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H.647

Introduced by Representatives Wright of Burlington, Russell of Rutland City,
Bissonnette of Winooski, Burditt of West Rutland, Burke of
Brattleboro, Cole of Burlington, Cupoli of Rutland City, Hebert
of Vernon, Lewis of Berlin, McCarthy of St. Albans City, Potter
of Clarendon, and Savage of Swanton

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:

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

2 § 1126a. DEPOSITING SNOW ONTO OR ACROSS CERTAIN

3 HIGHWAYS PROHIBITED; REMOVAL OF SNOW AND ICE

4 PRIOR TO OPERATION

5 (a) No person, other than an employee in the performance of his or her
6 official duties or other person authorized by the ~~agency of transportation~~
7 Agency (in the case of ~~state~~ State highways) or selectboard (in the case of town
8 highways), shall plow or otherwise deposit snow onto the traveled way,
9 shoulder, or sidewalk of a ~~state~~ State highway or a class 1, 2, or 3 town
10 highway.

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

14 (c)(1) Prior to operating a motor vehicle on a public highway, the operator
15 shall cause accumulated ice and snow to be removed from the surfaces of the
16 motor vehicle and any trailer or semi-trailer drawn by the motor vehicle,
17 including the windshield, windows, hood, trunk, and roof of the motor vehicle,
18 and the top of any trailer or semi-trailer, to the extent needed to avoid a threat
19 to persons or property caused by the dislodging of accumulated ice or snow or
20 by obstruction of the operator's view.

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

4 (d)(1) An operator who fails to cause removal of ice and snow as required
5 under subsection (c) of this section while operating a commercial motor
6 vehicle as defined in section 4103 of this title shall be subject to a fine of:

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

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

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

10 (2) An operator who fails to cause removal of ice and snow as required
11 under subsection (c) of this section while operating a motor vehicle other than
12 a commercial motor vehicle shall be subject to a fine of not less than \$25.00
13 and not more than \$75.00.

14 (3) An operator's failure, without excuse, to cause removal of ice and
15 snow as required under subsection (c) of this section which causes property
16 damage or personal injury shall constitute negligence per se in a civil action to
17 recover for such damage or injury.

18 Sec. 2. EFFECTIVE DATE

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