

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2014

Bill Number: S.314 Name of Bill: AN ACT RELATING TO MISCELLANEOUS AMENDMENTS TO LAWS RELATED TO MOTOR VEHICLES

Agency/ Dept: Department of Public Safety-State Police Author of Bill Review: Sgt. Eric Albright

Date of Bill Review: 01/14/2014

Introduced by: Sen. Richard Mazza –Chittenden/Grand Isle

Status of Bill: (check one):

XX Upon Introduction _____ As passed by 1st body _____ As passed by both bodies _____ Fiscal

** Senate Floor For action-read for first time and referred to Committee on Transportation-1/7/14

Recommended Position:

XX Support _____ Oppose _____ Remain Neutral _____ Support with modifications identified in #8 below

Analysis of Bill

1. **Summary of bill and issue it addresses.** *Describe what the bill is intended to accomplish and why.*
-This bill proposes to address minor issues with pre-existing laws and serves to clarify or "clean-up" the language.

(1) require the Commissioner of Motor Vehicles to issue non driver identification cards at no charge to persons whose licenses are revoked or suspended due to a physical or mental condition; (2) authorize the display of vanity plates on any motor vehicle not registered under the International Registration Plan; (3) specify that registration validation stickers be unobstructed and affixed to the lower right-hand corner of rear license plates; (4) specify that proof of financial responsibility may be provided in electronic form on a portable electronic device; (5) eliminate the one-percent shrinkage allowance 1 on the payment of diesel taxes; (6) repeal a requirement that operators of motor trucks base registered outside Vermont obtain a diesel fuel user's license; (7) change the date for distributor or dealers to report diesel fuel sales to the 25th of each month, rather than the last day of each month; (8) increase the maximum amount of the bond that the Commissioner of Motor Vehicles may require a gasoline distributor to maintain; (9) authorize snowmobile Trails Maintenance Assessments to be paid electronically and for receipts of electronic transactions to be used as proof of payment for a 10-day period; (10) amend the definition of "serious traffic violation" in the commercial driver license chapter to include the use of a handheld mobile telephone while driving; (11) expand the authority of the State to disqualify a person from driving a commercial motor vehicle concurrently with a disqualification issued by the Federal Motor Carrier Safety Administration; (12) authorize the Commissioner of Motor Vehicles to sell Vermont Strong plates for \$5.00 on or after July 1, 2014; and (13) repeal provisions related to out-of-state registrants.
2. **Is there a need for this bill?** *Please explain why or why not.*

This bill only applies to or concerns the Department of Public Safety-State Police relative to sections 3(display of registration validation stickers) and 4 (proof of financial responsibility)- yes there is a need for both. There has been some confusion on the part of motorists regarding placement of the validation sticker for years. With regards to electronic proof of financial responsibility; currently there are numerous insurance companies providing proof in electronic form only.

3. What are likely to be the fiscal and programmatic implications of this bill for this Department?

Currently, there are no foreseeable fiscal or programmatic implications for the Department of Public Safety with regards to this bill.

4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?

Unknown at this time other than the fiscal implications providing free identification cards at no charge to disqualified operators due to physical or mental impairment. At this time it is unknown how many persons that could be, but it is not believed to be a substantial amount.

5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it? (for example, public, municipalities, organizations, business, regulated entities, etc)

Unknown at this time but the bill is intended to clarify and clean up legislation not impact fiscal and or programmatic issues.

6. Other Stakeholders:

6.1 Who else is likely to support the proposal and why?

Advocates: Department of Motor Vehicles-because this bill serves to clean up language and clarify existing laws. Persons with Mental and Physical disabilities restricting their operation of MV but are in need of a photo/positive ID means.

6.2 Who else is likely to oppose the proposal and why?

Opponents: None Identified.

7. Rationale for recommendation: Justify recommendation stated above.

Section 4 MANNER OF DISPLAY – amends § 511 to indicate the “Validation stickers shall be unobstructed and affixed in the lower right corner of the rear number plate.” Previously the language in § 305 stated, “no plate is valid for the second and succeeding years unless the sticker is affixed to the rear plate in the manner prescribed by the commissioner.” However, there was no penalty for non-compliance. This amendment better describes how/where the sticker should be affixed, is placed in an area of motor vehicle law which is more applicable and easier to find, and will carry a penalty for non-compliance.

Section 5 – MAINTENANCE OF FINACIAL RESPONSIBILITY – amends §800 to allow a driver to show proof of insurance by using a portable electronic device. This change helps to keep current with technology being used by several insurance carriers. This will require an (eventual) update to the Vermont Periodic Inspection Manual and the Administrative Rule on Mandatory Insurance (currently Rule # 35) will also eventually need to be updated.

8. Specific modifications that would be needed to recommend support of this bill: Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.

Please return this bill review as a Microsoft Word document to _____

Secretary/Commissioner has reviewed this document

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Date: 1/23/14