

1 S.326

2 An act relating to miscellaneous amendments to laws relating to motor
3 vehicles

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

5 * * * Nondriver Identification Cards * * *

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

7 § 115. NONDRIVER IDENTIFICATION CARDS

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

16 * * *

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

19 * * *

20 (g)(1) An identification card issued to a first-time applicant and any
21 subsequent renewals by that ~~person~~ individual shall contain a photograph or

1 imaged likeness of the applicant.

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

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

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

14 * * *

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

19 * * *

20 (m)(1) An individual who is sentenced to serve a period of imprisonment of
21 six months or more ~~committed to the custody of the Commissioner of~~

1 ~~Corrections in a correctional facility and~~ who is eligible for a nondriver
2 identification card under the requirements of this section shall, upon proper
3 application and submission of the documentation required for a non-REAL ID
4 or REAL ID identification card and in advance of release from a correctional
5 facility, be provided with a nondriver identification card for a fee of \$0.00.

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

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

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

21 (2) The application shall include the post-release mailing address of the

1 individual and proof that the individual is a resident of Vermont following
2 release from the correctional facility.

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

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

11 (o) The Commissioner shall provide a form that, upon the individual's
12 execution, shall serve as a document of an anatomical gift under 18 V.S.A.
13 chapter 110. An indicator shall be placed on the nondriver identification card
14 of any individual who has executed an anatomical gift form in accordance with
15 this section.

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

18 * * * Operator's Licenses * * *

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

20 § 613. REPLACEMENT LICENSE

21 * * *

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

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

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

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

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

19 (4) If an individual would like to obtain an operator's license pursuant to
20 the provisions of this section and is eligible, the Department of Corrections
21 shall coordinate with the Department of Motor Vehicles to provide an

1 operator's license to the individual at the time the individual is released from
2 the correctional facility.

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

4 § 613. REPLACEMENT LICENSE

5 * * *

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

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

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

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

21 (3) The application shall include the post-release mailing address of the

1 individual and proof that the individual is a resident of Vermont following
2 release from the correctional facility.

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

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

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

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

14 § 617. LEARNER'S PERMIT

15 * * *

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

18 * * *

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

21 * * *

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

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

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

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

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

19 (4) If an individual would like to obtain a replacement learner's permit
20 pursuant to the provisions of this section and is eligible, the Department of
21 Corrections shall coordinate with the Department of Motor Vehicles to provide

1 a replacement learner's permit to the individual at the time the individual is
2 released from the correctional facility.

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

4 § 617. LEARNER'S PERMIT

5 * * *

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

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

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

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

21 (3) The application shall include the post-release mailing address of the

1 individual and proof that the individual is a resident of Vermont following
2 release from the correctional facility.

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

7 (5) The Department of Corrections shall coordinate with the Department
8 of Motor Vehicles regarding the documentation required for an individual who
9 is detained for six months or more in a correctional facility to obtain a
10 replacement learner's permit.

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

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

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

16 * * *

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

18 * * *

19 (25) To coordinate with the Department of Motor Vehicles to provide
20 eligible individuals with nondriver identification cards and documentation
21 pursuant to 23 V.S.A. § 115(m) and (n), replacement operator's licenses and

1 documentation pursuant to 23 V.S.A. § 613(c) and (d), and replacement
2 learner's permits and documentation pursuant to 23 V.S.A. § 617(g) and (h).

3 * * * Insufficient Funds for Fees * * *

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

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

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

18 (b) The Commissioner may require payment for any transaction solely by
19 certified check or in cash from persons whose licenses or registrations are
20 under suspension pursuant to subsection (a) of this section or from persons
21 who have repeatedly tendered checks or electronic payments to the Department

1 that have not been honored by the bank on which drawn.

2 * * *

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

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

5 § 1006b. SMUGGLERS' NOTCH; WINTER CLOSURE OF VERMONT

6 ROUTE 108; VEHICLE OPERATION PROHIBITED

7 * * *

8 (b) Vehicle operation prohibition.

9 * * *

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

17 * * *

18 * * * Salvage Titles * * *

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

20 § 2091. SALVAGE CERTIFICATES OF TITLE; FORWARDING OF

21 PLATES AND TITLES OF CRUSHED VEHICLES

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(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.

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* * *

(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. ~~‡~~ 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 ~~‡~~ 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

1 chapter may appeal to the Civil Division of the Washington Unit of the
2 Superior Court ~~for Washington County~~ in the same manner as is provided for
3 in other civil actions.

4 * * * Abandoned Motor Vehicles * * *

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

6 § 2012. EXEMPTED VEHICLES

7 No certificate of title need be obtained for:

8 * * *

9 (2) a vehicle:

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

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

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

16 * * *

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

18 § 2158. FEES FOR TOWING; PUBLIC PROPERTY; FUNDING

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

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~~(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

1 Petroleum Cleanup Fund established by 10 V.S.A. § 1941. These fees shall be
2 deemed the petroleum distributor licensing fee established by 10 V.S.A.
3 § 1942.

4 * * * Operation of Snowmobiles * * *

5 Sec. 17. 23 V.S.A. § 3207 is amended to read:

6 § 3207. PENALTIES AND REVOCATION OR SUSPENSION OF
7 REGISTRATION

8 * * *

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

11 ~~§ 3202 operation of an unregistered snowmobile~~

12 * * *

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

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

20 * * *

21 ~~(h)~~(i) Civil penalties established under this section shall be mandatory and

1 ~~may~~ shall not be reduced.

2 * * * Commercial Driver's Licenses * * *

3 Sec. 18. 23 V.S.A. § 4107 is amended to read:

4 § 4107. COMMERCIAL DRIVER'S LICENSE REQUIRED

5 * * *

6 (d)(1) Notwithstanding the provisions of this section, during an emergency
7 declared by the Governor, an employee of a State agency or a Vermont
8 municipality may operate a commercial motor vehicle with a weight of 26,001
9 or more pounds without being required to hold a commercial driver's license
10 while the emergency or emergency condition is ongoing if:

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

13 (B) the individual is performing official duties or activities related to
14 the execution of emergency governmental functions pursuant to 49 C.F.R.
15 383.3(d)(2).

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

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

1 Sec. 19. 23 V.S.A. § 4110 is amended to read:

2 § 4110. APPLICATION FOR COMMERCIAL DRIVER'S LICENSE OR
3 COMMERCIAL LEARNER'S PERMIT

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

6 * * *

7 (8)(A) The applicable fee for the commercial driver's license being
8 applied for. The four-year fee for a commercial driver's license shall be
9 \$108.00. The two-year fee shall be \$72.00. The one-year fee for a
10 nondomiciled commercial driver's license shall be \$40.00. In those instances
11 where the applicant surrenders a valid Vermont Class D license, the total fees
12 due shall be reduced by:

13 * * *

14 * * * Motorboat Validation Stickers * * *

15 Sec. 20. 23 V.S.A. § 3305 is amended to read:

16 § 3305. FEES

17 * * *

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

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

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

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

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

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

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

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

21 (C) The registration shall be void one year from the first day of the

1 month following the month of issue in the case of annual registrations or void
2 two years from the first day of the month following the month of issue in the
3 case of biennial registrations.

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

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

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

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

14 (H) Registration fees shall be allocated in accordance with section
15 3319 of this title.

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

1 under this section.

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

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

5 * * *

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

9 * * *

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

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

18 * * *

19 (d)(1) Registration of a motorboat ends when the owner transfers title to
20 another. The former owner shall immediately return directly to the
21 Commissioner the registration certificate previously assigned to the transferred

1 motorboat with the date of sale and the name and residence of the new owner
2 endorsed on the back of the certificate.

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

11 * * *

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

20 (h) Any holder of a registration certificate shall notify the Commissioner
21 within 15 days if ~~his or her~~ the holder's address ceases to be the address

1 appearing on the certificate and shall, as a part of the notification, furnish the
2 Commissioner with ~~his or her~~ the holder's new address. The Commissioner
3 may provide by rule for the surrender of the certificate bearing the former
4 address and its replacement with a certificate bearing the new address or for
5 the alteration of an outstanding certificate to show the new address of the
6 holder.

7 * * *

8 * * * Personal Flotation Devices * * *

9 Sec. 21. 23 V.S.A. § 3306 is amended to read:

10 § 3306. LIGHTS AND EQUIPMENT

11 * * *

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

17 * * *

18 (4) Cold weather.

19 (A) Except as otherwise provided pursuant to subdivision (B) of this
20 subdivision (b)(4), on or before May 1 of each year and on or after November
21 1 of each year, all individuals aboard a vessel, while under way and the

1 individual is on an open deck, shall wear a properly secured wearable U.S.
2 Coast Guard–approved personal flotation device as intended by the
3 manufacturer.

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

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

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

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

12 * * *

13 * * * Kei Vehicles * * *

14 Sec. 22. 23 V.S.A. § 4 is amended to read:

15 § 4. DEFINITIONS

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

20 * * *

21 (28) “Pleasure car” ~~shall include~~ includes all motor vehicles not

1 otherwise defined in this title and ~~shall include~~ includes plug-in electric
2 vehicles, battery electric vehicles, or plug-in hybrid electric vehicles as defined
3 pursuant to subdivision (85) of this section, and kei vehicles as defined
4 pursuant to subdivision (90) of this section.

5 * * *

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

10 * * *

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

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

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

18 § 1044. OPERATION OF KEI VEHICLES

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

21 (b) A kei truck registered as a farm truck shall be subject to all provisions

1 of this title that are applicable to farm trucks.

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

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

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

8 * * * Inspection Manual * * *

9 Sec. 24. INSPECTION MANUAL; AMENDMENT

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

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

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

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

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

5 (A) tires;

6 (B) power steering;

7 (C) suspension;

8 (D) brake rotors;

9 (E) lighting;

10 (F) electrical systems and components;

11 (G) windshield;

12 (H) windows;

13 (I) windshield wipers;

14 (J) vehicle body; and

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

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

21 (5) In preparing the amendments to the inspection manual, the

1 Department shall provide additional visual guidance regarding when certain
2 conditions warrant failure of an inspection.

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

4 (1) file with the Secretary of State pursuant to the provisions of 3 V.S.A.
5 § 838 proposed amendments to the Inspection of Motor Vehicles rules (CVR
6 14-050-022) necessary to implement the provisions of this section; and

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

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

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

19 (2) Not more than five days after the Department files final proposed
20 rule amendments to the Inspection of Motor Vehicles rules (CVR 14-050-022)
21 with the Secretary of State and Legislative Committee on Administrative Rules

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

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

13 * * * Limited-Use Specialty Vehicles * * *

14 Sec. 25. 23 V.S.A. § 4 is amended to read:

15 § 4. DEFINITIONS

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

20 * * *

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

1 (A) built by either:

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

4 (ii) an individual and not for resale;

5 (B) maintained solely for occasional transportation, including
6 exhibitions, club activities, parades, and other functions of public interest; and

7 (C) not used for daily transportation of passengers or property on any
8 highway.

9 Sec. 26. 23 V.S.A. § 375 is added to read:

10 § 375. LIMITED-USE SPECIALTY VEHICLES

11 (a) The Commissioner shall issue a certificate of registration for not more
12 than 12 limited-use specialty vehicles per year.

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

15 (c) The annual fee for registration of a limited-use specialty vehicle shall be
16 \$26.00.

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

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

21 (2) for occasional transportation of passengers or property, not to exceed

1 one day per week.

2 Sec. 27. 23 V.S.A. § 1222 is amended to read:

3 § 1222. INSPECTION OF REGISTERED VEHICLES

4 * * *

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

9 * * * License Plates * * *

10 Sec. 28. 23 V.S.A. § 511 is amended to read:

11 § 511. MANNER OF DISPLAY

12 (a) Number plates.

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

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

1 times.

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

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

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

15 * * *

16 (e) Temporary and in-transit registration plates. A motor vehicle issued a
17 temporary or in-transit registration plate under sections 312, 458, 463, and
18 516–518 of this title operated on any highway shall have the temporary or in-
19 transit registration plate displayed horizontally in a conspicuous place on the
20 rear of the vehicle, including in the rear window. The temporary or in-transit
21 registration plate shall be kept entirely unobscured, and the numerals and

1 letters thereon shall be plainly legible at all times as provided pursuant to
2 subsection (a) of this section.

3 * * * Motorcycle Exhaust Requirements * * *

4 Sec. 29. 23 V.S.A. § 1221 is amended to read:

5 § 1221. CONDITION OF VEHICLE; EXCESSIVE NOISE

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

8 (b)(1) An individual shall not operate on a highway a motorcycle
9 manufactured after December 31, 1985, that is not labeled in compliance with
10 40 C.F.R. § 205.158 and equipped with a muffler that meets the requirements
11 of 40 C.F.R. § 205.169.

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

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

19 * * * Effective Dates * * *

20 Sec. 30. EFFECTIVE DATES

21 (a) Secs. 1 (nondriver identification cards), 3 (detained individuals'

1 operator's licenses), and 5 (detained individuals' learner's permits) shall take
2 effect on January 1, 2027.

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