

A meeting was held by the Vermont Association of Chiefs of Police and these ideas came from the membership and were given to Mr. Cahill. In reviewing the legislation, it does not appear that any of these suggestions made it into the bill.

- I received feedback from Chris Brickell that there needs to be a criminal charge element in order to have “real consequences”. He suggested work crew in lieu of any incarceration. He further suggested garnishing wages or attaching tax returns/benefits to collect fines.
- A Burlington Free Press reader stated that amnesty programs in one county but not others and having a sliding scale of fines based on income violates the Equal Protection Clause of the Constitution.
- I received feedback from Joe Szarejko suggesting that suspensions and current DLS cases be dealt with on a case by case basis and that a hearing officer be allowed to determine how the offender pays back the fines. He echoed Tom Hanley’s concern that the point system was created to identify bad/dangerous drivers and we need to have some ability to remove them from the roadways.
- Seth DiSanto suggested that the fines do need to be revised as they are too high. He recommended researching what others states have for a fine structure. He recommends keeping DLS as a criminal option after 5 OSC tickets.
- Mike Hall wrote the following: I am not in favor of any tiered fine schedule based on income, DUI or otherwise. I am not in favor of any dismissal of tickets. Until the state has exhausted all legitimate avenues to collect these monies I am opposed to any further consideration of dealing with this and will remain opposed.
- Trevor Whipple wrote to suggest that VACOP needs to make a coherent position and should review how programs elsewhere are working and review available evidence. He pointed out that incarceration is unlikely due to the low number of beds available.

- From Frank Koss:

When TJ did his citation day, the face of this was the single mother who lost her license because of a non-driving offense. It was not the people who racked up twenty tickets because of unsafe driving. As all of us in law enforcement know, the single mother is not the demographics of the problem we face. I understand why the legislature is going to bring attention to the issue but the reality is that one solution is not going to fit all. We need to separate the people who are responsible and want to do the right thing and those that are irresponsible and do not care.

1. Responsibility and communication. A person that is economically challenged should be able through the Judicial Bureau to make whatever arrangements are necessary to stay up on the citation. If his means \$10 dollars a month, then that would be acceptable. The monthly responsibility would be a continual reminder of the violation and would hopefully promote safe driving.

2. Retroactive. The problem to be addressed are the thousands of suspended drivers that are not in the category of criminal DLS and do we want to include those that are criminal DLS because of civil OSC's? A Risk Assessment should be developed for every driver and those that do not create a significant risk to the public should be able to participate in a long term payment plan without a hearing. Those that exceed a minimum standard would have the opportunity to convince either a judicial officer or DMV Driver Improvement person why they should be allowed to be part of the program and reinstated. People that ignore the program by making no effort to fix the problem should be classified as such and should face criminal DLS.

The Risk Assessment as developed would factor moving violations, operating without insurance, DUI and Reckless driving violations and the length of time between violations.

As mentioned at the meeting, I would like to see a thirty day vehicle impound for criminal DLS with a prior.

California's Law: 14602.6. (a) (1) Whenever a peace officer determines that a person was driving a vehicle while his or her driving privilege was suspended or revoked, driving a vehicle while his or her driving privilege is restricted pursuant to Section 13352 or 23575 and the vehicle is not equipped with a functioning, certified interlock device, or driving a vehicle without ever having been issued a driver's license, the peace officer may either immediately arrest that person and cause the removal and seizure of that vehicle or, if the vehicle is involved in a traffic collision, cause the removal and seizure of the vehicle without the necessity of arresting the person in accordance with Chapter 10 (commencing with Section 22650) of Division 11. A vehicle so impounded shall be impounded for 30 days.{C}

(d) (1) An impounding agency shall release a vehicle to the registered owner or his or her agent prior to the end of 30 days' impoundment under any of the following circumstances:

(A) When the vehicle is a stolen vehicle.

(B) When the vehicle is subject to bailment and is driven by an unlicensed employee of a business establishment, including a parking service or repair garage.

(C) When the license of the driver was suspended or revoked for an offense other than those included in Article 2 (commencing with Section 13200) of Chapter 2 of Division 6 or Article 3 (commencing with Section 13350) of Chapter 2 of Division 6.

(D) When the vehicle was seized under this section for an offense that does not authorize the seizure of the vehicle.

(E) When the driver reinstates his or her driver's license or acquires a driver's license and proper insurance.

(2) No vehicle shall be released pursuant to this subdivision without presentation of the registered owner's or agent's currently valid driver's license to operate the vehicle and proof of current vehicle registration, or upon order of a court.