

Does a town grader need to be registered and “tagged” with the Department of Motor Vehicles? Does it need to be inspected?

A road grader needs to be registered and tagged accordingly. It does not need to be inspected.

While the law on this issue is incredibly unclear, it requires that “motor vehicles” be registered. 23 V.S.A. § 376. While a grader is not a “motor vehicle” under this statute, it is “motorized highway building equipment,” which requires a registration pursuant to 23 V.S.A. § 4 (19). The Vermont Department of Motor Vehicles (DMV), agrees with this analysis, and most municipalities register their graders, loaders, etc. Apparently, the law was amended a few years ago to make it clear that municipal highway equipment must be registered, but does not need to be inspected. The pertinent section of that statute reads as follows:

*Motorized highway building equipment shall include . . . graders . . . bucket loaders [and others] which contain as an integral part thereof and within the same unit facilities for generating motor power for propelling the same and while being used exclusively for the building, repair or maintenance of highways, or being transported or moved from job to job in connection with the building, repair or maintenance of highways; or **for purposes of registration only, if owned and operated by a municipality, while being used exclusively for municipal purposes; however, the town road commissioner, or comparable municipal officer, shall report annually to the legislative body of the municipality that the equipment is in good repair** . . . 24 V.S.A. § 4(19).*

According to DMV, the Legislature added the bolded language to clarify that municipal highway vehicles do not need to be *inspected*, even though they do need to be *registered*. As an alternative to inspection, the statute requires that the Road Commissioner report annually to the Selectboard on the condition of the vehicle.

- Brian Monaghan, Attorney, VLCT Municipal Assistance Center

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