

House Proposal of Amendment

S. 251

An act relating to miscellaneous amendments to laws pertaining to motor vehicles.

The House proposes to the Senate to amend the bill as follows:

By adding four new sections after Sec. 11 to be sections 12–15 to read as follows:

* * * Gold Star and Next-of-kin Registration Plates * * *

Sec. 12. 23 V.S.A. § 304(k) is amended to read:

(k)(1) The commissioner of motor vehicles shall, upon proper application, issue special gold star and next-of-kin plates ~~to gold star family members, as defined~~ for use only on vehicles registered at the pleasure car rate and on trucks registered for less than 26,001 pounds and excluding vehicles registered under the International Registration Plan, as follows:

(A) Gold star plates shall be issued to the widow or widower, parents, and next of kin as defined in 10 U.S.C. § 1126(d) of members of the armed forces who lost their lives under the circumstances described in 10 U.S.C. § 1126, for use only on vehicles registered at the pleasure car rate and on trucks registered for less than 26,001 pounds and excluding vehicles registered under the International Registration Plan 1126(a).

(B) Next-of-kin plates shall be issued to the widow or widower, parents, and next of kin as defined in 10 U.S.C. § 1126(d) of members of the armed forces not eligible for gold star plates under subdivision (A) of this subdivision (1) who lost their lives while serving on active duty or on active duty for training, or while assigned in a reserve or national guard unit in drill status, or as a result of injury or illness incurred during such service or assignment.

(2) The type and style of the gold star ~~plate~~ and next-of-kin plates shall be determined by the commissioner and the Vermont office of veterans' affairs, except that a gold star shall appear on one side of ~~the plate~~ gold star plates and a distinct emblem shall be approved for next-of-kin plates. An applicant shall apply on a form prescribed by the commissioner, and the applicant's eligibility will be certified by the office of veterans' affairs. A plate shall be reissued only to the original holder of the plate. The commissioner may adopt rules to implement the provisions of this subsection. Except for new or renewed registrations, applications for the issuance of gold star or next-of-kin plates shall be processed in the order received by the department subject to normal workflow considerations.

* * * Emergency Services; Recovery of Expenses * * *

Sec. 13. 23 V.S.A. § 1112 is amended to read:

§ 1112. CLOSED HIGHWAYS

(a) Except by the written permit of the authority responsible for the closing, no person shall drive any vehicle over any highway across which there is a barrier or a sign indicating that the highway is closed to public travel.

(b) A person, including a municipal, county, or state entity, that deploys police, fire, ambulance, rescue, or other emergency services in order to aid a stranded operator of a vehicle, or to move a disabled vehicle, operated on a closed highway in violation of this section, may recover from the operator in a civil action the costs of providing any such services.

* * * Operating on a Closed Highway; Assessment of Points * * *

Sec. 14. 23 V.S.A. § 2502 is amended to read:

§ 2502. POINT ASSESSMENT; SCHEDULE

(a) Any person operating a motor vehicle shall have points assessed against his or her driving record for convictions for moving violations of the indicated motor vehicle statutes in accord with the following schedule: (All references are to Title 23 of the Vermont Statutes Annotated.)

(1) Two points assessed for:

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(LL) § 1095. ~~Operating with television set installed~~
Entertainment picture visible to the operator;

(MM) § 1099. Texting prohibited—first offense;

(NN) § 1112. Closed highways;

~~(NN)~~(OO) § 1113. Illegal backing;

~~(OO)~~(PP) § 1114. Illegal riding on motorcycles;

~~(PP)~~(QQ) § 1115. Illegal operation of motorcycles on roadways laned for traffic;

~~(QQ)~~(RR) § 1116. Clinging to other vehicles;

~~(RR)~~(SS) § 1117. Illegal footrests and handlebars;

~~(SS)~~(TT) § 1118. Obstructing the driver's view;

~~(TT)~~(UU) § 1119. Improper opening and closing vehicle doors;

~~(UU)~~(VV) § 1121. Coasting prohibited;

~~(VV)~~(WW) § 1122. Following fire apparatus prohibited;

(WW) <u>(XX)</u>	§ 1123.	Driving over fire hose;
(XX) <u>(YY)</u>	§ 1124.	Position of operator;
(YY) <u>(ZZ)</u>	§ 1127.	Unsafe control in presence of horses and cattle;
(ZZ) <u>(AAA)</u>	§ 1131.	Failure to give warning signal;
(AAA) <u>(BBB)</u>	§ 1132.	Illegal driving on sidewalk;
(BBB) <u>(CCC)</u>	§ 1243.	Lighting requirements;
(CCC) <u>(DDD)</u>	§ 1256.	Motorcycle headgear;
(DDD) <u>(EEE)</u>	§ 1257.	Face protection;
(EEE) <u>(FFF)</u>	§ 800.	Operating without financial responsibility;
(FFF) <u>(GGG)</u>		All other moving violations which have no specified points;

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* * * Conforming Change * * *

Sec. 15. 23 V.S.A. § 3501(5) is amended to read:

(5) “All-terrain vehicle” or “ATV” means any nonhighway recreational vehicle, except snowmobiles, having no less than two low pressure tires (10 pounds per square inch, or less), not wider than 60 inches with two-wheel ATVs having permanent, full-time power to both wheels, and having a dry weight of less than 1,700 pounds, when used for cross-country travel on trails or on any one of the following or a combination thereof: land, water, snow, ice, marsh, swampland, and natural terrain. An ATV on a public highway shall be considered a motor vehicle, as defined in section 4 of this title, only for the purposes of those offenses listed in subdivisions 2502(a)(1)(H), (N), (R), (U), (Y), (FF), (GG), (II), and ~~(ZZ)~~(BBB); (2)(A) and (B); (3)(A), (B), (C), and (D); (4)(A) and (B) and (5) of this title and as provided in section 1201 of this title. An ATV shall not include an electric personal assistive mobility device.

and by renumbering the remaining section to be numerically correct.