

1 S.228

2 Introduced by Senator Flory

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; driver retraining; points

6 Statement of purpose of bill as introduced: This bill proposes to require the  
7 Department of Motor Vehicles to offer driver retraining to enable a person who  
8 successfully completes the retraining at his or her own expense to reduce the  
9 points assessed against his or her driving record.

10 An act relating to reducing points assessed against a person's driving record  
11 following driver retraining

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

13 Sec. 1. 23 V.S.A. chapter 9, subchapter 5 is amended to read:

14 Subchapter 5. Driver Retraining

15 \* \* \*

16 § 723. SUPERVISION; WHEN OFFERED

17 (a) The Commissioner of Motor Vehicles may by rule prescribe  
18 requirements and standards for driver retraining, operation of a driver  
19 retraining program, and qualifications and conduct of the instructors, when the  
20 retraining is to be operated by a person other than the Department.

1 (b) Upon application of a person ~~as defined by section 701 of this title~~ who  
2 may be eligible for removal of points against his or her driving record pursuant  
3 to subsection 2503(b) of this title, the Commissioner may authorize the  
4 ~~establishment and operation of~~ shall offer a driver retraining program that  
5 addresses the violation for which the person was convicted and the points  
6 assessed. The program shall be operated either by the Department or by a third  
7 party in accordance with this section. Upon application of any other person,  
8 the Commissioner may authorize the establishment and operation of a driver  
9 retraining program.

10 (c) The Commissioner may at any time cancel or revoke a person's  
11 authorization to establish and operate a driver retraining program when he or  
12 she is satisfied that the person has failed to comply with the rules of the  
13 Commissioner made under subsection (a) of this section.

14 § 723a. OPERATION OF COURSE BY DEPARTMENT ~~OF MOTOR~~  
15 ~~VEHICLES~~

16 (a) The Commissioner ~~of Motor Vehicles~~ may also cause a driver  
17 retraining course to be operated by the Department ~~of Motor Vehicles~~ at the  
18 times and places and in the manner he or she may determine ~~by rule from time~~  
19 ~~to time.~~

20 (b) When an operator required to or who elects to attend a driver retraining  
21 course under this subchapter applies to attend a course operated by the

1 Department, he or she shall pay to the Department a fee set by the  
2 Commissioner, ~~but not to exceed \$25.00~~ which shall not exceed the cost of  
3 providing the course and shall not be refunded.

4 \* \* \*

5 Sec. 2. 23 V.S.A. § 2503 is amended to read:

6 § 2503. RECORDING ASSESSMENTS

7 (a) ~~Points~~ Except as provided in subsection (b) of this section, points shall  
8 remain assessed against the driving record of any person for a period of two  
9 years from the date of conviction.

10 (b) Upon application, the Commissioner shall remove points assessed  
11 against a person's driving record, other than points assessed pursuant to  
12 subdivision 2502(a)(5) of this chapter, prior to expiration of the two-year  
13 period provided in subsection (a) of this section, if the Commissioner  
14 determines that:

15 (1) the person has successfully completed a driver retraining course at  
16 his or her own expense following the conviction for which the points were  
17 assessed; and

18 (2) the retraining course addressed the violation for which the person  
19 was convicted and the points assessed.

20 Sec. 3. EFFECTIVE DATE

21 This act shall take effect on September 1, 2018.