

From: Jamie Feehan [mailto:jfeehan@primmer.com]
Sent: Monday, February 22, 2016 12:08 PM
To: Helena Gardner
Subject: RE: H.571 (DLS bill)

I've checked with a very large auto insurer. As these offenses would no longer appear on an individual's operating record on file at DMV (called MVRs for short) - since it is not a traffic offense and the license is not suspended - insurance companies would not find out about them and insurance rates would not go up.

Jamie Feehan
Government Relations Director
Primmer Piper Eggleston & Cramer PC
From: Helena Gardner [mailto:HGardner@leg.state.vt.us]
Sent: Saturday, February 20, 2016 5:33 AM
To: Jamie Feehan
Subject: H.571 (DLS bill)

Jamie,

I need some information from an insurance company perspective and am wondering if you can help out.

House Judiciary decided this week to recommend repeal driver's suspensions for those ticketed for an underage marijuana or alcohol offense who fail to complete Diversion.

The relevant statutes are at:

<http://legislature.vermont.gov/statutes/section/07/021/00656>
<http://legislature.vermont.gov/statutes/section/18/084/04230b>

These statutes are nearly identical. Both provided for notices to the underage offender as follows (and a second similar notice from the Diversion Program):

(b) Issuance of Notice of Violation. A law enforcement officer shall issue a person under 21 years of age who violates this section with a notice of violation, in a form approved by the Court Administrator. The notice of violation shall require the person to provide his or her name and address and shall explain procedures under this section, including that:

- (1) the person shall contact the Diversion Program in the county where the offense occurred within 15 days;
- (2) failure to contact the Diversion Program within 15 days will result in the case being referred to the Judicial Bureau, where the person, if found liable for the violation, will be subject to a civil penalty and a suspension of the person's operator's license and may face substantially increased insurance rates;

* * *

Question: if the offense no longer carries a suspension, will insurance rates no longer be likely to rise? Or would the underwriting criteria remain the same (i.e. it's the conduct that matters, not the threat of suspension).

If you can't help out with this, no problem – if you do know someone who might, can you let me know?

Thank you,
Helena

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