

H. 571 (DLS) STRIKE-ALL: ROADMAP

I. ADDRESSING SUSPENSIONS PENDING ON THE ACT'S EFFECTIVE DATE

Sec. 1 - Terminates suspensions for pre-1990 criminal traffic offenses

Sec. 2 - Creates a Statewide Driver Restoration Program

II. ADDRESSING SUSPENSIONS GOING FORWARD

A. Repeal (or Amendment) of Laws Requiring License Suspensions for Non-Driving Activities; Repeal of Criminal Underage Alcohol and Marijuana Offenses and Related Conforming Changes (Secs. 3-13)

Sec. 3 - Repeal of 23 V.S.A. § 305a (requiring refusal to renew registration of a person until a traffic violation judgment is paid) and of 23 V.S.A. § 2307 (suspensions for nonpayment of traffic violation judgments).

Sec. 4 - Amending 4 V.S.A. § 1109 to address nonpayment of traffic violation judgments; to eliminate license suspensions as a contempt tool; and to reenact select provision currently in 23 V.S.A. § 2307.

Sec. 5 - Underage alcohol offenses.

Secs. 6–8 - Repeal of criminal underage alcohol offenses and related conforming changes.

Sec. 8a - Underage tobacco offense.

Sec. 9 - False public alarm.

Sec. 10 - Underage marijuana offenses.

Secs. 11-12 - Repeal of criminal underage marijuana offense and related conforming change.

Sec. 13 - Nonpayment of purchase and use tax.

B. Amending the Criminal DLS Statute

Sec. 14 - Criminalize a 3d DLS where the underlying suspension is for points; reset date for civil DLSs to count as priors; eliminate language requiring civil DLSs arising from suspensions for unpaid traffic violation judgments that have since been paid not to count as priors.

C. Assessment of Points Against a Person's Driving Record

Sec. 15 - Double points for worksite speed violations where the Traffic Committee has established special temporary speed limits.

Sec. 16 - Double points for worksite speed violations where a municipality has established special temporary speed limits.

Sec. 17 - Tech correction to Vermont's basic speed limit law.

Sec. 18 - Amend points provisions of handheld law.

Sec. 19 - Amend points provisions in texting law.

Sec. 20 - Amend point schedule to reflect changes in Secs. 18-19 and to make consistent the assessment of points for speeding offenses.

C. Consideration of Ability to Pay in Judicial Bureau Hearings

Sec. 21 - Require consideration of ability to pay in Judicial Bureau hearings.

D. DLS Diversion Program

Sec. 22 - Repeal the DLS Diversion Program on July 1, 2017.

E. Awareness of Traffic Violation Judgment Payment and Hearing Options

Sec. 23 - Recommended measures to increase awareness of traffic violation judgment payment and hearing options.

F. Studies and Statistics (Secs. 24 - 27)

Sec. 24 - Statistics regarding criminal DLS charges before and after the bill takes effect.

Sec. 25 - Studies related to the affordability and rationality of traffic violation judgments.

Subsec. (a) is a study to be led by the Agency of Transportation of alternative mechanisms to base judgment amounts on ability to pay.

Subsec. (b) is a study to be led by the Agency of Transportation of the traffic violation fine structure in Vermont.

Subsec. (c) is a study to be led by the Agency of Administration of potential alternative mechanisms to replace monies generated by surcharges on traffic violation and other judgments.

Sec. 26 - Statistics related to hearings on traffic violation judgments and traffic violation judgment receipts before and after the bill takes effect.

Sec. 27 - Statistics regarding completion of Diversion for underage alcohol and marijuana violations.

G. Effective Dates - Sec. 18