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H.65

Introduced by Representative Browning of Arlington

Referred to Committee on

Date:

Subject: Motor vehicles; trailers and semi-trailers; removal of snow and ice

Statement of purpose of bill as introduced: This bill proposes to require removal of accumulated snow and ice from a motor vehicle, and any trailer or semi-trailer drawn by the motor vehicle, prior to operation on a public highway, to the extent needed to avoid a threat to persons or property caused by the dislodging of accumulated ice or snow or by obstruction of the operator's view.

An act relating to requiring the removal of snow and ice from vehicles operated on public highways

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

Sec. 1. 23 V.S.A. § 1126a is amended to read:

§ 1126a. DEPOSITING SNOW ONTO OR ACROSS CERTAIN

HIGHWAYS PROHIBITED; REMOVAL OF SNOW AND ICE

PRIOR TO OPERATION

(a) No person, other than an employee in the performance of his or her official duties or other person authorized by the Agency of Transportation (in

1 the case of State highways) or selectboard (in the case of town highways), shall  
2 plow or otherwise deposit snow onto the traveled way, shoulder, or sidewalk of  
3 a State highway or a class 1, 2, or 3 town highway.

4 (b) ~~Nothing in this section should~~ Subsection (a) of this section shall not be  
5 construed to be in derogation of any municipal ordinance regulating the deposit  
6 of snow within the limits of town highways.

7 (c)(1) Prior to operating a motor vehicle on a public highway, the operator  
8 shall cause accumulated ice and snow to be removed from the surfaces of the  
9 motor vehicle and any trailer or semi-trailer drawn by the motor vehicle,  
10 including the windshield, windows, hood, trunk, and roof of the motor vehicle,  
11 and the top of any trailer or semi-trailer, to the extent needed to avoid a threat  
12 to persons or property caused by the dislodging of accumulated ice or snow or  
13 by obstruction of the operator's view.

14 (2) An operator does not violate subdivision (1) of this subsection if the  
15 ice or snow has accumulated on the vehicle during a continuous period of  
16 operation, provided he or she uses wipers to clear the windshield.

17 (d)(1) An operator who fails to cause removal of ice and snow as required  
18 under subsection (c) of this section while operating a commercial motor  
19 vehicle as defined in section 4103 of this title shall be subject to a civil  
20 penalty of:

21 (A) not less than \$100.00 for a first violation;

1           (B) not less than \$200.00 for a second violation; and

2           (C) not less than \$500.00 for a third or subsequent violation.

3           (2) An operator who fails to cause removal of ice and snow as required  
4           under subsection (c) of this section while operating a motor vehicle other than  
5           a commercial motor vehicle shall be subject to a civil penalty of not less than  
6           \$25.00 and not more than \$75.00.

7           Sec. 2. EFFECTIVE DATE

8           This act shall take effect on July 1, 2019.