

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Transportation to which was referred Senate Bill No.
3 123 entitled “An act relating to miscellaneous changes to laws related to motor
4 vehicles” respectfully reports that it has considered the same and recommends
5 that the House propose to the Senate that the bill be amended by striking out all
6 after the enacting clause and inserting in lieu thereof the following:

7 * * * Plug-in Electric Vehicles * * *

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

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

13 * * * Veteran’s Designation * * *

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

15 § 7. ENHANCED DRIVER’S LICENSE; MAINTENANCE OF DATABASE
16 INFORMATION; FEE

17 * * *

18 (b)(1) In addition to any other requirement of law or rule, before an
19 enhanced license may be issued to an individual, the individual shall present
20 for inspection and copying satisfactory documentary evidence to determine
21 identity and U.S. citizenship. ~~An~~ A new application shall be accompanied by a

1 photo identity document, documentation showing the individual's date and
2 place of birth, proof of the individual's Social Security number, and
3 documentation showing the individual's principal residence address. New and
4 renewal application forms shall include a space for the applicant to request that
5 a "veteran" designation be placed on the enhanced license.

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

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

19 (4) Any additional personal identity information not currently required
20 by the U.S. Department of Homeland Security shall need the approval of either

1 the General Assembly or the Legislative Committee on Administrative Rules
2 prior to the implementation of the requirements.

3 * * *

4 * * * Documentation of Anatomical Gift * * *

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

6 § 115. NONDRIVER IDENTIFICATION CARDS

7 * * *

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

17 * * *

18 (k) At the option of the applicant, ~~his or her~~ the applicant's valid Vermont
19 license may be surrendered in connection with an application for an
20 identification card. In those instances, the fee due under subsection (a) of this
21 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. 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.

* * * Disability Placards for Volunteer Drivers * * *

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

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

(a) As used in this section:

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

* * *

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

* * *

(b) Special registration plates or removable windshield placards, or both, shall be issued by the Commissioner. The placard shall be issued without a fee to an individual who is blind or has an ambulatory disability. One set of plates

1 shall be issued without additional fees for a vehicle registered or leased to an
2 individual who is blind or has an ambulatory disability or to a parent or
3 guardian of an individual with a permanent disability. The Commissioner shall
4 issue these placards or plates under rules adopted by ~~him or her~~ the
5 Commissioner after proper application has been made to the Commissioner by
6 any person residing within the State. Application forms shall be available on
7 request at the Department of Motor Vehicles.

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

20 * * *

(3) An individual with a disability who abuses such privileges or allows individuals not disabled to abuse the privileges provided in this section may have this privilege revoked after suitable notice and opportunity for hearing has been given ~~him or her~~ the individual by the Commissioner. Hearings under the provisions of this section shall be held in accordance with sections 105–107 of this title and shall be subject to review by the Civil Division of the Superior Court of the county where the individual with a disability resides.

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

* * *

(6) On a form prescribed by the Commissioner, a nonprofit organization that provides volunteer drivers to transport individuals who have an ambulatory disability or are blind may apply to the Commissioner for a placard. ~~Placards shall be marked “volunteer driver.”~~ The organization shall ensure proper use of placards and maintain an accurate and complete record of the volunteer drivers to whom the placards are given by the organization. Placards shall be returned to the organization when the volunteer driver is no longer performing that service. Abuse of the privileges provided by the

1 placards may result in the privileges being revoked and the placards
2 repossessed by the Commissioner. Revocation may occur only after suitable
3 notice and opportunity for a hearing. Hearings shall be held in accordance
4 with sections 105–107 of this title.

5 * * *

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

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

15 * * *

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

1 registered nurse. The validation period of the temporary placard shall be
2 established on the basis of the written recommendation from a licensed
3 physician, licensed physician assistant, or licensed advanced practice
4 registered nurse. The Commissioner shall adopt rules to implement the
5 provisions of this subsection.

6 * * * Fees * * *

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

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

15 (2) Every application for an identification card shall be signed by the
16 applicant and shall contain such evidence of age and identity as the
17 Commissioner may require, consistent with subsection (l) of this section. New
18 and renewal application forms shall include a space for the applicant to request
19 that a "veteran" designation be placed on the applicant's identification card. If
20 a veteran, as defined in 38 U.S.C. § 101(2) and including an individual
21 disabled during active military, naval, air, or space service, as defined in 38

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

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

11 (A) an individual who surrenders the individual's license in
12 connection with a suspension or revocation under subsection 636(b) of this title
13 due to a physical or mental condition; or

14 (B) an individual under 23 years of age who was in the care and
15 custody of the Commissioner for Children and Families pursuant to 33 V.S.A.
16 § 4903(4) in Vermont after attaining 14 years of age.

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

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

19 ORGANIZATION MOTOR VEHICLES

20 * * *

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

3 (2) The EV infrastructure fee, required pursuant subsections 361(b) and
4 (c) of this subchapter, shall not be charged for vehicles that are owned by any
5 county or municipality in the State and used by that county or municipality or
6 another county or municipality in this State for county or municipal purposes.

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

10 (A) owned by a volunteer fire department or other volunteer
11 firefighting organization, an ambulance service, or an organization conducting
12 rescue operations; and

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

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

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

19 § 378. VETERANS' EXEMPTIONS

20 No fees, including the annual emissions fee required pursuant to 3 V.S.A.
21 § 2822(m)(1) and the electric vehicle infrastructure fees required pursuant to

1 section 361 of this subchapter, shall be charged ~~an honorably discharged~~ to a
2 veteran of the U.S. Armed Forces who ~~received a discharge under other than~~
3 ~~dishonorable conditions and~~ is a resident of the State of Vermont for the
4 registration of a motor vehicle that the veteran has acquired with financial
5 assistance from the U.S. Department of Veterans Affairs, or for the registration
6 of a motor vehicle owned by ~~him or her~~ the veteran during ~~his or her~~ the
7 veteran's lifetime obtained as a replacement thereof, when ~~his or her~~ the
8 veteran's application is accompanied by a copy of an approved VA Form 21-
9 4502 issued by the U.S. Department of Veterans Affairs certifying ~~him or her~~
10 the veteran to be entitled to the financial assistance.

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

12 § 608. FEES

13 * * *

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

17 (c)(1) Individuals under 23 years of age who were in the care and custody
18 of the Commissioner for Children and Families pursuant to 33 V.S.A.
19 § 4903(4) in Vermont after attaining 14 years of age shall be provided with
20 operator's licenses or operator privilege cards at no charge.

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

* * * Learner's Permits * * *

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

§ 617. LEARNER'S PERMIT

* * *

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

(2) After the applicant has successfully passed all parts of the applicable motorcycle endorsement examination, other than a skill test, the Commissioner

1 may issue to the applicant a learner's permit that entitles the applicant, subject
2 to subsection 615(a) of this title, to operate a three-wheeled motorcycle only,
3 or to operate any motorcycle, upon the public highways for a period of 120
4 days from the date of issuance. The fee for the examination shall be \$11.00,
5 except that no fee shall be charged for an individual under 23 years of age who
6 was in the care and custody of the Commissioner for Children and Families
7 pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age.

8 (3) A motorcycle learner's permit may be renewed only twice upon
9 payment of a \$24.00 fee. An individual under 23 years of age who was in the
10 care and custody of the Commissioner for Children and Families pursuant to
11 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age shall not be
12 charged a fee for the renewal of a motorcycle learner's permit.

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

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

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

* * *

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

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

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

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

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

(2) An individual issued a permit under this subsection may renew ~~his or her~~ the individual's permit by mail or online, but a permit holder who chooses

1 to have a photograph or imaged likeness under this subsection must renew in
2 person so that an updated imaged likeness of the individual is obtained not less
3 often than once every nine years.

4 * * *

5 * * * Commercial Learner's Permit * * *

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

7 § 4111a. COMMERCIAL LEARNER'S PERMIT

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

10 * * *

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

14 * * *

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

16 § 4122. DEFERRING IMPOSITION OF SENTENCE; PROHIBITION ON
17 MASKING OR DIVERSION

18 (a) No court, State's Attorney, or law enforcement officer may utilize the
19 provisions of 13 V.S.A. § 7041 or any other program to defer imposition of
20 sentence or judgment if the defendant holds a commercial driver's license,
21 commercial learner's permit, or was operating a commercial motor vehicle

1 when the violation occurred and is charged with violating any State or local
2 traffic law other than a parking violation, vehicle weight, or vehicle defect
3 violations.

4 * * *

5 * * * License Examinations * * *

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

7 § 632. EXAMINATION REQUIRED; WAIVER

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

18 (b) The examination shall consist of:

19 * * *

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

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

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

8 § 634. FEE FOR EXAMINATION

9 * * *

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

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

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

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

19 (3) If the applicant appears for the scheduled road test, the fee shall be
20 applied toward the license examination fee. ~~The Commissioner may waive the~~

1 ~~scheduling fee until the Department is capable of administering the fee~~
2 ~~electronically.~~

3 * * *

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

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

6 § 603. APPLICATION FOR AND ISSUANCE OF LICENSE

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

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

* * *

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

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

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

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

* * *

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

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

8 * * *

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

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

12 * * *

13 * * * License Extension * * *

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

15 § 604. EARLY RENEWAL

16 (a) The holder of an operator's license or privilege card issued under the
17 provisions of this subchapter may renew the operator's license or privilege
18 card at any time prior to the expiration of the operator's license or privilege
19 card. If one or more years remain before the expiration of the operator's
20 license or privilege card, the Commissioner shall reduce the cost of the
21 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~~ 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 * * *

* * * Motor Vehicle Taxes * * *

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

§ 8902. DEFINITIONS

Unless otherwise expressly provided, as used in this chapter:

* * *

(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:

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

~~(B)~~(ii) The amount received from the sale of a motor vehicle last 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

* * *

* * *

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 * * *

* * * Alteration of Odometers * * *

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

§ 1704a. ALTERATION OF ODOMETERS

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

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

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

(3) ~~willfully misrepresents~~ misrepresent the odometer, hubometer, or clock meter reading on the odometer disclosure statement or similar statement, 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.

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

21 § 108. APPLICATION FORMS

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

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

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

11 § 1709. REPORT OF CONVICTIONS TO COMMISSIONER OF MOTOR
12 VEHICLES

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

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

1 Sec. 30. 23 V.S.A. § 1200 is amended to read:

2 § 1200. DEFINITIONS

3 As used in this subchapter:

4 * * *

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

7 * * * Drunken Driving * * *

8 Sec. 31. 23 V.S.A. § 1205 is amended to read:

9 § 1205. CIVIL SUSPENSION; SUMMARY PROCEDURE

10 (a) Refusal; alcohol concentration at or above legal limits; suspension
11 periods.

12 * * *

13 (2) Upon affidavit of a law enforcement officer that the officer had
14 reasonable grounds to believe that the person was operating, attempting to
15 operate, or in actual physical control of a vehicle in violation of section 1201
16 of this title and that the person submitted to a test and the test results indicated
17 that the person’s alcohol concentration was at or above a limit specified in
18 subsection 1201(a) of this title, at the time of operating, attempting to operate,
19 or being in actual physical control, the Commissioner shall suspend the
20 person’s operating license or nonresident operating privilege or the privilege of
21 an unlicensed operator to operate a vehicle for a period of 90 days and until the

1 person complies with section 1209a of this title. However, during the
2 suspension, an eligible person may operate under the terms of an ignition
3 interlock RDL or ignition interlock certificate issued pursuant to section 1213
4 of this title.

5 * * *

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

10 * * *

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

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

17 * * *

18 (c) Notice of suspension. On behalf of the Commissioner of Motor
19 Vehicles, a law enforcement officer requesting or directing the administration
20 of an evidentiary test shall serve notice of intention to suspend and of
21 suspension on a person who refuses to submit to an evidentiary test or on a

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

13 * * *

14 (h) Final hearing.

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

1 * * *

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

12 * * *

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

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

10 * * *

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

18 * * *

19 Sec. 32. 23 V.S.A. § 1205(d) is amended to read:

20 (d) Form of notice. The notice of intention to suspend and of suspension
21 shall be in a form prescribed by the Supreme Court. The notice shall include

1 an explanation of rights, a form to be used to request a hearing, and, if a
2 hearing is requested, the date, time, and location of the Criminal Division of
3 the Superior Court where the person must appear for a preliminary hearing.

4 The notice shall also contain, in boldface print, the following:

5 (1) You have the right to ask for a hearing to contest the suspension of
6 your operator's license.

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

15 * * *

16 * * * Registration Fees for Trucks * * *

17 Sec. 33. 23 V.S.A. § 367 is amended to read:

18 § 367. TRUCKS

19 (a)(1) The annual fee for registration of tractors, truck-tractors, or motor
20 trucks except truck cranes, truck shovels, road oilers, bituminous distributors,
21 and farm trucks used as specified in subsection (f) of this section shall be based

1 on the total weight of the truck-tractor or motor truck, including body and cab
2 plus the heaviest load to be carried. In computing the fees for registration of
3 tractors, truck-tractors, or motor trucks with trailers or semi-trailers attached,
4 except trailers or semi-trailers with a gross weight of less than ~~6,000~~ 6,099
5 pounds, the fee shall be based upon the weight of the tractor, truck-tractor, or
6 motor truck, the weight of the trailer or semi-trailer, and the weight of the
7 heaviest load to be carried by the combined vehicles. In addition to the fee set
8 out in the following schedule, the fee for vehicles weighing between ~~10,000~~
9 10,100 and ~~25,999~~ 26,099 pounds inclusive shall be an additional \$42.53, the
10 fee for vehicles weighing between ~~26,000~~ 26,100 and ~~39,999~~ 40,099 pounds
11 inclusive shall be an additional \$85.03, the fee for vehicles weighing between
12 ~~40,000~~ 40,100 and ~~59,999~~ 60,099 pounds inclusive shall be an additional
13 \$297.68, and the fee for vehicles ~~60,000~~ 60,100 pounds and over shall be an
14 additional \$467.80. The fee shall be computed at the following rates per 1,000
15 pounds of weight determined pursuant to this subdivision and rounded up to
16 the nearest whole dollar; the minimum fee for registering a tractor, truck-
17 tractor, or motor truck to ~~6,000~~ 6,099 pounds shall be the same as for the
18 pleasure car type:

19 \$18.21 when the weight ~~exceeds 6,000 pounds but does not exceed~~
20 ~~8,000 pounds~~ is at least 6,100 pounds but not more than 8,099 pounds.

1 \$20.83 when the weight ~~exceeds 8,000 pounds but does not exceed~~
2 ~~12,000 pounds~~ is at least 8,100 pounds but not more than 12,099 pounds.

3 \$22.97 when the weight ~~exceeds 12,000 pounds but does not exceed~~
4 ~~16,000 pounds~~ is at least 12,100 pounds but not more than 16,099 pounds.

5 \$24.56 when the weight ~~exceeds 16,000 pounds but does not exceed~~
6 ~~20,000 pounds~~ is at least 16,100 pounds but not more than 20,099 pounds.

7 \$25.71 when the weight ~~exceeds 20,000 pounds but does not exceed~~
8 ~~30,000 pounds~~ is at least 20,100 pounds but not more than 30,099 pounds.

9 \$26.26 when the weight ~~exceeds 30,000 pounds but does not exceed~~
10 ~~40,000 pounds~~ 30,100 pounds but not more than 40,099 pounds.

11 \$26.90 when the weight ~~exceeds 40,000 pounds but does not exceed~~
12 ~~50,000 pounds~~ is at least 40,100 pounds but not more than 50,099 pounds.

13 \$27.13 when the weight ~~exceeds 50,000 pounds but does not exceed~~
14 ~~60,000 pounds~~ is at least 50,100 pounds but not more than 60,099 pounds.

15 \$28.06 when the weight ~~exceeds 60,000 pounds but does not exceed~~
16 ~~70,000 pounds~~ is at least 60,100 pounds but not more than 70,099 pounds.

17 \$29.00 when the weight ~~exceeds 70,000 pounds but does not exceed~~
18 ~~80,000 pounds~~ is at least 70,100 pounds but not more than 80,099 pounds.

19 \$29.94 when the weight ~~exceeds 80,000 pounds but does not exceed~~
20 ~~90,000 pounds~~ is at least 80,100 pounds but not more than 90,099 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.]

* * *

* * * Purchase and Use Tax * * *

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

§ 8902. DEFINITIONS

Unless otherwise expressly provided, as used in this chapter:

* * *

(6) “Motor vehicle” ~~shall have~~ has the same ~~definition~~ meaning as in 23
V.S.A. § 4(21).

* * *

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

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

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

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

6 * * *

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

11 * * *

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

17 (g) The Commissioner shall establish procedures for taxpayers to file an
18 appeal regarding the taxpayer's liability for the tax due pursuant to section
19 8903 of this chapter and compliance with the requirements of this section. The
20 procedures shall include a process by which a taxpayer can resolve the dispute
21 prior to the issuance of a final administrative decision on the appeal.

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

4 * * * Excessive Speed * * *

5 Sec. 36. 23 V.S.A. § 2502 is amended to read:

6 § 2502. POINT ASSESSMENT; SCHEDULE

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

14 * * *

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

18 * * *

19 * * * Tinted Windows * * *

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

1 Sec. 14. [Deleted.]

2 Sec. 15. [Deleted.]

3 Sec. 16. [Deleted.]

4 * * * All-Terrain Vehicles * * *

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

6 § 3501. DEFINITIONS

7 As used in this chapter:

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

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

21 * * *

* * * Purchase and Use Tax and Inspections Report * * *

Sec. 39. MOTOR VEHICLE PURCHASE AND USE TAX; INSPECTIONS;
REPORT

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

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

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

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

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

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

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

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

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

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

13 (9) any recommendations for legislative action.

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

18 (2) The Commissioner of Motor Vehicles shall establish an email
19 address or other electronic means, or both, for Vermonters to contact the
20 Department of Motor Vehicles regarding the affordability of the annual motor

vehicle inspection process and suggestions for reducing the financial impact of the inspection process on Vermonters.

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

* * * Effective Dates * * *

Sec. 40. EFFECTIVE DATES

(a) This section and Secs. 15 and 16 (early renewal of operator’s licenses, operator’s privilege cards, and non-driver identification) shall take effect on passage.

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

(Committee vote: _____)

Representative _____
FOR THE COMMITTEE