

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Transportation to which was referred Senate Bill No.
3 326 entitled “An act relating to miscellaneous amendments to laws relating to
4 motor vehicles” respectfully reports that it has considered the same and
5 recommends that the House propose to the Senate that the bill be amended by
6 striking out all after the enacting clause and inserting in lieu thereof the
7 following:

8 * * * Nondriver Identification Cards * * *

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

10 § 115. NONDRIVER IDENTIFICATION CARDS

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

19 * * *

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

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

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

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

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

* * *

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

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* * * Insufficient Funds for Fees * * *

Sec. 2. 23 V.S.A. § 110 is amended to read:

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

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

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

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

Sec. 3. 23 V.S.A. § 1006b is amended to read:

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

* * *

(b) Vehicle operation prohibition.

* * *

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

* * *

Sec. 4. SMUGGLERS' NOTCH; UPDATED SIGNAGE

The Agency of Transportation shall update signage leading to Smugglers' Notch that relates to the prohibitions and penalties set forth in 23 V.S.A. § 1006b to make drivers aware of the increased penalties for operating an oversize vehicle in Smugglers' Notch that are imposed pursuant to Sec. 3 of

1 this act.

2 * * * Salvage Titles * * *

3 Sec. 5. 23 V.S.A. § 2091 is amended to read:

4 § 2091. SALVAGE CERTIFICATES OF TITLE; FORWARDING OF
5 PLATES AND TITLES OF CRUSHED VEHICLES

6 * * *

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

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

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

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

15 (i) shall not require a notarized signature;

16 (ii) may be signed electronically; and

17 (iii) may be printed on hard copy.

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

19 (i) “Signed electronically” means that a person, with the intent to
20 sign the record, uses an electronic sound, symbol, or process attached to or
21 logically associated with a record and executed or adopted by a person. For

1 purposes of this subdivision (b)(2), an electronic signature on a supporting
2 document shall utilize a secure authentication system that identifies the
3 signatory with a degree of certainty equivalent to or greater than level 2 as
4 described in the National Institute of Standards and Technology’s June 2017
5 Digital Identity Guidelines, NIST Special Publication 800-63-3, Revision 3.

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

8 (C) An insurer shall indemnify and hold harmless the Department for
9 any claims arising from the issuance of a certificate of title based upon
10 supporting documents meeting the requirements of this subdivision (b)(2).

11 * * *

12 * * * Duplicate Titles * * *

13 Sec. 6. 23 V.S.A. § 2022 is amended to read:

14 § 2022. DUPLICATE CERTIFICATE

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

1 owner.

2 * * *

3 Sec. 7. 23 V.S.A. § 3801 is amended to read:

4 § 3801. DEFINITIONS

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

6 * * *

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

11 * * *

12 Sec. 8. 23 V.S.A. § 3815 is amended to read:

13 § 3815. DUPLICATE CERTIFICATE

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

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* * * Title Appeals * * *

Sec. 9. 23 V.S.A. § 2005 is amended to read:

§ 2005. APPEAL

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

* * * Abandoned Motor Vehicles * * *

Sec. 10. 23 V.S.A. § 2012 is amended to read:

§ 2012. EXEMPTED VEHICLES

No certificate of title need be obtained for:

* * *

(2) a vehicle:

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

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

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

* * *

1 Sec. 11. 23 V.S.A. § 2158 is amended to read:

2 § 2158. FEES FOR TOWING; PUBLIC PROPERTY; FUNDING

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

6 (2) This fee shall be paid to:

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

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

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

18 * * *

19 * * * Diesel Fuel Tax * * *

20 Sec. 12. 23 V.S.A. § 3015 is amended to read:

21 § 3015. COMPUTATION AND PAYMENT OF TAX

1 Sec. 16. 23 V.S.A. § 4125 is amended to read:

2 § 4125. TEXTING VIOLATIONS; HANDHELD MOBILE TELEPHONE
3 VIOLATIONS

4 (a) Definitions. As used in this section:

5 (1) ~~“driving”~~ “Driving” means operating a commercial motor vehicle on
6 a public highway, including while temporarily stationary because of traffic, a
7 traffic control device, or other momentary delays. “Driving” does not include
8 operating a commercial motor vehicle with or without the motor running when
9 the operator has moved the vehicle to the side of or off a highway and has
10 halted in a location where the vehicle can safely remain stationary.

11 (2) “Hands-free use” means the use of a portable electronic device
12 without utilizing either hand by employing an internal feature of, or an
13 attachment to, the device or the commercial motor vehicle.

14 (3) “Public highway” means a State or municipal highway as defined in
15 19 V.S.A. § 1(12).

16 (4) “Securely mounted” means the portable electronic device is placed
17 in an accessory specifically designed or built to support the hands-free use of a
18 portable electronic device that is not affixed to the windshield in violation of
19 section 1125 of this title and either:

1 (A) is utilized in accordance with manufacturer specifications; or

2 (B) causes the portable electronic device to remain completely
3 stationary under typical driving conditions.

4 (5) “Texting” means the reading or manual composing or sending of
5 electronic communications, including text messages, instant messages, or
6 email, using a portable electronic device.

7 (6) “Use” means the use of a portable electronic device in any way that
8 is not a hands-free use, including an operator of a motor vehicle holding a
9 portable electronic device in the operator’s hand or hands while operating a
10 motor vehicle.

11 (b) General prohibition on texting.

12 (1) No operator shall engage in texting while driving a commercial
13 motor vehicle on a public highway in Vermont or in a location that is either
14 temporarily or permanently open to the public or the general circulation of
15 vehicles.

16 (2) Texting while driving is permissible by operators of a commercial
17 motor vehicle when necessary to communicate with law enforcement officials
18 or other emergency services.

19 (3) No ~~person may~~ individual shall be issued traffic complaints alleging
20 a violation of this section and a violation of section 1099 of this title from the
21 same incident.

1 Commissioner of Motor Vehicles on forms approved by ~~him or her~~ the
2 Commissioner.

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

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

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

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

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

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

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

1 number on the starboard side of the motorboat.

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

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

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

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

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

16 (H) Registration fees shall be allocated in accordance with section
17 3319 of this title.

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

1 subsection, subject to the requirements of chapter 7 of this title. A
2 manufacturer of motorboats may register and obtain registration certificates
3 under this section.

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

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

7 * * *

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

11 * * *

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

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

20 * * *

1 to operate the motorboat, the transfer shall not end the certificate of number.

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

10 * * *

11 * * * Personal Flotation Devices * * *

12 Sec. 18. 23 V.S.A. § 3306 is amended to read:

13 § 3306. LIGHTS AND EQUIPMENT

14 * * *

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

20 * * *

1 pursuant to subdivision (90) of this section.

2 * * *

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

7 * * *

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

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

14 Sec. 21. 23 V.S.A. § 1044 is added to read:

15 § 1044. OPERATION OF KEI VEHICLES

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

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

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

1 comply with the legislative intent set forth in subdivision (2) of this subsection:

2 (A) tires;

3 (B) power steering;

4 (C) suspension;

5 (D) brake rotors;

6 (E) lighting;

7 (F) electrical systems and components;

8 (G) windshield;

9 (H) windows;

10 (I) windshield wipers;

11 (J) vehicle body; and

12 (K) in the discretion of the Commissioner, any other vehicle systems

13 or components.

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

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

- 1 (b) On or before August 1, 2026, the Department of Motor Vehicles shall:
- 2 (1) file with the Secretary of State pursuant to the provisions of 3 V.S.A.
3 § 838 proposed amendments to the Inspection of Motor Vehicles rules (CVR
4 14-050-022) necessary to implement the provisions of this section; and
- 5 (2) adopt emergency rules pursuant to 3 V.S.A. § 844 to implement the
6 provisions of this section while permanent rule amendments are pending,
7 which shall be deemed to have met the standard for emergency rulemaking set
8 forth in 3 V.S.A. § 844(a).
- 9 (c) The Commissioner of Motor Vehicles shall submit to the House and
10 Senate Committees on Transportation the following reports regarding the rule
11 amendments proposed pursuant to this section:
- 12 (1) Not more than five days after the Department files proposed rule
13 amendments to the Inspection of Motor Vehicles rules (CVR 14-050-022) with
14 the Secretary of State pursuant to 3 V.S.A. § 838, the Commissioner shall
15 submit a summary of the proposed amendments and an annotated copy of the
16 inspection manual that shows the proposed changes.
- 17 (2) Not more than five days after the Department files final proposed
18 rule amendments to the Inspection of Motor Vehicles rules (CVR 14-050-022)
19 with the Secretary of State and Legislative Committee on Administrative Rules
20 pursuant to 3 V.S.A. § 841, the Commissioner shall submit a summary of the
21 proposed amendments, an annotated copy of the inspection manual that shows

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

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

11 * * * Limited-Use Specialty Vehicles * * *

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

13 § 4. DEFINITIONS

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

18 * * *

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

20 (A) built by either:

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

3 (ii) an individual and not for resale;

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

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

8 Sec. 24. 23 V.S.A. § 375 is added to read:

9 § 375. LIMITED-USE SPECIALTY VEHICLES

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

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

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

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

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

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

1 Sec. 25. 23 V.S.A. § 1222 is amended to read:

2 § 1222. INSPECTION OF REGISTERED VEHICLES

3 * * *

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

8 * * * License Plates * * *

9 Sec. 26. 23 V.S.A. § 511 is amended to read:

10 § 511. MANNER OF DISPLAY

11 (a) Number plates.

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

19 (2) Except as otherwise provided by law:

20 (A) The number ~~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) A person shall not color, tint, or change in any manner the
3 numerals, letters, or background of the plate from their appearance at the time
4 the plate 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~~ section 312, 458, 463,
18 ~~and 516-518, or 517~~ of this title operated on any highway shall have the
19 temporary or in-transit registration plate displayed horizontally in a
20 conspicuous place on the rear of the vehicle, including in the rear window.
21 The temporary or in-transit registration plate shall be kept entirely unobscured,

1 and the numerals and letters ~~thereon~~ on the plate shall be plainly legible at all
2 times as provided pursuant to subsection (a) of this section.

3 Sec. 27. REPEAL

4 23 V.S.A. § 518 (electronic issuance of temporary plate and temporary
5 registration) is repealed.

6 * * * Motorcycle Exhaust Requirements * * *

7 Sec. 28. 23 V.S.A. § 1260 is added to read:

8 § 1260. MOTORCYCLE EXHAUST; EXCESSIVE NOISE;

9 PROHIBITIONS

10 (a) A motorcycle operated on a highway shall be equipped with an exhaust
11 system that includes a muffler or other mechanical device designed to reduce
12 the noise emitted by the motorcycle.

13 (b) A motorcycle shall be in violation of this section if the motorcycle's
14 exhaust system:

15 (1) has missing or removed internal baffles;

16 (2) has a cutout or bypass;

17 (3) has been modified to bypass the muffler system; or

18 (4) is a straight-pipe or similar type of exhaust system that does not
19 include any mechanical features to reduce the noise emitted by the motorcycle.

20 (c) A motorcycle that violates the requirements of this section shall not
21 pass an inspection required under section 1222 of this chapter.

