide centralized support services for the sheriffs with respect to budgetary planning, policy development and compliance, training, and office management, and perform such other duties as directed by the Executive Director.

(3)(A) The Director of Sheriffs' Operations shall develop, maintain, and provide to each sheriff's department model policies on operational topics, including service of civil process, relief from abuse orders, transportation of prisoners, ethics, and sheriffs' responsibilities.

(B)(i) Each sheriff shall adopt the model policies issued pursuant to subdivision (A) of this subdivision (3).

(ii) Willful failure to comply with this subdivision (B) shall constitute Category B conduct pursuant to 20 V.S.A. § 2401(2).

Second: By striking out Sec. 11, effective date, in its entirety and inserting in lieu thereof the following:

#### Sec. 11. EFFECTIVE DATES

(a) This section and Sec. 10a (24 V.S.A. chapter 5) shall take effect on passage.

(b) Secs. 1–10 shall take effect after the County and Regional Governance Study Committee, as created in 2024 Acts and Resolves No. 118, as potentially amended by the General Assembly, submits its final report to the General Assembly and on the effective date of the General Assembly's enacted legislation in consideration of the Committee's recommendations.

### NEW BUSINESS

#### Second Reading

#### Favorable with Recommendation of Amendment

#### S. 157.

An act relating to recovery residence certification.

**Reported favorably with recommendation of amendment by Senator Benson for the Committee on Health and Welfare.**

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 4802 is amended to read:

#### § 4802. DEFINITIONS

As used in this chapter:

\* \* \*

(12) “Recovery residence” means a shared living residence supporting individuals recovering from a substance use disorder that provides residents

with peer support, assistance accessing support services, and community resources for individuals recovering from substance use disorder.

(13) “Secretary” means the Secretary of Human Services or designee.

(13)(14) “Substance abuse crisis team” means an organization approved by the Secretary to provide emergency treatment and transportation services to substance abusers pursuant to the provisions of this chapter.

(14)(15) “Substance abuser” means anyone who drinks alcohol or consumes other drugs to an extent or with a frequency that impairs or endangers ~~his or her~~ the individual’s health or the health and welfare of others.

(15)(16) “Treatment” means the broad range of medical, detoxification, residential, outpatient, aftercare, and follow-up services ~~which~~ that are needed by substance abusers and may include a variety of other medical, social, vocational, and educational services relevant to the rehabilitation of these persons.

Sec. 2. 18 V.S.A. § 4806 is amended to read:

§ 4806. DIVISION OF SUBSTANCE USE PROGRAMS

(a) The Division of Substance Use Programs shall plan, operate, and evaluate a consistent, effective program of substance use programs. All duties, responsibilities, and authority of the Division shall be carried out and exercised by and within the Department of Health.

(b) The Division shall be responsible for the following services:

- (1) prevention and intervention;
- (2) [Repealed.]
- (3) project CRASH schools; ~~and~~
- (4) alcohol and drug treatment; and
- (5) recovery residences.

\* \* \*

Sec. 3. 9 V.S.A. § 4452 is amended to read:

§ 4452. EXCLUSIONS

(a) Unless created to avoid the application of this chapter, this chapter does not apply to any of the following:

\* \* \*

(b)(1) Notwithstanding subsections 4463(b) and 4467(b) and section 4468 of this chapter only, a recovery residence may immediately exit or transfer a resident if all of the following conditions are met:

(A) the recovery residence has developed and adopted a residential agreement:

(i) containing a written exit and transfer policy approved by the Vermont Alliance for Recovery Residences or another certifying organization approved by the Department of Health that:

(I) addresses the length of time that a bed will be held in the event of a temporary removal;

(II) establishes the criteria by which a resident can return to the recovery residence in the event of a temporary removal; and

(III) ensures a resident's possessions will be held not less than 60 days in the event of permanent removal;

(ii) explaining the recovery residence's program rules and social standards;

(iii) designating alternative housing arrangements for the resident in the event of an exit or transfer, including contingency plans when alternative housing arrangements are not available;

~~(iii)~~(iv) describing the recovery residence's substance use policy, which shall exempt the use of a resident's valid prescription medication when used as prescribed; and

~~(iv)~~(v) indicating that by signing a residential agreement, a resident acknowledges that the recovery residence may cause the resident to be immediately exited or transferred to alternative housing if the resident violates the recovery residence's substance use policy, regularly refuses to engage in services or programming, commits a crime, engages in theft, interferes with the recovery of other residents, or engages in acts of violence that threaten the health or safety of other residents or recovery residence staff;

(B) the recovery residence has obtained the resident's written consent to its residential agreement, reaffirmed after seven days;

(C) the resident violated the substance use policy in the residential agreement, regularly refuses to engage in services or programming, commits a crime, engages in theft, interferes with the recovery of other residents, or engaged in acts of violence that threatened the health or safety of other residents or recovery residence staff or volunteers; and

(D) the recovery residence has provided or arranged for a stabilization bed or other alternative temporary housing.

(2) Relapse of a substance use disorder resulting in exiting a recovery residence shall not be deemed a cause of the resident's own homelessness for purposes of obtaining emergency housing.

(3) As used in this subsection, "recovery residence" ~~means a shared living residence supporting persons recovering from a substance use disorder that:~~

~~(A) provides tenants with peer support and assistance accessing support services and community resources available to persons recovering from substance use disorders; and~~

~~(B) is certified by an organization approved by the Department of Health and that is either a Vermont affiliate of the National Alliance for Recovery Residences or another approved organization has the same meaning as in 18 V.S.A. § 4802.~~

Sec. 4. 2024 Acts and Resolves No. 163, Sec. 5 is amended to read:

Sec. 5. SUNSET; RECOVERY RESIDENCES; RESIDENTIAL AGREEMENT; REPORTING

(a) ~~9 V.S.A. § 4452(b) is repealed on July 1, 2026. [Repealed.]~~

(b) Sec. 4 (report; recovery residences' exit and transfer data) is repealed on July 1, 2026.

Sec. 5. RULEMAKING; RECOVERY RESIDENCE CERTIFICATION

(a) On or before September 1, 2027, the Department of Health shall file an initial proposed rule with the Secretary of State pursuant to 3 V.S.A. § 836(a)(2) for the purposes of establishing a voluntary recovery residence certification program. At a minimum the rule shall:

(1) require that a recovery residence seeking certification from the State comply with the certification standards of the Vermont Alliance for Recovery Residences or another organization approved by the Department; and

(2) set forth minimum data collection and reporting requirements for certified recovery residences, including data elements and frequency.

(b) The Department shall complete the rulemaking process and adopt a permanent rule pursuant to 3 V.S.A. chapter 25 on or before December 1, 2028.

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

(Committee vote: 5-0-0)

**Reported favorably with recommendation of amendment by Senator Gulick for the Committee on Finance.**

The Committee recommends that the bill be amended as recommended by the Committee on Health and Welfare, with the following amendments thereto:

First: In Sec. 3, 9 V.S.A. § 4452, in subdivision (b)(1)(A)(v), by inserting the phrase “or volunteers” before the semicolon

Second: By striking out Sec. 5, rulemaking; recovery residence certification, in its entirety and inserting in lieu thereof the following:

**Sec. 5. RULEMAKING; RECOVERY RESIDENCE CERTIFICATION**

(a) On or before September 1, 2027, the Department of Health shall file an initial proposed rule with the Secretary of State pursuant to 3 V.S.A. § 836(a)(2) for the purposes of establishing a voluntary recovery residence certification program. At a minimum, the rule shall:

(1) require that a recovery residence seeking certification from the State comply with the certification standards of the Vermont Alliance for Recovery Residences or another organization approved by the Department; and

(2) set forth data collection standards and reporting requirements for certified recovery residences, including data elements and frequency, and requirements for annual reporting from the Department to the General Assembly that measure the program’s effectiveness.

(b) The Department shall complete the rulemaking process and adopt a permanent rule pursuant to 3 V.S.A. chapter 25 on or before December 1, 2028.

(c) If the Department identifies the need for a fee to support the voluntary recovery residence certification program described in this section, the Department shall first propose the fee to the General Assembly and, if the General Assembly chooses to enact it into law, may incorporate the fee into the required rule.

(Committee vote: 7-0-0)

**S. 163.**

An act relating to the role of advanced practice registered nurses in hospital care.

**Reported favorably with recommendation of amendment by Senator Morley for the Committee on Health and Welfare.**

The Committee recommends that the bill be amended in Sec. 2, 18 V.S.A. § 1852, by striking out subdivision (a)(2) in its entirety and inserting in lieu thereof a new subdivision (a)(2) to read as follows:

(2) The patient shall have an attending physician or APRN who is responsible for coordinating a the patient's care.

(Committee vote: 5-0-0)

**NOTICE CALENDAR**

**Committee Bill for Second Reading**

**Favorable with Recommendation of Amendment**

**S. 326.**

An act relating to miscellaneous amendments to laws relating to motor vehicles.

**By the Committee on Transportation, Senator Westman for the Committee.**

**Reported favorably with recommendation of amendment by Senator Westman for the Committee on Transportation.**

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

\* \* \* Nondriver Identification Cards \* \* \*

Sec. 1. 23 V.S.A. § 115 is amended to read:

**§ 115. NONDRIVER IDENTIFICATION CARDS**

(a)(1) Any Vermont resident who does not have an operator's license may make application to the Commissioner and be issued an identification card that is attested by the Commissioner as to true name, correct age, residential address unless the listing of another address is requested by the applicant or is otherwise authorized by law, and any other identifying data as the Commissioner may require that shall include, in the case of minor applicants, the written consent of the applicant's parent, guardian, or other person standing in loco parentis.

\* \* \*

(4) An individual shall not hold at the same time an operator's license and a nondriver identification card issued pursuant to this section.

\* \* \*

(g)(1) An identification card issued to a first-time applicant and any subsequent renewals by that person individual shall contain a photograph or imaged likeness of the applicant.

(2) The photographic identification card shall be available at a location designated by the Commissioner.

(3)(A) An Except as otherwise provided pursuant to subdivision (B) of this subdivision (g)(3), an individual issued an identification card under this subsection that contains an imaged likeness section may renew the individual's identification card by mail.

(B) Except that a renewal by an individual required to have a photograph or imaged likeness under this subsection must be made An identification card issued pursuant to this section shall be renewed in person so that an updated imaged likeness of the individual is obtained not less often than at least once every nine years to permit an updated photograph or imaged likeness of the holder to be obtained.

\* \* \*

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

\* \* \*

(m)(1) An individual who is sentenced to serve a period of imprisonment of six months or more committed to the custody of the Commissioner of Corrections in a correctional facility and who is eligible for a nondriver identification card under the requirements of this section shall, upon proper application and submission of the documentation required for a non-REAL ID or REAL ID identification card and in advance of release from a correctional facility, be provided with a nondriver identification card for a fee of \$0.00.

(2) As part of reentry planning, the Department of Corrections shall inquire with the individual to be released about the individual's desire to obtain a nondriver identification card, operator's license, or any driving credential replacement learner's permit, if eligible, and inform the individual about the differences, including any costs to the individual.

(3) If the individual desires a nondriver identification card, the Department of Corrections shall coordinate with the Department of Motor Vehicles to provide an identification card for the individual at the time of release.

(n)(1) If an individual who is detained for six months or more in a correctional facility is eligible for a nondriver identification card under the requirements of this section, the Department of Corrections, as soon as reasonably practicable, shall obtain the documentation required for a non-REAL ID or REAL ID nondriver identification card and shall provide the individual with the documentation at the time of release.

(2) The application shall include the post-release mailing address of the individual and proof that the individual is a resident of Vermont following release from the correctional facility.

(3) Upon proper application and submission of all required documentation following release from the correctional facility, an individual who was detained for six months or more in a correctional facility shall be provided with a nondriver identification card for a fee of \$0.00.

(4) The Department of Corrections shall coordinate with the Department of Motor Vehicles regarding the documentation required for an individual who is detained for six months or more in a correctional facility to obtain a non-REAL ID or REAL ID nondriver identification card.

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

(p) As used in this section, "correctional facility" has the same meaning as in 28 V.S.A. § 3.

\* \* \* Operator's Licenses \* \* \*

Sec. 2. 23 V.S.A. § 613 is amended to read:

§ 613. REPLACEMENT LICENSE

\* \* \*

(c)(1) An individual who is sentenced to serve a period of imprisonment of six months or more in a correctional facility who holds an unexpired license issued under the provisions of this subchapter or who held a Vermont operator's license that expired not more than three years prior shall:

(A) be eligible to apply for a replacement license pursuant to the provisions of this section; and

(B) upon proper application and submission of the documentation required for a non-REAL ID or REAL ID and in advance of release from a correctional facility, be provided with a replacement operator's license for a fee of \$0.00.

(2) The application shall include the post-release mailing address of the individual and proof that the individual will be a resident of Vermont following release from the correctional facility.

(3) As part of reentry planning, the Department of Corrections shall inquire with each individual regarding whether the individual would like to obtain a nondriver identification card, operator's license, or replacement learner's permit, if eligible, and shall provide the individual with information regarding required documentation and any associated costs.

(4) If an individual would like to obtain an operator's license pursuant to the provisions of this section and is eligible, the Department of Corrections shall coordinate with the Department of Motor Vehicles to provide an operator's license to the individual at the time the individual is released from the correctional facility.

Sec. 3. 23 V.S.A. § 613 is amended to read:

§ 613. REPLACEMENT LICENSE

\* \* \*

(d)(1) An individual who is detained for six months or more in a correctional facility shall be eligible to apply for a replacement license pursuant to the provisions of this section if, at the time the individual submits an application to obtain a replacement license pursuant to this subsection, the individual:

(A) holds an unexpired license issued under the provisions of this subchapter; or

(B) held a Vermont operator's license that expired not more than three years prior.

(2) If an individual who is detained for six months or more in a correctional facility is eligible for a replacement operator's license under the requirements of this section, the Department of Corrections, as soon as reasonably practicable, shall obtain the documentation required for a non-REAL ID or REAL ID operator's license and shall provide the individual with the documentation at the time of release.

(3) The application shall include the post-release mailing address of the individual and proof that the individual is a resident of Vermont following release from the correctional facility.

(4) Upon proper application and submission of all required documentation following release from the correctional facility, an individual who was detained for six months or more in a correctional facility shall be provided with a replacement operator's license for a fee of \$0.00.

(5) The Department of Corrections shall coordinate with the Department of Motor Vehicles regarding the documentation required for an individual who is detained for six months or more in a correctional facility to obtain a non-REAL ID or REAL ID replacement operator's license.

(e) As used in this section, "correctional facility" has the same meaning as in 28 V.S.A. § 3.

Sec. 4. 23 V.S.A. § 617 is amended to read:

§ 617. LEARNER'S PERMIT

\* \* \*

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

\* \* \*

(4) A replacement learner's permit issued pursuant to subsection (g) of this section shall be issued for a fee of \$0.00.

\* \* \*

(g)(1) An individual sentenced to serve a period of imprisonment of six months or more in a correctional facility who holds an unexpired learner's permit issued under the provisions of this section or who held a learner's permit issued under the provisions of this section that expired not more than two years prior shall:

(A) be eligible to apply for a replacement learner's permit pursuant to the provisions of this section; and

(B) upon proper application and submission of all required documentation in advance of release from a correctional facility, be provided with a replacement learner's permit upon release.

(2) The application shall include the post-release mailing address of the individual and proof that the individual will be a resident of Vermont following release from the correctional facility.

(3) As part of reentry planning, the Department of Corrections shall inquire with each individual regarding whether the individual would like to obtain a nondriver identification card, operator's license, or replacement learner's permit, if eligible, and shall provide the individual with information regarding required documentation and any associated costs.

(4) If an individual would like to obtain a replacement learner's permit pursuant to the provisions of this section and is eligible, the Department of Corrections shall coordinate with the Department of Motor Vehicles to provide a replacement learner's permit to the individual at the time the individual is released from the correctional facility.

Sec. 5. 23 V.S.A. § 617 is amended to read:

§ 617. LEARNER'S PERMIT

\* \* \*

(h)(1) An individual who is detained for six months or more in a correctional facility shall be eligible to apply for a replacement learner's permit pursuant to the provisions of this section if, at the time the individual submits an application to obtain a replacement learner's permit pursuant to this subsection, the individual:

(A) holds an unexpired learner's permit issued under the provisions of this section; or

(B) held a learner's permit issued under the provisions of this section that expired not more than two years prior.

(2) If an individual who is detained for six months or more in a correctional facility is eligible for a replacement learner's permit under the requirements of this section, the Department of Corrections, as soon as reasonably practicable, shall obtain the documentation required for a learner's permit and shall provide the individual with the documentation at the time of release from the correctional facility.

(3) The application shall include the post-release mailing address of the individual and proof that the individual is a resident of Vermont following release from the correctional facility.

(4) Upon proper application and submission of all required documentation following release from the correctional facility, an individual who was detained for six months or more in a correctional facility shall be provided with a replacement learner's permit for a fee of \$0.00.

(5) The Department of Corrections shall coordinate with the Department of Motor Vehicles regarding the documentation required for an individual who

is detained for six months or more in a correctional facility to obtain a replacement learner's permit.

(i) As used in this section, "correctional facility" has the same meaning as in 28 V.S.A. § 3.

Sec. 6. 28 V.S.A. § 102 is amended to read:

§ 102. COMMISSIONER OF CORRECTIONS; APPOINTMENT;  
POWERS; RESPONSIBILITIES

\* \* \*

(c) The Commissioner is charged with the following responsibilities:

\* \* \*

(25) To coordinate with the Department of Motor Vehicles to provide eligible individuals with nondriver identification cards and documentation pursuant to 23 V.S.A. § 115(m) and (n), replacement operator's licenses and documentation pursuant to 23 V.S.A. § 613(c) and (d), and replacement learner's permits and documentation pursuant to 23 V.S.A. § 617(g) and (h).

\* \* \* Insufficient Funds for Fees \* \* \*

Sec. 7. 23 V.S.A. § 110 is amended to read:

§ 110. ~~BAD CHECKS~~ INSUFFICIENT FUNDS RECEIVED FOR FEES

(a) Whenever any check or electronic funds transfer, including a credit or debit charge, issued in payment of any fee or for any other purpose is tendered to the Department of Motor Vehicles and payment is not honored by the bank on which the check is drawn or entity to which the electronic funds transfer is submitted, the Commissioner shall send a written notice of its nonpayment to the maker or person presenting the check and if the check is not immediately made good who provided insufficient funds and, if the required amounts are not promptly paid as required by the Commissioner, the Commissioner shall suspend the license or registration of the person or persons. In no case shall the license or registration be reinstated until settlement has been made in full. Settlement in full shall also include the payment of any penalties assessed by the State Treasurer.

(b) The Commissioner may require payment for any transaction solely by certified check or in cash from persons whose licenses or registrations are under suspension pursuant to subsection (a) of this section or from persons who have repeatedly tendered checks or electronic payments to the Department that have not been honored ~~by the bank on which drawn.~~

\* \* \*

\* \* \* Penalties for Operation of Prohibited Vehicles in Smugglers' Notch \* \* \*

Sec. 8. 23 V.S.A. § 1006b is amended to read:

§ 1006b. SMUGGLERS' NOTCH; WINTER CLOSURE OF VERMONT  
ROUTE 108; VEHICLE OPERATION PROHIBITED

\* \* \*

(b) Vehicle operation prohibition.

\* \* \*

(2) The employer of an operator who is operating a vehicle in the scope of employment and violates this subsection or the operator of a vehicle who is operating a vehicle for personal purposes and violates this subsection shall be subject to a civil penalty of ~~\$1,000.00~~ \$10,000.00 or, if the violation results in substantially impeding the flow of traffic on Vermont Route 108, a civil penalty of ~~\$2,000.00~~ \$20,000.00. For a second or subsequent conviction within a three-year period, the applicable penalty shall be doubled.

\* \* \*

\* \* \* Salvage Titles \* \* \*

Sec. 9. 23 V.S.A. § 2091 is amended to read:

§ 2091. SALVAGE CERTIFICATES OF TITLE; FORWARDING OF  
PLATES AND TITLES OF CRUSHED VEHICLES

\* \* \*

(b)(1) Except as provided in subsection (c) of this section, the application shall be accompanied by:

~~(1)~~(A) any certificate of title for the vehicle; and

~~(2)~~(B) any other information or documents that the Commissioner may reasonably require to establish ownership of the vehicle and the existence or nonexistence of any security interest in the vehicle.

~~(2)~~(A) Supporting documents used to transfer ownership of a vehicle to an insurer following payment of damages:

(i) shall not require a notarized signature;

(ii) may be signed electronically; and

(iii) may be printed on hard copy.

(B) As used in this subdivision (b)(2):

(i) “Signed electronically” means that a person, with the intent to sign the record, uses an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person. For purposes of this subdivision (b)(2), an electronic signature on a supporting document shall utilize a secure authentication system that identifies the signatory with a degree of certainty equivalent to or greater than level 2 as described in the National Institute of Standards and Technology’s June 2017 Digital Identity Guidelines, NIST Special Publication 800-63-3, Revision 3.

(ii) “Supporting documents” include bills of sale, title documents, odometer disclosure forms, and powers of attorney.

(C) An insurer shall indemnify and hold harmless the Department for any claims arising from the issuance of a certificate of title pursuant to this section.

\* \* \*

\* \* \* Duplicate Titles \* \* \*

Sec. 10. 23 V.S.A. § 2022 is amended to read:

§ 2022. DUPLICATE CERTIFICATE

(a) If a certificate of title is lost, stolen, mutilated, or destroyed or becomes illegible, the first lienholder or, if none, the owner or legal representative of the owner named in the certificate, as shown by the records of the Commissioner, shall promptly make application for and may obtain a duplicate title upon furnishing information satisfactory to the Commissioner. ~~It~~ The duplicate title shall be mailed or, if the person is at a Department of Motor Vehicles location, hand delivered to the first lienholder named in ~~it~~ the title or, if none, to the owner.

\* \* \*

Sec. 11. 23 V.S.A. § 3801 is amended to read:

§ 3801. DEFINITIONS

Except when the context otherwise requires, as used in this chapter:

\* \* \*

(20) “Title or certificate of title” means a written instrument or document that certifies ownership of a vessel, snowmobile, or all-terrain vehicle and is issued by the Commissioner or equivalent official of another jurisdiction.

\* \* \*

Sec. 12. 23 V.S.A. § 3815 is amended to read:

§ 3815. DUPLICATE CERTIFICATE

(a) If a certificate of title is lost, stolen, mutilated, or destroyed or becomes illegible, the first lienholder or, if none, the owner or legal representative of the owner named in the certificate of title, as shown by the records of the Commissioner, shall promptly make application for and may obtain a duplicate title upon furnishing information satisfactory to the Commissioner. ~~It~~ The duplicate title shall be mailed or, if the person is at a Department of Motor Vehicles location, hand delivered to the first lienholder named in ~~it~~ the title or, if none, to the owner.

\* \* \*

\* \* \* Title Appeals \* \* \*

Sec. 13. 23 V.S.A. § 2005 is amended to read:

§ 2005. APPEAL

A person aggrieved by an act or omission of the Commissioner under this chapter may appeal to the Civil Division of the Washington Unit of the Superior Court ~~for Washington County~~ in the same manner as is provided for in other civil actions.

\* \* \* Abandoned Motor Vehicles \* \* \*

Sec. 14. 23 V.S.A. § 2012 is amended to read:

§ 2012. EXEMPTED VEHICLES

No certificate of title need be obtained for:

\* \* \*

(2) a vehicle:

(A) owned by a manufacturer or dealer and held for sale, even though incidentally moved on the highway or used for purposes of testing or demonstration; ~~or;~~

(B) used by an educational institution approved by the Agency of Education for driver training purposes; ~~or~~

(C) ~~a vehicle~~ used by a manufacturer solely for testing;

\* \* \*

Sec. 15. 23 V.S.A. § 2158 is amended to read:

§ 2158. FEES FOR TOWING; PUBLIC PROPERTY; FUNDING

(a)(1) A towing service may charge a fee of up to ~~\$125.00~~ \$250.00 for towing an abandoned motor vehicle from public property under the provisions of sections 2151–2157 of this subchapter.

(2) This fee shall be paid to:

(A) ~~the a~~ towing service upon the issuance by the Department of Motor Vehicles of a certificate of abandoned motor ~~vehicles~~ vehicle under section 2156 of this title; or

(B) the Agency of Transportation if the Agency has a vehicle towed from a State right-of-way and submits proof acceptable to the Commissioner that the Agency has paid a towing service to tow the vehicle from the State right-of-way.

(3) The Commissioner of Motor Vehicles shall notify the Commissioner of Finance and Management, who shall issue payment to the towing service or Agency of Transportation, as applicable, for vehicles removed from public property.

\* \* \*

\* \* \* Diesel Fuel Tax \* \* \*

Sec. 16. 23 V.S.A. § 3015 is amended to read:

§ 3015. COMPUTATION AND PAYMENT OF TAX

(a) Each report required under section 3014 of this title from licensed distributors, dealers, or users shall be accompanied by evidence of an electronic funds transfer payment or a remittance payable to the Department of Motor Vehicles for the amount of tax due, which shall be computed and transmitted in the following manner:

\* \* \*

~~(3)(A)~~(b)(1) Distributors and dealers filing a report required under subsection 3014(a) of this title shall transmit payment of taxes due to the Department of Motor Vehicles by means of an electronic funds transfer.

~~(B)~~(2) Users filing a report required under subsection 3014(b) of this title shall transmit payment of taxes due to the Department of Motor Vehicles by means of an electronic funds transfer payment or by a remittance through the U.S. mail. If a remittance is sent through the U.S. mail properly addressed to the Department of Motor Vehicles, it shall be deemed received on the date shown by the postmark on the envelope containing the report only for purposes of avoiding penalty and interest. In the event a mailing date is affixed to the envelope by a machine owned by or under the control of the

person submitting the report and the U.S. Post Office has corrected or changed the date stamped thereon by causing the official U.S. Post Office postmark to also be imprinted on the envelope, the date shown by the official Post Office postmark shall be the accepted date if different from the original postmark.

(4)(c) All taxes, interest, user license fees, and penalties collected by the Department of Motor Vehicles under this chapter shall be paid immediately to the State Treasurer and credited to the Transportation Fund.

(5)(d) Notwithstanding ~~subdivision (4)~~ subsection (c) of this section, the one cent per gallon fee imposed by this chapter shall be deposited into the Petroleum Cleanup Fund established by 10 V.S.A. § 1941. These fees shall be deemed the petroleum distributor licensing fee established by 10 V.S.A. § 1942.

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

Sec. 17. 32 V.S.A. § 8902 is amended to read:

§ 8902. DEFINITIONS

Unless otherwise expressly provided, as used in this chapter:

\* \* \*

(4)(A) “Purchase price” for a vehicle that is purchased outright means the gross consideration, exclusive of the tax hereby imposed, that is to be paid for the motor vehicle, expressed in terms of U.S. currency as of the time of the sale, and shall include the any cash consideration payment, if any, plus as well as the value of any services or property given or to be given, or both, in exchange for the motor vehicle.

~~(B) In the case of a lease, the purchase price shall mean~~ “Purchase price” for a leased vehicle means an amount computed by subtracting the lease end value of the motor vehicle from the original acquisition cost of the motor vehicle. For purposes of this subdivision (4)(B), the original acquisition cost of a motor vehicle is the gross ~~consideration~~ amount that the lessee would pay for the motor vehicle if the lessee purchased the motor vehicle on the date of execution of the lease contract, as stated in the lease contract or worksheet, and the lease end value is the value of the motor vehicle at the end of the lease period, as stated in the lease contract or worksheet or as determined under section 8907 of this title.

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

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

\* \* \*

(ii)(I) The amount received from the sale of a motor vehicle last registered or titled in the seller's name, the amount which shall not to exceed the clean trade-in value of the same make, type, model, and year of manufacture as designated by the manufacturer and as shown in the J.D. Power Values, or any comparable publication, provided the sale occurs within three months after the taxable purchase. The Commissioner may develop a process to determine the value of vehicles that do not have a clean trade-in value in J.D. Power Values.

(II) ~~However, this~~ The three-month period shall be extended day-for-day for any time that a member of a guard unit the National Guard or of the U.S. Armed Forces, as defined in 38 U.S.C. § 101(10), spends outside Vermont due to activation or deployment and an additional 60 days following the individual's return from activation or deployment.

(III) The amount shall be reported on forms supplied by the Commissioner of Motor Vehicles.

\* \* \*

(13) "Gross vehicle weight rating" and "GVWR" mean the value specified by the manufacturer of a vehicle as the maximum loaded weight of the vehicle.

(14) "Month" means a period of 30 days.

(15) "Trailer" has the same meaning as in 23 V.S.A. § 4(40) and includes a "semi-trailer," as that term is defined in 23 V.S.A. § 4(40).

(16) "Trailer coach" has the same meaning as in 23 V.S.A. § 4(41).

(17) "Year" means a period of 365 days.

Sec. 18. 32 V.S.A. § 8903 is amended to read:

§ 8903. TAX IMPOSED

(a)(1) There is hereby imposed upon the purchase in Vermont of a motor vehicle or trailer by a resident a tax at the time of such purchase, payable as ~~hereinafter~~ provided pursuant to this chapter. The amount of the tax shall be six percent of the taxable cost of a:

\* \* \*

(C) motor home as defined in subdivision 8902(11) of this title or trailer coach as defined in subdivision 8902(16) of this title; or

(D) motor vehicle weighing with a gross vehicle weight rating (GVWR) of up to 10,099 13,500 pounds, registered pursuant to 23 V.S.A. § 367, other than a farm truck.

(2) For any other motor vehicle or trailer, it shall be six percent of the taxable cost of the motor vehicle or trailer or \$2,486.00 for each motor vehicle or trailer, whichever is smaller, except that pleasure cars and trailers that are purchased, leased, or otherwise acquired for use in short-term rentals shall be subject to taxation under subsection (d) of this section.

(b)(1) There is hereby imposed upon the use within this State a tax of six percent of the taxable cost of a:

\* \* \*

(C) motor home as defined in subdivision 8902(11) of this title or trailer coach as defined in subdivision 8902(16) of this title; or

(D) motor vehicle weighing with a GVWR of up to 10,099 13,500 pounds, registered pursuant to 23 V.S.A. § 367, other than a farm truck.

(2) For any other motor vehicle or trailer, it shall be six percent of the taxable cost of the motor vehicle or trailer or \$2,486.00 for each motor vehicle or trailer, whichever is smaller, by a person at the time of first registering or transferring a registration to ~~such~~ the motor vehicle or trailer payable as ~~hereinafter~~ hereinafter provided pursuant to this chapter, except no use tax shall be payable ~~hereunder~~ pursuant to this subsection if the tax imposed by subsection (a) of this section has been paid, or the vehicle is a pleasure car or trailer that was purchased, leased, or otherwise acquired for use in short-term rentals, in which case the vehicle shall be subject to taxation under subsection (d) of this section.

\* \* \*

(g)(1) There is hereby imposed upon the titling in this State a tax at the rate provided for in subsection (a) or (b) of this section of the taxable cost of a:

\* \* \*

(C) motor home as defined in subdivision 8902(11) of this title or trailer coach as defined in subdivision 8902(16) of this title; or

(D) motor vehicle weighing with a GVWR of up to 10,099 13,500 pounds, registered pursuant to 23 V.S.A. § 367, other than a farm truck.

(2) For any other motor vehicle or trailer, it shall be at the rate provided for in subsection (a) or (b) of this section and paid by a person at the time of obtaining a certificate of title to the vehicle or trailer, except no tax shall be payable ~~hereunder~~ pursuant to this section if the tax imposed by subsection (a) or (b) of this section has been paid, or the vehicle is a pleasure car or trailer that was purchased, leased, or otherwise acquired for use in short-term rentals, in which case the vehicle shall be subject to taxation under subsection (d) of this section.

\* \* \* Operation of Snowmobiles \* \* \*

Sec. 19. 23 V.S.A. § 3207 is amended to read:

§ 3207. PENALTIES AND REVOCATION OR SUSPENSION OF  
REGISTRATION

\* \* \*

(c) A person who violates any of the following sections of this title shall be subject to a civil penalty of \$135.00 for each violation:

~~§ 3202—operation of an unregistered snowmobile~~

\* \* \*

(g) A person who violates the provisions of section 3202 of this chapter shall be subject to a civil penalty of \$450.00 for a first offense and \$500.00 for a second or subsequent offense within a three-year period.

(h) ~~The Commissioner or his or her~~ the Commissioner's authorized agent may suspend or revoke the registration of any snowmobile registered in this State and repossess the number and certificate to it, when ~~he or she~~ the Commissioner is satisfied that:

\* \* \*

~~(h)~~(i) Civil penalties established under this section shall be mandatory and ~~may~~ shall not be reduced.

\* \* \* Commercial Driver's Licenses \* \* \*

Sec. 20. 23 V.S.A. § 4107 is amended to read:

§ 4107. COMMERCIAL DRIVER'S LICENSE REQUIRED

\* \* \*

(d)(1) Notwithstanding the provisions of this section, during an emergency declared by the Governor, an employee of a State agency or a Vermont municipality may operate a commercial motor vehicle with a weight of 26,001

or more pounds without being required to hold a commercial driver's license while the emergency or emergency condition is ongoing if:

(A) expressly permitted to do so pursuant to the terms of the Governor's declaration; and

(B) the individual is performing official duties or activities related to the execution of emergency governmental functions pursuant to 49 C.F.R. 383.3(d)(2).

(2) An individual operating a vehicle pursuant to the provisions of this subsection shall have a valid operator's license issued pursuant to chapter 9 of this title or the applicable laws of another state.

(3) As used in this subsection, "emergency" means a situation, condition, or event that involves significant imminent or ongoing risk to public health and safety, infrastructure, or property.

Sec. 21. 23 V.S.A. § 4110 is amended to read:

§ 4110. APPLICATION FOR COMMERCIAL DRIVER'S LICENSE OR  
COMMERCIAL LEARNER'S PERMIT

(a) The application for a commercial driver's license or commercial learner's permit shall include the following:

\* \* \*

(8)(A) The applicable fee for the commercial driver's license being applied for. The four-year fee for a commercial driver's license shall be \$108.00. The two-year fee shall be \$72.00. The one-year fee for a nondomiciled commercial driver's license shall be \$40.00. In those instances where the applicant surrenders a valid Vermont Class D license, the total fees due shall be reduced by:

\* \* \*

\* \* \* Motorboat Validation Stickers \* \* \*

Sec. 22. 23 V.S.A. § 3305 is amended to read:

§ 3305. FEES

\* \* \*

(b)(1) Annually or biennially, the owner of each motorboat required to be registered by this State shall file an application for a number with the Commissioner of Motor Vehicles on forms approved by ~~him or her~~ the Commissioner.

(2) The application shall be signed by the owner of the motorboat and shall be accompanied by:

(A) an annual fee of \$31.00, or a biennial fee of \$57.00, for a motorboat in class A; ~~by~~

(B) an annual fee of \$49.00, or a biennial fee of \$93.00, for a motorboat in class 1; ~~by~~

(C) an annual fee of \$80.00, or a biennial fee of \$155.00, for a motorboat in class 2; ~~by~~ or

(D) an annual fee of \$153.00, or a biennial fee of \$303.00, for a motorboat in class 3.

(3)(A) Upon receipt of the application in approved form, the Commissioner shall enter the application upon the records of the Department of Motor Vehicles and issue to the applicant a registration certificate stating the number awarded to the motorboat and the name and address of the owner.

(B) The owner shall paint on or attach to each side of the bow of the motorboat the identification number in such the manner as ~~may be~~ prescribed by rules of the Commissioner in order that it may be clearly visible. Validation stickers shall be placed within six inches preceding the registration number on the port side of the motorboat and within six inches following the registration number on the starboard side of the motorboat.

(C) The registration shall be void one year from the first day of the month following the month of issue in the case of annual registrations or void two years from the first day of the month following the month of issue in the case of biennial registrations.

(D) A motorboat of less than 10 horsepower used as a tender to a registered motorboat shall be deemed registered, at no additional cost, and shall have painted or attached to both sides of the bow the same registration number as the registered motorboat with the number "1" after the number.

(E) The number shall be maintained in legible condition.

(F) The registration certificate shall be pocket size and shall be available at all times for inspection on the motorboat for which issued, whenever the motorboat is in operation.

(G) A duplicate registration may be obtained upon payment of a fee of \$3.00 to the Commissioner.

(H) Registration fees shall be allocated in accordance with section 3319 of this title.

(c) A ~~person engaged in the business of selling or exchanging~~ dealer in motorboats, as defined in subdivision 4(8) of this title, of a type otherwise required to be registered by this subchapter shall register and obtain registration certificates for use as described under subdivision (1) of this subsection, subject to the requirements of chapter 7 of this title. A manufacturer of motorboats may register and obtain registration certificates under this section.

(1) A dealer motorboat registration number may be used:

(A) for the purpose of testing or adjusting motorboats in the immediate vicinity of ~~his or her~~ the dealer's place of business;

\* \* \*

(C) for demonstration when the prospective purchaser is operating the motorboat and is not accompanied by the dealer or ~~his or her~~ the dealer's employee, but not for more than three days;

\* \* \*

(4) The Commissioner shall issue a registration certificate of number for each identifying number awarded to the dealer in the manner described in subsection ~~(a)~~(b) of this section, except that a motorboat shall not be described in the certificate. A dealer's registration certificate expires one year from the first day of the month of issuance.

(5) A dealer's identifying number shall be displayed as required by subsection ~~(a)~~(b) of this section except that the number may be temporarily attached.

\* \* \*

(d)(1) Registration of a motorboat ends when the owner transfers title to another. The former owner shall immediately return directly to the Commissioner the registration certificate previously assigned to the transferred motorboat with the date of sale and the name and residence of the new owner endorsed on the back of the certificate.

(2) When a person transfers the ownership of a registered motorboat to another, files a new application, and pays a fee of \$6.00, ~~he or she~~ the person may have registered in ~~his or her~~ the person's name another motorboat of the same class for the remainder of the registration period without payment of any additional registration fee. However, if the fee for the registration of the motorboat sought to be registered is greater than the registration fee for the transferred motorboat, the applicant shall pay the difference between the fee first paid and the fee for the class of motorboat sought to be registered.

\* \* \*

(g) The owner shall notify the Commissioner of the transfer of any part of the owner's interest other than the creation of a security interest in a motorboat numbered in this State under subsections ~~(a) and~~ (b) and (c) of this section or of the destruction or abandonment of the motorboat, within 15 days after the transfer, destruction, or abandonment. The transfer, destruction, or abandonment shall end the certificate of number for the motorboat except that in the case of a transfer of a part interest that does not affect the owner's right to operate the motorboat, the transfer shall not end the certificate of number.

(h) Any holder of a registration certificate shall notify the Commissioner within 15 days if ~~his or her~~ the holder's address ceases to be the address appearing on the certificate and shall, as a part of the notification, furnish the Commissioner with ~~his or her~~ the holder's new address. The Commissioner may provide by rule for the surrender of the certificate bearing the former address and its replacement with a certificate bearing the new address or for the alteration of an outstanding certificate to show the new address of the holder.

\* \* \*

\* \* \* Personal Flotation Devices \* \* \*

Sec. 23. 23 V.S.A. § 3306 is amended to read:

§ 3306. LIGHTS AND EQUIPMENT

\* \* \*

(b)(1) Personal flotation devices. Each vessel, except sailboards, shall, consistent with federal regulations, carry for each individual aboard at least one wearable U.S. Coast Guard-approved personal flotation device that is in good and serviceable condition and capable of being used in accordance with the U.S. Coast Guard approval label.

\* \* \*

(4) Cold weather.

(A) Except as otherwise provided pursuant to subdivision (B) of this subdivision (b)(4), on or before May 1 of each year and on or after November 1 of each year, all individuals aboard a vessel, while under way and the individual is on an open deck, shall wear a properly secured wearable U.S. Coast Guard-approved personal flotation device as intended by the manufacturer.

(B) The requirements of this subdivision (b)(4) shall not apply to an individual who is:

(i) aboard a vessel that is located in water that is not more than three feet deep; and

(ii) actively engaged in hunting or bow fishing and who holds a valid license issued under 10 V.S.A. part 4.

(5) Inspected commercial vessels. U.S. Coast Guard-inspected commercial vessels shall be exempt from the provisions of this subsection.

\* \* \*

\* \* \* Kei Vehicles \* \* \*

Sec. 24. 23 V.S.A. § 4 is amended to read:

#### § 4. DEFINITIONS

Except as may otherwise be provided by law, and unless the context otherwise requires in statutes relating to motor vehicles and enforcement of the law regulating vehicles, as provided in this title and 20 V.S.A. part 5, the following definitions shall apply:

\* \* \*

(28) “Pleasure car” ~~shall include~~ includes all motor vehicles not otherwise defined in this title and ~~shall include~~ includes plug-in electric vehicles, battery electric vehicles, or plug-in hybrid electric vehicles as defined pursuant to subdivision (85) of this section, and kei vehicles as defined pursuant to subdivision (90) of this section.

\* \* \*

(72) “Farm truck” means a motor truck or kei truck that, at the option of the owner, may be registered under the provisions of subsection 367(f) of this title or may be unregistered when used in accordance with subsection 370(b) of this title.

\* \* \*

(89) “Kei truck” means a kei vehicle that is designed, used, or maintained primarily for the transportation of property.

(90) “Kei vehicle” means a motor vehicle that has four wheels, an engine displacement of 660 cubic centimeters or less, an overall length of 130 inches or less, an overall height of 78 inches or less, and an overall width of 60 inches or less.

Sec. 25. 23 V.S.A. § 1044 is added to read:

§ 1044. OPERATION OF KEI VEHICLES

(a) A kei vehicle registered as a pleasure car shall be subject to all provisions of this title that are applicable to pleasure cars.

(b) A kei truck registered as a farm truck shall be subject to all provisions of this title that are applicable to farm trucks.

(c) The Traffic Committee and political subdivisions of this State shall not adopt any rules or ordinances that would have the effect of prohibiting:

(1) a kei vehicle that is registered as a pleasure car from being operated in the same manner and locations as other pleasure cars; and

(2) a kei truck that is registered as a farm truck from being operated in the same manner and locations as other farm trucks.

\* \* \* Inspection Manual \* \* \*

Sec. 26. INSPECTION MANUAL; AMENDMENT

(a)(1) The Department of Motor Vehicles shall amend the inspection manual to increase its focus on vehicle conditions that constitute genuine safety issues; eliminate outdated procedures; and provide clear, consistent guidance for both inspection mechanics and members of the public.

(2) It is the intent of the General Assembly that the amendments to the inspection manual adopted pursuant to this section shall ensure that:

(A) the inspection manual only requires failure of an inspection when, as determined by the Commissioner, the condition of a vehicle system or component constitutes an immediate safety risk; and

(B) a vehicle owner shall be advised of conditions of vehicle systems and components that do not constitute an immediate safety risk but may become a safety risk at some time in the future.

(3) In preparing the amendments to the inspection manual, the Department shall specifically determine whether amendments to the provisions relating to the following vehicle systems and components are necessary to comply with the legislative intent set forth in subdivision (2) of this subsection:

(A) tires;

(B) power steering;

(C) suspension;

(D) brake rotors;

(E) lighting;

(F) electrical systems and components;

(G) windshield;

(H) windows;

(I) windshield wipers;

(J) vehicle body; and

(K) in the discretion of the Commissioner, any other vehicle systems or components.

(4) In preparing the amendments to the inspection manual, the Department shall determine whether any tests or procedures require amendment or elimination, including the on-highway road test for brakes and the headlamp aiming test.

(5) In preparing the amendments to the inspection manual, the Department shall provide additional visual guidance regarding when certain conditions warrant failure of an inspection.

(b) On or before August 1, 2026, the Department of Motor Vehicles shall:

(1) file with the Secretary of State pursuant to the provisions of 3 V.S.A. § 838 proposed amendments to the Inspection of Motor Vehicles rules (CVR 14-050-022) necessary to implement the provisions of this section; and

(2) adopt emergency rules pursuant to 3 V.S.A. § 844 to implement the provisions of this section while permanent rule amendments are pending, which shall be deemed to have met the standard for emergency rulemaking set forth in 3 V.S.A. § 844(a).

(c) The Commissioner of Motor Vehicles shall submit to the House and Senate Committees on Transportation the following reports regarding the rule amendments proposed pursuant to this section:

(1) Not more than five days after the Department files proposed rule amendments to the Inspection of Motor Vehicles rules (CVR 14-050-022) with the Secretary of State pursuant to 3 V.S.A. § 838, the Commissioner shall submit a summary of the proposed amendments and an annotated copy of the inspection manual that shows the proposed changes.

(2) Not more than five days after the Department files final proposed rule amendments to the Inspection of Motor Vehicles rules (CVR 14-050-022) with the Secretary of State and Legislative Committee on Administrative Rules pursuant to 3 V.S.A. § 841, the Commissioner shall submit a summary of the

proposed amendments, an annotated copy of the inspection manual that shows the proposed changes, and a copy of the responsiveness summary, if any, that is submitted with the final proposed rules pursuant to 3 V.S.A. § 841(b)(2).

(3) Not more than five days after the Department files the adopted rule amendments to the Inspection of Motor Vehicles rules (CVR 14-050-022) with the Secretary of State and Legislative Committee on Administrative Rules pursuant to 3 V.S.A. § 843, the Commissioner shall submit a brief written statement of the date on which the rule amendments were submitted pursuant to 3 V.S.A. § 843, the effective date of the rule amendments, and any changes to the final proposed rule that were approved by the Legislative Committee on Administrative Rules.

\* \* \* Limited-Use Specialty Vehicles \* \* \*

Sec. 27. 23 V.S.A. § 4 is amended to read:

#### § 4. DEFINITIONS

Except as may otherwise be provided by law, and unless the context otherwise requires in statutes relating to motor vehicles and enforcement of the law regulating vehicles, as provided in this title and 20 V.S.A. part 5, the following definitions shall apply:

\* \* \*

(91) “Limited-use specialty vehicle” means a motor vehicle that is:

(A) built by either:

(i) a manufacturer that manufactures not more than 325 vehicles per year for sale in the United States; or

(ii) an individual and not for resale;

(B) maintained solely for occasional transportation, including exhibitions, club activities, parades, tours, and other similar uses; and

(C) not used for daily transportation.

Sec. 28. 23 V.S.A. § 375 is added to read:

#### § 375. LIMITED-USE SPECIALTY VEHICLES

(a) The Commissioner shall issue a certificate of registration for not more than 20 limited-use specialty vehicles per year.

(b) A vehicle that has been registered as a limited-use specialty vehicle shall not be permitted to be registered as any other type of vehicle.

(c) The annual fee for registration of a limited-use specialty vehicle shall be \$26.00.

(d) A vehicle registered under this section may be used on public highways:

(1) in exhibitions, club activities, parades, and other functions of public interest; and

(2) for occasional transportation of passengers or property, not to exceed one day per week.

Sec. 29. 23 V.S.A. § 1222 is amended to read:

§ 1222. INSPECTION OF REGISTERED VEHICLES

\* \* \*

(f) Notwithstanding the provisions of subsection (a) of this section, a limited-use specialty vehicle registered pursuant to section 375 of this title shall undergo a safety inspection each year but shall not be required to undergo a visual emissions inspection or OBD systems inspection.

\* \* \* License Plates \* \* \*

Sec. 30. 23 V.S.A. § 511 is amended to read:

§ 511. MANNER OF DISPLAY

(a) Number plates.

(1) A motor vehicle operated on any highway shall have displayed in a conspicuous place either one or two number plates as the Commissioner may require. ~~Such~~ The number plates shall be furnished by the Commissioner and shall show the number assigned to ~~such~~ the vehicle by the Commissioner. If only one number plate is furnished, the ~~same~~ plate shall be securely attached to the rear of the vehicle. If two are furnished, one shall be securely attached to the rear and one to the front of the vehicle.

(2)(A) ~~The number~~ Number plates shall be kept entirely unobscured, and the numerals and letters ~~thereon~~ on the plates shall be plainly legible at all times.

(B) Numerals and letters on number plates shall not be colored, tinted, or changed in any manner from their appearance at the time the plate was issued.

(C) A person shall not cover or obscure any numerals or letters on a number plate with any material or substance.

(3) They Number plates shall be kept horizontal, shall be so fastened as not to swing, excepting, however, there may be installed on a motor truck or truck tractor a device that would, upon contact with a substantial object, permit the rear number plate to swing toward the front of the vehicle, provided such device automatically returns the number plate to its original rigid position after contact is released, and the ground clearance of the lower edges thereof shall be established by the Commissioner pursuant to the provisions of 3 V.S.A. chapter 25.

\* \* \*

(e) Temporary and in-transit registration plates. A motor vehicle issued a temporary or in-transit registration plate under sections 312, 458, 463, and 516–518 of this title operated on any highway shall have the temporary or in-transit registration plate displayed horizontally in a conspicuous place on the rear of the vehicle, including in the rear window. The temporary or in-transit registration plate shall be kept entirely unobscured, and the numerals and letters thereon shall be plainly legible at all times as provided pursuant to subsection (a) of this section.

\* \* \* Motorcycle Exhaust Requirements \* \* \*

Sec. 31. 23 V.S.A. § 1221 is amended to read:

§ 1221. CONDITION OF VEHICLE; EXCESSIVE NOISE

(a) A motor vehicle, operated on any highway, shall be in good mechanical condition and shall be properly equipped.

(b)(1) An individual shall not operate on a highway a motorcycle manufactured after December 31, 1985, that is not labeled in compliance with 40 C.F.R. § 205.158 and equipped with a muffler that meets the requirements of 40 C.F.R. § 205.169.

(2) The prohibition in subdivision (1) of this subsection shall not apply when a motorcycle is operated in a race, contest, or demonstration of speed or skill at an authorized public exhibition held in accordance with applicable State or municipal law and land use permits.

(3) A motorcycle that does not meet the requirements of subdivision (1) of this subsection shall not pass an inspection required under section 1222 of this title.

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

Sec. 32. EFFECTIVE DATES

(a) Secs. 1 (nondriver identification cards), 3 (detained individuals' operator's licenses), and 5 (detained individuals' learner's permits) shall take effect on January 1, 2027.

(b) This section and the remaining sections of this act shall take effect on July 1, 2026.

(Committee vote: 5-0-0)

**Second Reading**

**S. 211.**

An act relating to motor vehicle inspections.

**Reported favorably with recommendation of amendment by Senator White for the Committee on Transportation.**

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. TWO-YEAR MOTOR VEHICLE INSPECTIONS;  
IMPLEMENTATION PLAN; REPORT

(a) The Secretaries of Transportation and of Natural Resources shall develop a plan to transition to a safety and emissions inspections program that requires pleasure cars to be inspected once every two years beginning in January 2028. The plan shall:

(1) establish a timeline for developing and implementing changes to the existing safety and emissions inspection program to ensure that the program can transition to a biennial inspection requirement for pleasure cars beginning in January 2028;

(2) identify specific actions that are necessary to ensure that Vermont remains in compliance with the requirements of the Clean Air Act, including any necessary changes to the emissions inspection program and the State Implementation Plan;

(3) in addition to any issues or actions identified pursuant to subdivision (2) of this subsection, identify any additional issues related to a change to biennial emissions inspections that could prevent Vermont from remaining in compliance with the requirements of the Clean Air Act and potential options for addressing those issues;

(4) propose a fee structure for inspections and address the potential for different fees charged in relation to the inspection of different vehicle types;

(5) identify any anticipated impacts to State revenues during the transition to biennial inspections for pleasure cars and potential options for mitigating those impacts;

(6) include a proposal for amendments to the mileage-based user fee related to annual reporting of miles traveled by battery electric vehicles during years when they are not required to be inspected;

(7) outline an outreach and education program to inform inspection mechanics, inspection stations, vehicle owners, and other interested parties of the requirements of the new biennial inspection program; and

(8) identify any changes to the Vermont Statutes Annotated and the Code of Vermont Rules that are necessary to implement the plan.

(b) While developing the plan pursuant to subsection (a) of this section, the Secretaries of Transportation and of Natural Resources shall solicit feedback from stakeholders, including inspection station owners, inspection mechanics, motor vehicle owners, motor vehicle dealers, and other interested parties.

(c) On or before October 15, 2026, the Secretaries of Transportation and of Natural Resources shall submit a written report to the House Committees on Environment and on Transportation and the Senate Committees on Natural Resources and Energy and on Transportation regarding the plan developed pursuant to this section and any recommendations for legislative action.

## Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

(Committee vote: 4-1-0)

## S. 243.

An act relating to distributing funds to the Vermont Language Justice Project.

**Reported favorably with recommendation of amendment by Senator Gulick for the Committee on Health and Welfare.**

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

## Sec. 1. FINDINGS

The General Assembly finds that:

(1) Vermont ranks sixth per capita in refugee resettlement;

(2) the Governor has recognized the important role immigrants play in Vermont's economy;

(3) when health information is available in only one language and only in written format, it creates barriers that lead to confusion;

(4) the Vermont Language Justice Project's videos fill a critical gap in patient education, particularly for families with limited English proficiency;

(5) the Vermont Language Justice Project has created and distributed videos pertaining to COVID-19 and COVID-19 testing; the importance of immunizations and how immunizations work; Mpox; preventing mosquito and tick bites; and safety during flood events, hot and cold weather, cyanobacteria outbreaks, wildfires, and more;

(6) the Vermont Language Justice Project's videos are made in 10 to 21 of the languages commonly spoken in Vermont and in collaboration with the Vermont Department of Health;

(7) the Vermont Language Justice Project is usually able to respond to a crisis within 24 hours with information in multiple languages and in multiple formats, such as written translations, audio files, and videos; and

(8) in January 2025, the Vermont Language Justice Project's grant from the U.S. Centers for Disease Control and Prevention abruptly ended, leaving it to be funded solely through donations from individuals and foundations and through fee-for-service work.

## Sec. 2. APPROPRIATION; VERMONT LANGUAGE JUSTICE PROJECT

In fiscal year 2027, \$150,000.00 is appropriated from the General Fund to the Department of Health for distribution to the Vermont Language Justice Project to prepare informational materials for Vermonters who speak languages other than English in the event of a disease outbreak or other public health emergency, including ongoing personal and public health information.

## Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

(Committee vote: 5-0-0)

**Reported favorably with recommendation of amendment by Senator Lyons for the Committee on Appropriations.**

The Committee recommends that the bill be amended as recommended by the Committee on Health and Welfare, with the following amendments thereto:

## Sec. 2. VERMONT LANGUAGE JUSTICE PROJECT

In fiscal year 2027, to the extent funds are appropriated for this purpose, the Department of Health shall distribute \$150,000.00 to the Vermont Language Justice Project to prepare informational materials for Vermonters who speak languages other than English in the event of a disease outbreak or other public health emergency, including ongoing personal and public health information.

(Committee vote: 7-0-0)

### **Proposed Amendments to the Vermont Constitution**

Pursuant to Rule 83 of the Senate Rules, notice is hereby given that proposed amendments to the Constitution, set forth below, will be read the third time and acted upon, on the seventh legislative day commencing February 20, 2026. At that time, the following question shall be presented: “Shall the Senate concur in the proposal and request the concurrence of the House?”

#### **PROPOSAL 4**

#### **(Fourth day on Notice Calendar pursuant to Rule 83)**

Subject: Declaration of rights; government for the people; equality of rights

**PENDING ACTION:** Third reading of the proposal (second biennium)

#### PROPOSAL 4

## Sec. 1. PURPOSE

(a) This proposal would amend the Constitution of the State of Vermont to specify that the government must not deny equal treatment under the law on account of a person’s race, ethnicity, sex, religion, disability, sexual orientation, gender identity, gender expression, or national origin. The Constitution is our founding legal document stating the overarching values of our society. This amendment is in keeping with the values espoused by the current Vermont Constitution. Chapter I, Article 1 declares “That all persons are born equally free and independent, and have certain natural, inherent, and unalienable rights.” Chapter I, Article 7 states “That government is, or ought to be, instituted for the common benefit, protection, and security of the people.” The core value reflected in Article 7 is that all people should be afforded all the benefits and protections bestowed by the government, and that the government should not confer special advantages upon the privileged. This amendment would expand upon the principles of equality and liberty by ensuring that the government does not create or perpetuate the legal, social, or economic inferiority of any class of people. This proposed constitutional

amendment is not intended to limit the scope of rights and protections afforded by any other provision in the Vermont Constitution.

(b) Providing for equality of rights as a fundamental principle in the Constitution would serve as a foundation for protecting the rights and dignity of historically marginalized populations and addressing existing inequalities. This amendment would reassert the broad principles of personal liberty and equality reflected in the Constitution of the State of Vermont with authoritative force, longevity, and symbolic importance.

Sec. 2. Article 23 of Chapter I of the Vermont Constitution is added to read:

Article 23. [Equality of rights]

That the people are guaranteed equal protection under the law. The State shall not deny equal treatment under the law on account of a person's race, ethnicity, sex, religion, disability, sexual orientation, gender identity, gender expression, or national origin. Nothing in this Article shall be interpreted or applied to prevent the adoption or implementation of measures intended to provide equality of treatment and opportunity for members of groups that have historically been subject to discrimination.

Sec. 3. EFFECTIVE DATE

The amendment set forth in Sec. 2 shall become a part of the Constitution of the State of Vermont on the first Tuesday after the first Monday of November 2026 when ratified and adopted by the people of this State in accordance with the provisions of 17 V.S.A. chapter 32.

## **CONCURRENT RESOLUTIONS FOR NOTICE**

### **Concurrent Resolutions For Notice Under Joint Rule 16**

The following joint concurrent resolutions have been introduced for approval by the Senate and House. They will be adopted by the Senate unless a Senator requests floor consideration before the end of the session of the next legislative day. Requests for floor consideration should be communicated to the Secretary's Office.

**H.C.R. 212-216** (For text of Resolutions, see Addendum to House Calendar for February 26, 2026)

## **CONFIRMATIONS**

The following appointments will be considered by the Senate, as a group, under suspension of the Rules, as moved by the President *pro tempore*, for confirmation together and without debate, by consent thereby given by the Senate. However, upon request of any senator, any appointment may be

singled out and acted upon separately by the Senate, with consideration given to the report of the Committee to which the appointment was referred, and with full debate; and further, all appointments for the positions of Secretaries of Agencies, Commissioners of Departments, Judges, Magistrates, and members of the Public Utility Commission and the Cannabis Control Board, underlined below, shall be fully and separately acted upon.

Mike Donohue of Shelburne, VT – Member of the Vermont Economic Progress Council – By Senator Mattos for the Committee on Finance (February 27, 2026)

### **JFO NOTICE**

Grants and Positions that have been submitted to the Joint Fiscal Committee by the Administration, under 32 V.S.A. §5(b)(3):

**JFO #3271:** \$218,385.00 to the Vermont Center for Crime Victim Services from the U.S. Department of Justice. Funds will be used to consolidate data into one case management system.

*[Received January 27, 2026]*

**JFO #3272:** \$195,053,740.00 to the Vermont Agency of Human Services, Central Office from the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services. Participation in the Rural Health Transformation Plan (RHTP) will help to ensure long-term health care system sustainability in Vermont. This grant includes two (2) limited-service positions (LSP): one (1) Health Care Reform Integration Manager to the Office of Health Care Reform and one (1) Financial Manager II to the Agency of Human Services Central Office. Both limited positions are expected to last through 9/30/2031.

*[Received January 27, 2026]*

### **FOR INFORMATION ONLY**

#### **CROSSOVER DATES**

The Joint Rules Committee established the following crossover deadlines:

(1) All **Senate/House** bills must be reported out of the last committee of reference (including the Committees on Appropriations and Finance/Ways and Means, except as provided below in (2) and the exceptions listed below) on or before **Friday, March 13, 2026**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day. - Committee bills must be voted out of Committee by **Friday, March 13, 2026**.

(2) All **Senate/House** bills referred pursuant to Senate Rule 31 or House Rule 35(a) to the Committees on Appropriations and Finance/Ways and Means

must be reported out by the last of those committees on or before **Friday, March 20, 2026**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day.

**Note:** The Senate will not act on bills that do not meet these crossover deadlines, without the consent of the Senate Rules Committee.

**Exceptions to the foregoing deadlines include the major money bills (the General Appropriations Bill (“The Big Bill”), the Transportation Capital Bill, the Capital Construction Bill, and the Fee/Revenue Bills).**

### **FOR INFORMATIONAL PURPOSES**

#### **CONSTITUTIONAL AMENDMENTS**

The 2025-2026 Biennium is the Third Reading of a proposal of amendment. They were read the second time during the 2023-2024 Biennium.

The proposal is on the Notice Calendar for six (6) days and will be up for action for Third Reading on the seventh day.

Each proposal is acted upon separately. Senate Rule 83.

At Third Reading:

1. The vote on any constitutional proposal is by roll call. Senate Rule 83.
2. The questions is: “Shall the Senate concur in Proposal 3, and request the concurrence of the House? Senate Rule 83.
3. For this question to pass, 16 members of the Senate must vote in the affirmative. The Vermont Constitution requires an affirmative vote of a majority of the members of the Senate. Vermont Constitution §72.

There are no amendments at Third Reading of a constitutional amendment.