

1 S.246

2 Introduced by Senator Nitka

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; traffic violations; evidence

6 Statement of purpose of bill as introduced: This bill proposes to clarify that an
7 official traffic-control device purporting to conform to the lawful requirements
8 pertaining to the device is presumed to exist in accordance with certain
9 requirements of motor vehicle law, including adoption of a rule or ordinance
10 when required.

11 An act relating to traffic-control devices and evidentiary presumptions

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

13 Sec. 1. 23 V.S.A. § 1021 is amended to read:

14 § 1021. OBEDIENCE TO TRAFFIC-CONTROL DEVICES;

15 PRESUMPTIONS

16 * * *

17 (c) Whenever official traffic-control devices are placed in positions
18 approximately conforming to this chapter, the devices are presumed to have
19 been placed by the official act or direction of lawful authority unless the
20 contrary is established by competent evidence.

1 (d) An official traffic-control device placed pursuant to this chapter and
2 purporting to conform to the lawful requirements pertaining to the device is
3 presumed to comply with this chapter and to exist in accordance with the
4 requirements of this chapter, including adoption of a rule or ordinance when
5 required, unless the contrary is established by competent evidence.

6 Sec. 2. EFFECTIVE DATE

7 This act shall take effect on passage.