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H.54

Introduced by Representatives Brennan of Colchester, Gamache of Swanton,
Houghton of Essex, and Savage of Swanton

Referred to Committee on

Date:

Subject: Motor vehicles; DUI; Total Abstinence program

Statement of purpose of bill as introduced: This bill proposes to remove the
use of prescription medication as a disqualification for restoration of driving
privileges under the Total Abstinence program.

An act relating to the Total Abstinence program

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

Sec. 1. 23 V.S.A. § 1209a is amended to read:

§ 1209a. CONDITIONS OF REINSTATEMENT; ALCOHOL AND
DRIVING EDUCATION; SCREENING; THERAPY PROGRAMS

(a) Conditions of reinstatement. No license or privilege to operate
suspended or revoked under this subchapter, except a license or privilege to
operate suspended under section 1216 of this title, shall be reinstated except as
follows:

* * *

1 (b) Abstinence.

2 (1)(A) Notwithstanding any other provision of this subchapter, a
3 person whose license or privilege to operate has been suspended or revoked for
4 life under this subchapter may apply to the Driver Rehabilitation School
5 Director and to the Commissioner for reinstatement of his or her driving
6 privilege. The person shall have completed three years of total abstinence
7 from consumption of alcohol or nonprescription regulated drugs, or both. The
8 use of a regulated drug in accordance with a valid prescription shall not
9 disqualify an applicant for reinstatement of his or her driving privileges unless
10 the applicant used the regulated drug in a manner inconsistent with the
11 prescription label.

12 (B) The beginning date for the period of abstinence shall be no sooner
13 than the effective date of the suspension or revocation from which the person is
14 requesting reinstatement and shall not include any period during which the
15 person is serving a sentence of incarceration to include furlough. The
16 application shall include the applicant's authorization for a urinalysis
17 examination to be conducted prior to reinstatement under this subdivision. The
18 application to the Commissioner shall be accompanied by a fee of \$500.00.
19 The Commissioner shall have the discretion to waive the application fee if the
20 Commissioner determines that payment of the fee would present a hardship to
21 the applicant.

- 1 * * *
- 2 Sec. 2. EFFECTIVE DATE
- 3 This act shall take effect on July 1, 2017.