

1 H.591

2 Introduced by Representatives Johnson of South Hero, Stevens of Shoreham,
3 Botzow of Pownal, Connor of Fairfield, Lawrence of Lyndon,
4 Martin of Springfield, Michelsen of Hardwick, Partridge of
5 Windham, Toleno of Brattleboro, and Zagar of Barnard

6 Referred to Committee on

7 Date:

8 Subject: Motor vehicles; operator's licenses; reciprocity; foreign jurisdictions

9 Statement of purpose of bill as introduced: This bill proposes to:

10 (1) specify the circumstances when a nonresident who holds a license
11 issued by a foreign country may operate a motor vehicle on Vermont highways
12 without a Vermont license;

13 (2) eliminate the requirement for reciprocal recognition of
14 Vermont-issued licenses in order for licenses issued by other jurisdictions to be
15 recognized in Vermont;

16 (3) authorize the Commissioner of Motor Vehicles to waive, if certain
17 conditions are met, requirements that the holder of a foreign license who
18 applies for a Vermont license pass an examination and road test in Vermont.

19 An act relating to recognition of licenses issued by foreign jurisdictions

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

1 Sec. 1. 23 V.S.A. § 601 is amended to read:

2 § 601. LICENSE REQUIRED

3 (a)(1) ~~A resident who intends to operate motor vehicles shall procure a~~
4 ~~proper license~~ Except as provided in this section or elsewhere by law, a person
5 shall not operate a motor vehicle on a highway in Vermont unless he or she
6 holds a valid license issued by the State of Vermont.

7 (2) A commercial driver license shall be required for the operation of
8 commercial motor vehicles.

9 (3) In addition to any other requirement of law, a nonresident as defined
10 in section 4 of this title may operate a motor vehicle in Vermont if he or she
11 holds a valid license from another jurisdiction and, in the case of the holder of
12 a license issued by a foreign jurisdiction, if:

13 (A) he or she is lawfully present in the United States and has been in
14 the United States for not more than one year;

15 (B) the country that issued the license is a party to the 1949
16 Convention on Road Traffic or the 1943 Convention on the Regulation of
17 Inter-American Motor Vehicle Traffic; and

18 (C) he or she possesses an international driving permit, if his or her
19 license is not in English.

20 (3) A new resident who has moved into the State from another
21 jurisdiction ~~with~~ and who holds a valid license to operate ~~motor vehicles under~~

1 ~~section 411 of this title~~ a motor vehicle shall procure a Vermont license within
2 60 days of moving ~~into~~ to the State. ~~Operators'~~

3 (4) Except as provided in subsection 603(d) of this title, licenses shall
4 not be issued to nonresidents.

5 (5) All operator licenses issued under this chapter shall expire every four
6 years at midnight on the eve of the anniversary of the date of birth of the
7 applicant at the end of the term for which they were issued. All junior operator
8 licenses shall expire at midnight on the eve of the anniversary of the date of
9 birth of the applicant at the end of the term for which they were issued. A
10 person born on February 29 shall, for the purposes of this section, be
11 considered as born on March 1.

12 * * *

13 Sec. 2. 23 V.S.A. § 632 is amended to read:

14 § 632. EXAMINATION REQUIRED; WAIVER

15 (a) ~~Before~~ Except as provided in subsection (b) of this section, before an
16 operator's or a junior operator's license is issued to an applicant for the first
17 time in this ~~state~~ State, or before a renewal license is issued to an applicant
18 whose previous Vermont license had expired more than three years prior to the
19 application for renewal, the applicant shall pass a satisfactory examination;
20 ~~except that the commissioner may, in his or her discretion, waive the~~
21 ~~examination when the applicant holds a chauffeur's or operator's license in~~

1 ~~force at the time of application or within one year of the application in some~~
2 ~~other state where examinations are required similar to examination required in~~
3 ~~this state.~~ The examination shall consist of:

4 (1) an oral or written examination, at the discretion of the ~~commissioner~~
5 Commissioner;

6 (2) a thorough road test; and

7 (3) such other examination or demonstration as ~~he or she~~ the
8 Commissioner may prescribe.

9 (b) If a person holds an operator's or junior operator's license issued by
10 another jurisdiction that has expired within one year of his or her application
11 for a Vermont license, the Commissioner may waive all or part of the
12 examination requirement of subsection (a) of this section. For holders of
13 licenses issued by a foreign country, the Commissioner may waive the
14 examination requirement only if the following additional conditions are met:

15 (1) the applicant is 18 years of age or older;

16 (2) the applicant has possessed the license for at least one year; and

17 (3) if the license is not in English, the applicant possesses an
18 international driving permit.

1 Sec. 3. 23 V.S.A. § 411 is amended to read:

2 § 411. RECIPROCAL PROVISIONS

3 As determined by the ~~commissioner of motor vehicles~~ Commissioner, a
4 motor vehicle owned by a nonresident, shall be considered as registered ~~and a~~
5 ~~nonresident operator shall be considered as licensed in this state~~, if the
6 nonresident owner ~~or operator~~ has complied with the laws of the foreign
7 country or state of his or her residence relative to the registration of motor
8 vehicles ~~and the granting of operators' licenses~~. Any exemptions provided in
9 this section shall, however, be operative as to an owner ~~or operator~~ of a motor
10 vehicle only to the extent that under the laws of the foreign country or state of
11 his or her residence like exemptions and privileges are granted to ~~operators~~
12 ~~duly licensed and to~~ owners of motor vehicles duly registered under the laws of
13 this ~~state~~ State. If the owner ~~or operator~~ is a resident of a country not adjoining
14 the United States, such exemptions shall be operative for a period of 30 days
15 for vacation purposes notwithstanding that such country does not grant like
16 privileges to residents of this ~~state~~ State. Such exemptions shall not be
17 operative as to the owner of a motor truck used for the transportation of
18 property for hire or profit between points within the ~~state~~ State or to the owner
19 of any motor vehicle carrying an auxiliary fuel tank or tanks providing an
20 additional supply of motor fuel over and above that provided in the standard
21 equipment of such vehicle.

1 Sec. 4. EFFECTIVE DATE

2 This act shall take effect on July 1, 2014.