

1 TO THE HONORABLE SENATE:

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 bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 * * * Nondriver Identification Cards * * *

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

9 § 115. NONDRIVER IDENTIFICATION CARDS

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

18 * * *

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

21 * * *

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

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

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

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

1 REAL ID or REAL ID nondriver identification card and shall provide the
2 individual with the documentation at the time of release.

3 (2) The application shall include the post-release mailing address of the
4 individual and proof that the individual is a resident of Vermont following
5 release from the correctional facility.

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

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

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

19 (p) As used in this section, “correctional facility” has the same meaning as
20 in 28 V.S.A. § 3.

21 * * * Operator’s Licenses * * *

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

2 § 613. REPLACEMENT LICENSE

3 * * *

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

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

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

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

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

1 REAL ID or REAL ID operator’s license and shall provide the individual with
2 the documentation at the time of release.

3 (3) The application shall include the post-release mailing address of the
4 individual and proof that the individual is a resident of Vermont following
5 release from the correctional facility.

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

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

14 (e) As used in this section, “correctional facility” has the same meaning as
15 in 28 V.S.A. § 3.

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

17 § 617. LEARNER’S PERMIT

18 * * *

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

21 * * *

1 permit and shall provide the individual with the documentation at the time of
2 release from the correctional facility.

3 (3) The application shall include the post-release mailing address of the
4 individual and proof that the individual is a resident of Vermont following
5 release from the correctional facility.

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

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

14 (i) As used in this section, “correctional facility” has the same meaning as
15 in 28 V.S.A. § 3.

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

17 § 102. COMMISSIONER OF CORRECTIONS; APPOINTMENT;

18 POWERS; RESPONSIBILITIES

19 * * *

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

21 * * *

1 (25) To coordinate with the Department of Motor Vehicles to provide
2 eligible individuals with nondriver identification cards and documentation
3 pursuant to 23 V.S.A. § 115(m) and (n), replacement operator’s licenses and
4 documentation pursuant to 23 V.S.A. § 613(c) and (d), and replacement
5 learner’s permits and documentation pursuant to 23 V.S.A. § 617(g) and (h).

6 * * * Insufficient Funds for Fees * * *

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

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

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

20 (b) The Commissioner may require payment for any transaction solely by
21 certified check or in cash from persons whose licenses or registrations are

1 under suspension pursuant to subsection (a) of this section or from persons
2 who have repeatedly tendered checks or electronic payments to the Department
3 that have not been honored ~~by the bank on which drawn.~~

4 * * *

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

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

7 § 1006b. SMUGGLERS' NOTCH; WINTER CLOSURE OF VERMONT

8 ROUTE 108; VEHICLE OPERATION PROHIBITED

9 * * *

10 (b) Vehicle operation prohibition.

11 * * *

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

19 * * *

20 * * * Salvage Titles * * *

21 Sec. 9. 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 * * *

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

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

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

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

12 (i) shall not require a notarized signature;

13 (ii) may be signed electronically; and

14 (iii) may be printed on hard copy.

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

16 (i) “Signed electronically” means that a person, with the intent to
17 sign the record, uses an electronic sound, symbol, or process attached to or
18 logically associated with a record and executed or adopted by a person. For
19 purposes of this subdivision (b)(2), an electronic signature on a supporting
20 document shall utilize a secure authentication system that identifies the
21 signatory with a degree of certainty equivalent to or greater than level 2 as

1 described in the National Institute of Standards and Technology’s June 2017
2 Digital Identity Guidelines, NIST Special Publication 800-63-3, Revision 3.

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

5 (C) An insurer shall indemnify and hold harmless the Department for
6 any claims arising from the issuance of a certificate of title pursuant to this
7 section.

8 * * *

9 * * * Duplicate Titles * * *

10 Sec. 10. 23 V.S.A. § 2022 is amended to read:

11 § 2022. DUPLICATE CERTIFICATE

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

20 * * *

21 Sec. 11. 23 V.S.A. § 3815 is amended to read:

1 § 3815. DUPLICATE CERTIFICATE

2 (a) If a certificate of title is lost, stolen, mutilated, or destroyed or becomes
3 illegible, the first lienholder or, if none, the owner or legal representative of the
4 owner named in the certificate of title, as shown by the records of the
5 Commissioner, shall promptly make application for and may obtain a duplicate
6 title upon furnishing information satisfactory to the Commissioner. ~~¶~~ The
7 duplicate title shall be mailed or, if the person is at a Department of Motor
8 Vehicles location, hand delivered to the first lienholder named in ~~¶~~ the title or,
9 if none, to the owner.

10 * * *

11 * * * Title Appeals * * *

12 Sec. 12. 23 V.S.A. § 2005 is amended to read:

13 § 2005. APPEAL

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

18 * * * Abandoned Motor Vehicles * * *

19 Sec. 13. 23 V.S.A. § 2012 is amended to read:

20 § 2012. EXEMPTED VEHICLES

21 No certificate of title need be obtained for:

1 * * *

2 (2) a vehicle;

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

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

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

9 * * *

10 Sec. 14. 23 V.S.A. § 2158 is amended to read:

11 § 2158. FEES FOR TOWING; PUBLIC PROPERTY; FUNDING

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

15 (2) This fee shall be paid to:

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

19 (B) the Agency of Transportation if the Agency has a vehicle towed
20 from a State right-of-way and submits proof acceptable to the Commissioner

1 that the Agency has paid a towing service to tow the vehicle from the State
2 right-of-way.

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

7 * * *

8 * * * Diesel Fuel Tax * * *

9 Sec. 15. 23 V.S.A. § 3015 is amended to read:

10 § 3015. COMPUTATION AND PAYMENT OF TAX

11 (a) Each report required under section 3014 of this title from licensed
12 distributors, dealers, or users shall be accompanied by evidence of an
13 electronic funds transfer payment or a remittance payable to the Department of
14 Motor Vehicles for the amount of tax due, which shall be computed and
15 transmitted in the following manner:

16 * * *

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

20 ~~(B)~~(2) Users filing a report required under subsection 3014(b) of this
21 title shall transmit payment of taxes due to the Department of Motor Vehicles

1 by means of an electronic funds transfer payment or by a remittance through
2 the U.S. mail. If a remittance is sent through the U.S. mail properly addressed
3 to the Department of Motor Vehicles, it shall be deemed received on the date
4 shown by the postmark on the envelope containing the report only for purposes
5 of avoiding penalty and interest. In the event a mailing date is affixed to the
6 envelope by a machine owned by or under the control of the person submitting
7 the report and the U.S. Post Office has corrected or changed the date stamped
8 thereon by causing the official U.S. Post Office postmark to also be imprinted
9 on the envelope, the date shown by the official Post Office postmark shall be
10 the accepted date if different from the original postmark.

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

14 ~~(5)~~(d) Notwithstanding ~~subdivision (4)~~ subsection (c) of this section, the
15 one cent per gallon fee imposed by this chapter shall be deposited into the
16 Petroleum Cleanup Fund established by 10 V.S.A. § 1941. These fees shall be
17 deemed the petroleum distributor licensing fee established by 10 V.S.A.
18 § 1942.

19 * * * Purchase and Use Tax * * *

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

21 § 8902. DEFINITIONS

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

2 * * *

3 (4)(A) “Purchase price” for a vehicle that is purchased outright means
4 the gross consideration, exclusive of the tax hereby imposed, that is to be paid
5 for the motor vehicle, expressed in terms of U.S. currency as of the time of the
6 sale, and shall include ~~the~~ any cash consideration payment, if any, plus as well
7 as the value of any services or property given or to be given, or both, in
8 exchange for the motor vehicle.

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

19 (5)(A) “Taxable cost” means the purchase price as defined in
20 subdivision (4) of this section or the taxable cost as determined under section
21 8907 of this title.

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

5 * * *

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

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

19 (III) The amount shall be reported on forms supplied by the
20 Commissioner of Motor Vehicles.

21 * * *

1 which case the vehicle shall be subject to taxation under subsection (d) of this
2 section.

3 * * *

4 (g)(1) There is hereby imposed upon the titling in this State a tax at the rate
5 provided for in subsection (a) or (b) of this section of the taxable cost of a:

6 * * *

7 (C) motor home as defined in subdivision 8902(11) of this title or
8 trailer coach as defined in subdivision 8902(16) of this title; or

9 (D) motor vehicle weighing with a shipping weight of up to 10,099
10 pounds, registered pursuant to 23 V.S.A. § 367, other than a farm truck.

11 (2) For any other motor vehicle or trailer, it shall be at the rate provided
12 for in subsection (a) or (b) of this section and paid by a person at the time of
13 obtaining a certificate of title to the vehicle or trailer, except no tax shall be
14 payable ~~hereunder~~ pursuant to this section if the tax imposed by subsection (a)
15 or (b) of this section has been paid, or the vehicle is a pleasure car or trailer
16 that was purchased, leased, or otherwise acquired for use in short-term rentals,
17 in which case the vehicle shall be subject to taxation under subsection (d) of
18 this section.

19 * * * Operation of Snowmobiles * * *

1 Sec. 18. 23 V.S.A. § 3207 is amended to read:

2 § 3207. PENALTIES AND REVOCATION OR SUSPENSION OF
3 REGISTRATION

4 * * *

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

7 ~~§ 3202 – operation of an unregistered snowmobile~~

8 * * *

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

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

16 * * *

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

19 * * * Commercial Driver's Licenses * * *

20 Sec. 19. 23 V.S.A. § 4107 is amended to read:

21 § 4107. COMMERCIAL DRIVER'S LICENSE REQUIRED

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* * *

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

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

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

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

(3) As used in this subsection, “weather-related emergency” means a situation or condition resulting from atmospheric conditions or a weather event that involves significant imminent or ongoing risk to public health and safety, infrastructure, or property.

Sec. 20. 23 V.S.A. § 4110 is amended to read:

§ 4110. APPLICATION FOR COMMERCIAL DRIVER’S LICENSE OR
COMMERCIAL LEARNER’S PERMIT

1 (a) The application for a commercial driver’s license or commercial
2 learner’s permit shall include the following:

3 * * *

4 (8)(A) The applicable fee for the commercial driver’s license being
5 applied for. The four-year fee for a commercial driver’s license shall be
6 \$108.00. The two-year fee shall be \$72.00. The one-year fee for a
7 nondomiciled commercial driver’s license shall be \$40.00. In those instances
8 where the applicant surrenders a valid Vermont Class D license, the total fees
9 due shall be reduced by:

10 * * *

11 * * * Motorboat Validation Stickers * * *

12 Sec. 21. 23 V.S.A. § 3305 is amended to read:

13 § 3305. FEES

14 * * *

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

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

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

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

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

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

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

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

19 (C) The registration shall be void one year from the first day of the
20 month following the month of issue in the case of annual registrations or void

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

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

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

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

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

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

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

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

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

4 * * *

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

8 * * *

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

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

17 * * *

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

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

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

11 * * *

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

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

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

7 * * *

8 * * * Personal Flotation Devices * * *

9 Sec. 22. 23 V.S.A. § 3306 is amended to read:

10 § 3306. LIGHTS AND EQUIPMENT

11 * * *

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

17 * * *

18 (4) Cold weather.

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

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

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

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

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

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

12 * * *

13 * * * Kei Vehicles * * *

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

15 § 4. DEFINITIONS

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

20 * * *

- 1 (iv) brake rotors;
- 2 (v) lighting;
- 3 (vi) electrical systems and components;
- 4 (vii) windshield;
- 5 (viii) windows;
- 6 (ix) windshield wipers;
- 7 (x) vehicle body; and
- 8 (xi) in the discretion of the Commissioner, any other vehicle
- 9 systems or components;

10 (B) include the elimination of the on-highway road test for brakes
11 and the headlamp aiming test; and

12 (C) provide additional visual guidance regarding when certain
13 conditions warrant failure of an inspection.

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

15 (1) file with the Secretary of State pursuant to the provisions of 3 V.S.A.
16 § 838 proposed amendments to the Inspection of Motor Vehicles rules (CVR
17 14-050-022) necessary to implement the provisions of this section; and

18 (2) adopt emergency rules pursuant to 3 V.S.A. § 844 to implement the
19 provisions of this section while permanent rule amendments are pending.

1 which shall be deemed to have met the standard for emergency rulemaking set
2 forth in 3 V.S.A. § 844(a).

3 * * * Limited-Use Specialty Vehicles * * *

4 Sec. 26. 23 V.S.A. § 4 is amended to read:

5 § 4. DEFINITIONS

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

10 * * *

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

12 (A) built by either:

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

15 (ii) an individual and not for resale;

16 (B) maintained solely for occasional transportation, including
17 exhibitions, club activities, parades, tours, and other similar uses; and

18 (C) not used for daily transportation.

19 Sec. 27. 23 V.S.A. § 375 is added to read:

20 § 375. LIMITED-USE SPECIALTY VEHICLES

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* * * Effective Date * * *

Sec. 29. EFFECTIVE DATE

(a) Secs. 1 (nondriver identification cards), 3 (detained individuals' operator's licenses), and 5 (detained individuals' learner's permits) shall take effect on January 1, 2027.

(b) The section and the remaining Secs. of this act shall take effect July 1, 2026.

(Committee vote: _____)

Senator _____

FOR THE COMMITTEE