

1 Introduced by Committee on Transportation

2 Date:

3 Subject: Motor vehicles; Department of Motor Vehicles; plug-in electric

4 vehicles (PEVs); veterans; documentation of anatomical gift;

5 disability placards; registration certificates; fees; learner’s permits;

6 licensing examinations; commercial driving instructors; fees; taxes;

7 non-Real ID; odometer alteration; convictions; drunken driving; bulk

8 electronic record fees; truck registration fees

9 Statement of purpose of bill as introduced: This bill proposes to make  
10 miscellaneous changes to the laws related to motor vehicles.

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

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

13 \* \* \* Plug-in Electric Vehicles \* \* \*

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

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

19 \* \* \* Veteran’s Designation \* \* \*

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

1 § 7. ENHANCED DRIVER’S LICENSE; MAINTENANCE OF DATABASE  
2 INFORMATION; FEE

3 \* \* \*

4 (b)(1) In addition to any other requirement of law or rule, before an  
5 enhanced license may be issued to an individual, the individual shall present  
6 for inspection and copying satisfactory documentary evidence to determine  
7 identity and U.S. citizenship. ~~An~~ A new application shall be accompanied by a  
8 photo identity document, documentation showing the individual’s date and  
9 place of birth, proof of the individual’s Social Security number, and  
10 documentation showing the individual’s principal residence address. New and  
11 renewal application forms shall include a space for the applicant to request that  
12 a “veteran” designation be placed on the enhanced license.

13 (2) If a veteran, as defined in 38 U.S.C. § 101(2) and including an  
14 individual disabled during active military, naval, air, or space service, as  
15 defined in 38 U.S.C. § 101(24), requests a veteran designation and provides a  
16 Department of Defense Form 214 or other proof of veteran status specified by  
17 the Commissioner, and the Office of Veterans’ Affairs confirms the  
18 individual’s status as an honorably discharged veteran; a veteran discharged  
19 under honorable conditions; or an individual disabled during active military,  
20 naval, air, or space service, the identification card shall include the term  
21 “veteran” on its face.

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

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

9                                 \* \* \*

10                                 \* \* \* Documentation of Anatomical Gift \* \* \*

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

12           § 115. NONDRIVER IDENTIFICATION CARDS

13                                 \* \* \*

14           (g) An identification card issued to a first-time applicant and any  
15 subsequent renewals by that person shall contain a photograph or imaged  
16 likeness of the applicant. The photographic identification card shall be  
17 available at a location designated by the Commissioner. An individual issued  
18 an identification card under this subsection that contains an imaged likeness  
19 may renew ~~his or her~~ the individual's identification card by mail. Except that a  
20 renewal by an individual required to have a photograph or imaged likeness

1 under this subsection must be made in person so that an updated imaged  
2 likeness of the individual is obtained not less often than once every nine years.

3 \* \* \*

4 (k) At the option of the applicant, ~~his or her~~ the applicant's valid Vermont  
5 license may be surrendered in connection with an application for an  
6 identification card. In those instances, the fee due under subsection (a) of this  
7 section shall be reduced by:

8 \* \* \*

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

14 \* \* \* Disability Placards for Volunteer Drivers \* \* \*

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

16 § 304a. SPECIAL REGISTRATION PLATES AND PLACARDS FOR  
17 INDIVIDUALS WITH DISABILITIES

18 (a) As used in this section:

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

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

(1) Upon application for a special registration plate or removable windshield placard, the Commissioner shall send a form prescribed by ~~him or her~~ the Commissioner to the applicant to be signed and returned by a licensed physician, licensed physician assistant, or licensed advanced practice registered nurse. The Commissioner shall file the form for future reference and issue the placard or plate. A new application shall be submitted every four years in the case of placards and at every third registration renewal for plates

1 but in no case greater than every four years. When a licensed physician,  
2 licensed physician assistant, or licensed advanced practice registered nurse has  
3 previously certified to the Commissioner that an applicant’s condition is both  
4 permanent and stable, a special registration plate or placard need not be  
5 renewed.

6 \* \* \*

7 (3) An individual with a disability who abuses such privileges or allows  
8 individuals not disabled to abuse the privileges provided in this section may  
9 have this privilege revoked after suitable notice and opportunity for hearing  
10 has been given ~~him or her~~ the individual by the Commissioner. Hearings  
11 under the provisions of this section shall be held in accordance with sections  
12 105–107 of this title and shall be subject to review by the Civil Division of the  
13 Superior Court of the county where the individual with a disability resides.

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

19 \* \* \*

20 (6) On a form prescribed by the Commissioner, a nonprofit organization  
21 that provides volunteer drivers to transport individuals who have an

1 ambulatory disability or are blind may apply to the Commissioner for a  
2 placard. ~~Placards shall be marked “volunteer driver.”~~ The organization shall  
3 ensure proper use of placards and maintain an accurate and complete record of  
4 the volunteer drivers to whom the placards are given by the organization.  
5 Placards shall be returned to the organization when the volunteer driver is no  
6 longer performing that service. Abuse of the privileges provided by the  
7 placards may result in the privileges being revoked and the placards  
8 repossessed by the Commissioner. Revocation may occur only after suitable  
9 notice and opportunity for a hearing. Hearings shall be held in accordance  
10 with sections 105–107 of this title.

11 \* \* \*

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

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

21 \* \* \*

1 (f) Individuals who have a temporary ambulatory disability may apply for a  
2 temporary removable windshield placard to the Commissioner on a form  
3 prescribed by ~~him or her~~ the Commissioner. The placard shall be valid for a  
4 period of up to six months and displayed as required under the provisions of  
5 subsection (c) of this section. The application shall be signed by a licensed  
6 physician, licensed physician assistant, or licensed advanced practice  
7 registered nurse. The validation period of the temporary placard shall be  
8 established on the basis of the written recommendation from a licensed  
9 physician, licensed physician assistant, or licensed advanced practice  
10 registered nurse. The Commissioner shall adopt rules to implement the  
11 provisions of this subsection.

12 \* \* \* Replacement Registration Certificates \* \* \*

13 Sec. 5. 23 V.S.A. § 307 is amended to read:

14 § 307. CARRYING OF REGISTRATION CERTIFICATE; REPLACEMENT  
15 AND CORRECTED CERTIFICATES

16 \* \* \*

17 (c) A corrected registration certificate shall be furnished by the  
18 Commissioner upon request and receipt of a fee of \$20.00. A replacement  
19 registration certificate may be generated from the individual’s electronic  
20 account for no charge.

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\* \* \* Fees \* \* \*

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

§ 376. STATE, MUNICIPAL, FIRE DEPARTMENT, AND RESCUE  
ORGANIZATION MOTOR VEHICLES

\* \* \*

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

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

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

(A) owned by a volunteer fire department or other volunteer firefighting organization or an organization conducting rescue operations; and

(B) used solely for firefighting or rescue purposes, or both.

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

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

2 § 378. VETERANS' EXEMPTIONS

3 No fees, including the annual emissions fee required pursuant to 3 V.S.A.  
4 § 2822(m)(1), shall be charged an honorably discharged veteran of the U.S.  
5 Armed Forces who is a resident of the State of Vermont for the registration of  
6 a motor vehicle that the veteran has acquired with financial assistance from the  
7 U.S. Department of Veterans Affairs, or for the registration of a motor vehicle  
8 owned by ~~him or her~~ the veteran during ~~his or her~~ the veteran's lifetime  
9 obtained as a replacement thereof, when ~~his or her~~ the veteran's application is  
10 accompanied by a copy of an approved VA Form 21-4502 issued by the U.S.  
11 Department of Veterans Affairs certifying ~~him or her~~ the veteran to be entitled  
12 to the financial assistance.

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

14 § 608. FEES

15 \* \* \*

16 (b) Individuals receiving Supplemental Security Income or Social Security  
17 Disability Income and individuals with a disability as defined in 9 V.S.A.  
18 § 4501 shall be provided with driver's licenses or driver privilege cards for the  
19 following fees:

20 (1) Original issuance: \$10.00.

21 (2) Renewal every four years: \$10.00.

1           (3) Replacement of lost, destroyed, or mutilated card or a new name is  
2           required: \$5.00.

3           (c) An additional fee of \$4.00 per year shall be paid for a motorcycle  
4           endorsement. The endorsement may be obtained for either a two-year or four-  
5           year period, to be coincidental with the length of the operator’s license.

6   \* \* \* Learner’s Permits \* \* \*

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

8           § 617. LEARNER’S PERMIT

9   \* \* \*

10           (b)(1) Notwithstanding the provisions of subsection (a) of this section, any  
11           licensed person may apply to the Commissioner of Motor Vehicles for a  
12           learner’s permit for the operation of a motorcycle in the form prescribed by the  
13           Commissioner. The Commissioner shall offer both a motorcycle learner’s  
14           permit that authorizes the operation of three-wheeled motorcycles only and a  
15           motorcycle learner’s permit that authorizes the operation of any motorcycle.  
16           The Commissioner shall require payment of a fee of \$24.00 at the time  
17           application is made.

18   \* \* \*

19           (3) A motorcycle learner’s permit may be renewed only twice upon  
20           payment of a \$24.00 fee. If, during the original permit period and two  
21           renewals the permittee has not successfully passed the applicable skill test or

1 motorcycle rider training course, the permittee may not obtain another  
2 motorcycle learner's permit for a period of 12 months from the expiration of  
3 the permit unless:

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

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

9 \* \* \*

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

14 (d) An applicant shall pay \$24.00 to the Commissioner for each learner's  
15 permit or a duplicate or renewal thereof. A replacement learner's permit for  
16 the operation of a motorcycle may be generated from the applicant's electronic  
17 account for no charge.

18 (e)(1) A learner's permit, ~~which is not a learner's permit~~ for the operation  
19 of a motorcycle, shall contain a photograph or imaged likeness of the  
20 individual. A learner's permit for a motor vehicle shall contain a photograph  
21 or imaged likeness of the individual if the permit is obtained in person. ~~The~~

1 ~~photographic learner's permit shall be available at locations designated by the~~  
2 ~~Commissioner.~~

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

8 \* \* \*

9 \* \* \* Commercial Learner's Permit \* \* \*

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

11 § 4111a. COMMERCIAL LEARNER'S PERMIT

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

14 \* \* \*

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

18 \* \* \*

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

2 § 4122. DEFERRING IMPOSITION OF SENTENCE; PROHIBITION ON  
3 MASKING OR DIVERSION

4 (a) No court, State’s Attorney, or law enforcement officer may utilize the  
5 provisions of 13 V.S.A. § 7041 or any other program to defer imposition of  
6 sentence or judgment if the defendant holds a commercial driver’s license,  
7 commercial learner’s permit, or was operating a commercial motor vehicle  
8 when the violation occurred and is charged with violating any State or local  
9 traffic law other than a parking violation.

10 \* \* \*

11 \* \* \* License Examinations \* \* \*

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

13 § 632. EXAMINATION REQUIRED; WAIVER

14 (a) Before an operator’s or a junior operator’s license is issued to an  
15 applicant for the first time in this State, or before a renewal license is issued to  
16 an applicant whose previous Vermont license had expired more than three  
17 years prior to the application for renewal, the applicant shall pass a satisfactory  
18 examination, except that the Commissioner may, in ~~his or her~~ the  
19 Commissioner’s discretion, waive the examination when the applicant holds a  
20 chauffeur’s, junior operator’s, or operator’s license in force at the time of  
21 application or within three years prior to the application in some other

1 jurisdiction where an examination is required similar to the examination  
2 required in this State.

3 (b) The examination shall consist of:

4 \* \* \*

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

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

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

12 § 634. FEE FOR EXAMINATION

13 \* \* \*

14 (b) ~~A scheduling fee of \$29.00 shall be paid by the applicant before the~~  
15 ~~applicant may schedule the road test required under section 632 of this title.~~  
16 ~~Unless an applicant gives the Department at least 48 hours' notice of~~  
17 ~~cancellation, if the applicant does not appear as scheduled, the \$29.00~~  
18 ~~scheduling fee is forfeited. If the applicant appears for the scheduled road test,~~  
19 ~~the fee shall be applied toward the license examination fee. The Commissioner~~  
20 ~~may waive the scheduling fee until the Department is capable of administering~~  
21 ~~the fee electronically. [Repealed.]~~

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

Sec. 14. 23 V.S.A. § 705 is amended to read:

§ 705. QUALIFICATIONS FOR INSTRUCTOR’S LICENSE

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

(1) not have been convicted of:

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

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

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

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

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

- (A) traffic laws;
- (B) safe driving practices;
- (C) operation of motor vehicles; and
- (D) qualifications as a teacher;



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

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

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

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

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

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

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

18           (iii) meet any additional applicable State requirements for  
19 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. 15. 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 motorcycle riding  
12                    experience during the last ~~five~~ four years;

13                    \* \* \*

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

18                    \* \* \*

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

2 Sec. 16. 32 V.S.A. § 8902 is amended to read:

3 § 8902. DEFINITIONS

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

5 \* \* \*

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

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

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

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

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

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

17 ~~(+)(I)~~ the motor vehicle with respect to which ~~such~~ the payment  
18 is 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 ~~(ii)~~(II) the motor vehicle with respect to which ~~such~~ the  
2 payment is made to the insurer is treated as a total loss and is sold for  
3 dismantling.

4 ~~(D)~~(C) A purchaser shall be entitled to a partial or complete refund of  
5 taxes paid under subsection 8903(a) or (b) of this title if an insurer makes a  
6 payment to ~~him or her~~ the purchaser under contract of collision,  
7 comprehensive, or similar insurance after ~~he or she~~ the purchaser has paid the  
8 tax imposed by this chapter, if ~~such~~ the payment by the insurer is either:

9 \* \* \*

10 ~~(E)~~(D) The purchase price of a motor vehicle subject to the tax  
11 imposed by subsections 8903(a) and (b) of this title shall not be reduced by the  
12 value received or allowed in connection with the transfer of a vehicle that was  
13 registered for use as a short-term rental vehicle.

14 \* \* \*

15 Sec. 17. 32 V.S.A. § 8907 is amended to read:

16 § 8907. COMMISSIONER; COMPUTATION OF TAXABLE COSTS

17 (a) The Commissioner may investigate the taxable cost of any motor  
18 vehicle transferred subject to the provisions of this chapter. If the motor  
19 vehicle is not acquired by purchase in Vermont or is received for an amount  
20 that does not represent actual value, or if no tax form is filed or it appears to  
21 the Commissioner that a tax form contains fraudulent or incorrect information,

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

11 \* \* \*

12 Sec. 18. 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 unless a different time period is  
17 set forth in statute for a specific tax.

1                   \* \* \* Refund of Registration Fee \* \* \*

2       Sec. 19. 23 V.S.A. § 326 is amended to read:

3       § 326. REFUND UPON LOSS OF VEHICLE

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







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

6 \* \* \*

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

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

10 \* \* \*

11 \* \* \* Fuel Tax Refunds \* \* \*

12 Sec. 21. 23 V.S.A. § 3020 is amended to read:

13 § 3020. CREDITS AND REFUNDS

14 (a) Credits.

15 (1) A user who purchased fuel within this State from a dealer or  
16 distributor upon which ~~he or she~~ the user paid the tax at the time of purchase,  
17 or a user exempt from the payment of the tax under subsection 3003(d) of this  
18 title who purchased fuel within this State upon which ~~he or she~~ the user paid  
19 tax at the time of purchase, shall be entitled to a credit equal to the amount of  
20 tax per gallon in effect when the fuel was purchased. When the amount of the  
21 credit to which any user is entitled for any reporting period exceeds the amount

1 of ~~his or her~~ the user's tax for the same period, the excess shall be credited to  
2 the user's tax account and the user shall be notified of the date and amount of  
3 the credit by mail.

4 \* \* \*

5 (3) A user who also sells or delivers fuel subject to the tax imposed by  
6 32 V.S.A. chapter 233 upon which the tax imposed by this chapter has been  
7 paid shall be entitled to a credit equal to the amount of such tax paid pursuant  
8 to this chapter. When the amount of the credit to which any user is entitled for  
9 any reporting period exceeds the amount of ~~his or her~~ the user's tax for the  
10 same period, the excess shall be credited to the user's tax account and the user  
11 shall be notified of the date and amount of the credit by mail.

12 \* \* \*

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

17 \* \* \*

18 \* \* \* Alteration of Odometers \* \* \*

19 Sec. 22. 23 V.S.A. § 1704a is amended to read:

20 § 1704a. ALTERATION OF ODOMETERS

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

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

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

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

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



1 include criminal and traffic records checks and providing proof of U.S.  
2 citizenship.

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

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

16 Sec. 24. 23 V.S.A. § 108 is amended to read:

17 § 108. APPLICATION FORMS

18 (a) The Commissioner shall prepare and furnish all forms for applications,  
19 crash reports, conviction reports, a pamphlet containing the full text of the  
20 motor vehicle laws of the State, and all other forms needed in the proper  
21 conduct of ~~his or her~~ the Commissioner’s office. ~~He or she~~ The Commissioner

1 shall furnish an adequate supply of ~~such~~ registration forms, license  
2 applications, and motor vehicle laws each year to each town clerk, and to ~~such~~  
3 other persons ~~as may so~~ upon request.

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

6 Sec. 25. 23 V.S.A. § 1709 is amended to read:

7 § 1709. REPORT OF CONVICTIONS TO COMMISSIONER OF MOTOR  
8 VEHICLES

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

15 (b) As used in this section, “conviction” has the same meaning as in  
16 subdivision 4(60) of this title.

17 Sec. 26. 23 V.S.A. § 1200 is amended to read:

18 § 1200. DEFINITIONS

19 As used in this subchapter:

20 \* \* \*



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

3                                   \* \* \* Drunken Driving \* \* \*

4           Sec. 27. 23 V.S.A. § 1205 is amended to read:

5           § 1205. CIVIL SUSPENSION; SUMMARY PROCEDURE

6           (a) Refusal; alcohol concentration above legal limits; suspension periods.

7                                   \* \* \*

8           (2) Upon affidavit of a law enforcement officer that the officer had  
9           reasonable grounds to believe that the person was operating, attempting to  
10          operate, or in actual physical control of a vehicle in violation of section 1201  
11          of this title and that the person submitted to a test and the test results indicated  
12          that the person’s alcohol concentration was at or above a limit specified in  
13          subsection 1201(a) of this title, at the time of operating, attempting to operate,  
14          or being in actual physical control, the Commissioner shall suspend the  
15          person’s operating license or nonresident operating privilege or the privilege of  
16          an unlicensed operator to operate a vehicle for a period of 90 days and until the  
17          person complies with section 1209a of this title. However, during the  
18          suspension, an eligible person may operate under the terms of an ignition  
19          interlock RDL or ignition interlock certificate issued pursuant to section 1213  
20          of this title.

21                                   \* \* \*

1 (b) Form of officer’s affidavit. A law enforcement officer’s affidavit in  
2 support of a suspension under this section shall be in a standardized form for  
3 use throughout the State and shall be sufficient if it contains the following  
4 statements:

5 \* \* \*

6 (4) The officer informed the person of ~~his or her~~ the person’s rights  
7 under subsection 1202(d) of this title.

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

12 \* \* \*

13 (c) Notice of suspension. On behalf of the Commissioner of Motor  
14 Vehicles, a law enforcement officer requesting or directing the administration  
15 of an evidentiary test shall serve notice of intention to suspend and of  
16 suspension on a person who refuses to submit to an evidentiary test or on a  
17 person who submits to a test the results of which indicate that the person’s  
18 alcohol concentration was at or above a legal limit specified in subsection  
19 1201(a) or (d) of this title, at the time of operating, attempting to operate, or  
20 being in actual physical control of a vehicle in violation of section 1201 of this  
21 title. The notice shall be signed by the law enforcement officer requesting the

1 test. A copy of the notice shall be sent to the Commissioner of Motor  
2 Vehicles, and a copy shall be mailed or given to the defendant within three  
3 business days after the date the officer receives the results of the test. If  
4 mailed, the notice is deemed received three days after mailing to the address  
5 provided by the defendant to the law enforcement officer. A copy of the  
6 affidavit of the law enforcement officer shall also be mailed by first-class mail  
7 or given to the defendant within seven days after the date of notice.

8 \* \* \*

9 (i) Finding by the court. The court shall electronically forward a report of  
10 the hearing to the Commissioner. Upon a finding by the court that the law  
11 enforcement officer had reasonable grounds to believe that the person was  
12 operating, attempting to operate, or in actual physical control of a vehicle in  
13 violation of section 1201 of this title and that the person refused to submit to a  
14 test, or upon a finding by the court that the law enforcement officer had  
15 reasonable grounds to believe that the person was operating, attempting to  
16 operate, or in actual physical control of a vehicle in violation of section 1201  
17 of this title and that the person submitted to a test and the test results indicated  
18 that the person's alcohol concentration was at or above a legal limit specified  
19 in subsection 1201(a) or (d) of this title, at the time the person was operating,  
20 attempting to operate, or in actual physical control, the person's operating  
21 license, or nonresident operating privilege, or the privilege of an unlicensed

1 operator to operate a vehicle shall be suspended or shall remain suspended for  
2 the required term and until the person complies with section 1209a of this title.  
3 Upon a finding in favor of the person, the Commissioner shall cause the  
4 suspension to be canceled and removed from the record, without payment of  
5 any fee.

6 \* \* \*

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

14 \* \* \*

15 Sec. 28. 23 V.S.A. § 1205(d) is amended to read:

16 (d) Form of notice. The notice of intention to suspend and of suspension  
17 shall be in a form prescribed by the Supreme Court. The notice shall include  
18 an explanation of rights, a form to be used to request a hearing, and, if a  
19 hearing is requested, the date, time, and location of the Criminal Division of  
20 the Superior Court where the person must appear for a preliminary hearing.

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

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

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

11   \* \* \*

12   \* \* \* Fee for Bulk Electronic Records Request \* \* \*

13           Sec. 29. 23 V.S.A. § 114 is amended to read:

14           § 114. FEES

15           (a) The Commissioner shall be paid the following fees for miscellaneous  
16 transactions:

17   \* \* \*

18   (24) Bulk electronic records request   \$0.303 per record

19   \* \* \*

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

Sec. 30. 23 V.S.A. § 367 is amended to read:

§ 367. TRUCKS

(a)(1) The annual fee for registration of tractors, truck-tractors, or motor trucks except truck cranes, truck shovels, road oilers, bituminous distributors, and farm trucks used as specified in subsection (f) of this section shall be based on the total weight of the truck-tractor or motor truck, including body and cab plus the heaviest load to be carried. In computing the fees for registration of tractors, truck-tractors, or motor trucks with trailers or semi-trailers attached, except trailers or semi-trailers with a gross weight of less than ~~6,000~~ 6,099 pounds, the fee shall be based upon the weight of the tractor, truck-tractor, or motor truck, the weight of the trailer or semi-trailer, and the weight of the heaviest load to be carried by the combined vehicles. In addition to the fee set out in the following schedule, the fee for vehicles weighing between ~~10,000~~ 10,100 and ~~25,999~~ 26,099 pounds inclusive shall be an additional \$42.53, the fee for vehicles weighing between ~~26,000~~ 26,100 and ~~39,999~~ 40,099 pounds inclusive shall be an additional \$85.03, the fee for vehicles weighing between ~~40,000~~ 40,100 and ~~59,999~~ 60,099 pounds inclusive shall be an additional \$297.68, and the fee for vehicles ~~60,000~~ 60,100 pounds and over shall be an additional \$467.80. The fee shall be computed at the following rates per 1,000 pounds of weight determined pursuant to this subdivision and rounded up to

1 the nearest whole dollar; the minimum fee for registering a tractor, truck-  
2 tractor, or motor truck to ~~6,000~~ 6,099 pounds shall be the same as for the  
3 pleasure car type:

4 \$18.21 when the weight ~~exceeds 6,000 pounds but does not exceed~~  
5 ~~8,000 pounds~~ is at least 6,100 pounds but not more than 8,099 pounds.

6 \$20.83 when the weight ~~exceeds 8,000 pounds but does not exceed~~  
7 ~~12,000 pounds~~ is at least 8,100 pounds but not more than 12,099 pounds.

8 \$22.97 when the weight ~~exceeds 12,000 pounds but does not exceed~~  
9 ~~16,000 pounds~~ is at least 12,100 pounds but not more than 16,099 pounds.

10 \$24.56 when the weight ~~exceeds 16,000 pounds but does not exceed~~  
11 ~~20,000 pounds~~ is at least 16,100 pounds but not more than 20,099 pounds.

12 \$25.71 when the weight ~~exceeds 20,000 pounds but does not exceed~~  
13 ~~30,000 pounds~~ is at least 20,100 pounds but not more than 30,099 pounds.

14 \$26.26 when the weight ~~exceeds 30,000 pounds but does not exceed~~  
15 ~~40,000 pounds~~ 30,100 pounds but not more than 40,099 pounds.

16 \$26.90 when the weight ~~exceeds 40,000 pounds but does not exceed~~  
17 ~~50,000 pounds~~ is at least 40,100 pounds but not more than 50,099 pounds.

18 \$27.13 when the weight ~~exceeds 50,000 pounds but does not exceed~~  
19 ~~60,000 pounds~~ is at least 50,100 pounds but not more than 60,099 pounds.

20 \$28.06 when the weight ~~exceeds 60,000 pounds but does not exceed~~  
21 ~~70,000 pounds~~ is at least 60,100 pounds but not more than 70,099 pounds.

1               \$29.00 when the weight ~~exceeds 70,000 pounds but does not exceed~~  
2 ~~80,000 pounds~~ is at least 70,100 pounds but not more than 80,099 pounds.

3               \$29.94 when the weight ~~exceeds 80,000 pounds but does not exceed~~  
4 ~~90,000 pounds~~ is at least 80,100 pounds but not more than 90,099 pounds.

5               (2) ~~Fractions of 1,000 pounds shall be computed at the next highest~~  
6 ~~1,000 pounds, excepting, however, fractions of hundredweight shall be~~  
7 ~~disregarded. [Repealed.]~~

8   \* \* \*

9   \* \* \* Effective Date \* \* \*

10       Sec. 31. EFFECTIVE DATE

11           This act shall take effect on July 1, 2025.