

- 1      Introduced by Senate Committee on Transportation
- 2      Date:
- 3      Subject: <Subjects>
- 4      Statement of purpose of bill as introduced: This bill proposes to <Purpose>

5 An act relating to miscellaneous amendments to laws relating to motor  
6 vehicles

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

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 \* \* \*

3 \* \* \*

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

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

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

19 \* \* \*

20 (k) ~~At the option of the applicant, An applicant shall surrender the~~  
21 applicant's valid Vermont license ~~may be surrendered~~ in connection with an

1 application for an identification card pursuant to this section. In those  
2 instances, the fee due under subsection (a) of this section shall be reduced by:

3 \* \* \*

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

11 \* \* \*

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

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

14 § 613. REPLACEMENT LICENSE

15 \* \* \*

16 (c)(1) An individual committed to the custody of the Commissioner of  
17 Corrections for a period of six months or more, who holds an unexpired license  
18 issued under the provisions of this subchapter or who held a Vermont  
19 operator's license that expired not more than three years prior shall:

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

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

5                   (2) To obtain a replacement operator's license pursuant to the provisions  
6                   of this subsection, an individual shall be required to provide proof of Vermont  
7                   residence and the individual's mailing address upon release from the custody  
8                   of the Commissioner of Corrections.

9                   (3) As part of reentry planning, the Department of Corrections shall  
10                   inquire with each individual regarding whether the individual would like, if  
11                   eligible, to obtain an operator's license pursuant to the provisions of this  
12                   section and shall provide the individual with information regarding required  
13                   documentation and any associated costs.

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

19                   Sec. 3. 23 V.S.A. § 617 is amended to read:  
20                   § 617. LEARNER'S PERMIT

21                   \* \* \*

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

3 \* \* \*

6 \* \* \*

7                   (g)(1) An individual committed to the custody of the Commissioner of  
8                   Corrections for a period of six months or more who holds an unexpired  
9                   learner's permit issued under the provisions of this section or who held a  
10                  learner's permit issued under the provisions of this section that expired not  
11                  more than two years prior shall:

17                   (2) To obtain a replacement learner's permit pursuant to the provisions  
18                   of this subsection, an individual shall be required to provide proof of Vermont  
19                   residence and the individual's mailing address upon release from the custody  
20                   of the Commissioner of Corrections.

1                   (3) As part of reentry planning, the Department of Corrections shall  
2                   inquire with each individual regarding whether the individual would like, if  
3                   eligible, to obtain a replacement learner's permit pursuant to the provisions of  
4                   this section and shall provide the individual with information regarding  
5                   required documentation and any associated costs.

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

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

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

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

14                  (a) Whenever any check or electronic funds transfer, including a credit or  
15                  debit charge, issued in payment of any fee or for any other purpose is tendered  
16                  to the Department of Motor Vehicles and payment is not honored by the bank  
17                  on which the check is drawn or entity to whom the electronic funds transfer is  
18                  submitted, the Commissioner shall send a written notice of its nonpayment to  
19                  the maker ~~or~~ person presenting the check and if the check is not immediately  
20                  made good who provided insufficient funds and, if the required amounts are  
21                  not immediately paid, the Commissioner shall suspend the license or

1 registration of the person or persons. In no case shall the license or registration  
2 be reinstated until settlement has been made in full. Settlement in full shall  
3 also include the payment of any penalties assessed by the State Treasurer.

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

9 \* \* \*

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

11 Sec. 5. 23 V.S.A. § 511 is amended to read:

12 § 511. MANNER OF DISPLAY

13 (a) Number plates.

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

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

7                   (C) Number plates shall not be covered by any material or substance  
8                   that changes or tints the color of the plate, or the numerals and letters on the  
9                   plate.

18 \* \* \*

19 (e) Temporary and in-transit registration plates. A motor vehicle issued a  
20 temporary or in-transit registration plate under sections 312, 458, 463, and  
21 516–518 of this title operated on any highway shall have the temporary or in-

1 transit registration plate displayed horizontally in a conspicuous place on the  
2 rear of the vehicle, including in the rear window. The temporary or in-transit  
3 registration plate shall be kept entirely unobscured, and the numerals and  
4 letters thereon shall be plainly legible at all times as provided pursuant to  
5 subsection (a) of this section.

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

7 Sec. 6. 23 V.S.A. § 1006b is amended to read:

8 § 1006b. SMUGGLERS' NOTCH; WINTER CLOSURE OF VERMONT

9 ROUTE 108; VEHICLE OPERATION PROHIBITED

10 \* \* \*

11 (b) Vehicle operation prohibition.

12 \* \* \*

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

20 (B) In addition to the penalties set forth in subdivision (A) of this  
21 subdivision (b)(2), an individual who operates a prohibited vehicle in

1       Smugglers' Notch in violation of this subsection (b) shall be guilty of a  
2       moving violation and shall be assessed points pursuant to the provisions of  
3       section 2502 of this title.

4 \* \* \*

5 Sec. 7. 23 V.S.A. § 2502 is amended to read:

6           § 2502. POINT ASSESSMENT; SCHEDULE

7           (a) Unless the assessment of points is waived by a Superior judge or a

8           Judicial Bureau hearing officer in the interests of justice and in accordance

9           with subsection 2501(b) of this title, a person operating a motor vehicle shall

10          have points assessed against the person's driving record for convictions for

11          moving violations of the indicated motor vehicle statutes in accord with the

12          following schedule: (All references are to this title of the Vermont Statutes

13          Annotated.)

14 \* \* \*

15 (4) Five points assessed for:

16 \* \* \*

17 (F) Operation of vehicle prohibited in Smugglers' Notch;

18 \* \* \*

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

20 Sec. 8. 23 V.S.A. § 2091 is amended to read:

1       § 2091. SALVAGE CERTIFICATES OF TITLE; FORWARDING OF

2                   PLATES AND TITLES OF CRUSHED VEHICLES

3                   (a) Except for vehicles for which no certificate of title is required pursuant  
4                   to section 2012 of this title, any person who purchases or in any manner  
5                   acquires a vehicle as salvage; any person who scraps, dismantles, or destroys a  
6                   motor vehicle; or any insurance company or representative thereof who  
7                   declares a motor vehicle to be a total loss shall apply to the Commissioner for a  
8                   salvage certificate of title within 15 days after the time the vehicle is purchased  
9                   or otherwise acquired as salvage; is scrapped, dismantled, or destroyed; or is  
10                   declared a total loss. However, an insurance company or representative thereof  
11                   proceeding under subsection (c) of this section may apply outside this 15-day  
12                   window to the extent necessary to comply with the requirements of that  
13                   subsection.

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

16                    (1)(A) any certificate of title for the vehicle; and  
17                    (2)(B) any other information or documents that the Commissioner may  
18                   reasonably require to establish ownership of the vehicle and the existence or  
19                   nonexistence of any security interest in the vehicle.

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

3 (C) may be printed on hard copy.

4 (3) As used in subdivision (2) of this subsection, "supporting

5 documents” includes a power of attorney and odometer disclosure forms.

6 \* \* \*

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

8 Sec. 9. 23 V.S.A. § 2022 is amended to read:

9        § 2022. DUPLICATE CERTIFICATE

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

18 \* \* \*

19 Sec. 10. 23 V.S.A. § 3815 is amended to read:

20 § 3815. DUPLICATE CERTIFICATE

9 \* \* \*  
10 \* \* \* Title Appeals \* \* \*

11 Sec. 11. 23 V.S.A. § 2005 is amended to read:

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

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

18 Sec. 12, 23 V.S.A. § 2012 is amended to read:

19       § 2012. EXEMPTED VEHICLES

20 No certificate of title need be obtained for:

21 \* \* \*

\* \* \*

1 (2) a vehicle:

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

8 \* \* \*

9 Sec. 13. 23 V.S.A. § 2158 is amended to read:

10       § 2158. FEES FOR TOWING; PUBLIC PROPERTY; FUNDING

11 (a)(1) A towing service may charge a fee of up to \$125.00 for towing an  
12 abandoned motor vehicle from public property under the provisions of sections  
13 2151–2157 of this subchapter. This fee shall be paid to either the towing  
14 service or an appropriate State agency upon the issuance by the Department of  
15 Motor Vehicles of a certificate of abandoned motor vehicles under section  
16 2156 of this title. The Commissioner of Motor Vehicles shall notify the  
17 Commissioner of Finance and Management who shall issue payment to the  
18 towing service or State agency, as applicable, for vehicles removed from  
19 public property.

1       acceptable to the Commissioner that the State agency already paid the towing  
2       service for the removal of the vehicle.

3 \* \* \*

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

5 Sec. 14. 23 V.S.A. § 3015 is amended to read:

6       § 3015. COMPUTATION AND PAYMENT OF TAX

7       (a) Each report required under section 3014 of this title from licensed

8       distributors, dealers, or users shall be accompanied by evidence of an

9       electronic funds transfer payment or a remittance payable to the Department of

10      Motor Vehicles for the amount of tax due, which shall be computed and

11      transmitted in the following manner:

12 \* \* \*

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

1 of avoiding penalty and interest. In the event a mailing date is affixed to the  
2 envelope by a machine owned or under the control of the person submitting the  
3 report and the U.S. Post Office has corrected or changed the date stamped  
4 thereon by causing the official U.S. Post Office postmark to also be imprinted  
5 on the envelope, the date shown by the official Post Office postmark shall be  
6 the accepted date if different from the original postmark.

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

10 ~~(5)(d)~~ Notwithstanding subdivision ~~(4)~~ subsection (c) of this section, the  
11 one cent per gallon fee imposed by this chapter shall be deposited into the  
12 Petroleum Cleanup Fund established by 10 V.S.A. § 1941. These fees shall be  
13 deemed the petroleum distributor licensing fee established by 10 V.S.A.  
14 § 1942.

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

16 Sec. 15. 32 V.S.A. § 8902 is amended to read:

17 § 8902. DEFINITIONS

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

19 \* \* \*

20 ~~(4)(A)~~ “Purchase price” for a vehicle that is purchased outright means  
21 the gross consideration, exclusive of the tax hereby imposed, that is to be paid

1 for the motor vehicle, expressed in terms of U.S. currency as of the time of the  
2 sale, and shall include ~~the any cash eonsideration payment, if any, plus as well~~  
3 ~~as~~ the value of any services or property given or to be given, or both, in  
4 exchange for the motor vehicle.

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

15 (5)(A) “Taxable cost” means the purchase price as defined in  
16 subdivision (4) of this section or the taxable cost as determined under section  
17 8907 of this title.

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

1

\* \* \*

2

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

9

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

14

(III) The amount shall be reported on forms supplied by the

15 Commissioner of Motor Vehicles.

16

\* \* \*

17

(13) “Month” means a period of 30 days.

18

(14) “Shipping weight” means the stock, as-built weight of a new  
19 vehicle prior to the addition of option equipment, passengers, or cargo. The  
20 shipping weight of a vehicle includes the weight of the vehicle’s standard

1       fluids, such as engine oil and coolant, but does not include the weight of the  
2       vehicle's fuel.

6 (16) "Year" means a period of 365 days.

7 Sec. 16. 32 V.S.A. § 8903 is amended to read:

8        § 8903. TAX IMPOSED

13 \* \* \*

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

15 (D) vehicle weighing with a shipping weight of up to 10,099 pounds,  
16 registered pursuant to 23 V.S.A. § 367, other than a farm truck; or  
17 (E) trailer

18 \* \* \*

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

21 \* \* \*

- (C) motor home as defined in subdivision 8902(11) of this title; or
- (D) vehicle ~~weighing with a shipping weight of~~ up to 10,099 pounds, registered pursuant to 23 V.S.A. § 367, other than a farm truck; or
- (E) trailer.

14 \* \* \*

15 (g)(1) There is hereby imposed upon the titling in this State a tax at the rate

16 provided for in subsection (a) or (b) of this section of the taxable cost of a:

17 \* \* \*

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

## 8 \* \* \* Operation of Snowmobiles \* \* \*

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

10       § 3207. PENALTIES AND REVOCATION OR SUSPENSION OF

## REGISTRATION

12 \* \* \*

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

16 \* \* \*

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

20        (h) The Commissioner or ~~his or her~~ the Commissioner's authorized agent  
21        may suspend or revoke the registration of any snowmobile registered in this

1 State and repossess the number and certificate to it, when ~~he or she the~~  
2 Commissioner is satisfied that:

3 \* \* \*

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

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

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

8 § 4107. COMMERCIAL DRIVER'S LICENSE REQUIRED

9 \* \* \*

10 (d) Notwithstanding the provisions of this section, during a weather  
11 emergency, as determined by the District Transportation Administrator of the  
12 Agency of Transportation within whose district the relevant highway is  
13 located, an employee of a State agency or Vermont municipality may, in the  
14 discretion of the Commissioner or Secretary of Transportation, operate a motor  
15 vehicle with a weight of 26,001 pounds or more without being required to hold  
16 a commercial driver's license. An individual operating a vehicle pursuant to  
17 the provisions of this subsection shall be required to have a valid U.S.  
18 Department of Transportation medical card unless the municipality or State  
19 agency that employs the individual has been granted an exemption from that  
20 requirement.

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 non-  
10 domiciled 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 \* \* \* Effective Date \* \* \*

15 Sec. 20. EFFECTIVE DATE

16 This act shall take effect on July 1, 2026.