

1 S.347

2 Introduced by Committee on Judiciary

3 Date: May 7, 2020

4 Subject: Judiciary; civil suspension hearings; DUI

5 Statement of purpose of bill as introduced: This bill proposes to suspend the
6 statutory time frames for civil license suspension hearings for a first and
7 second violation of the DUI statute if the person requests a hearing.

8 An act relating to suspension of time frames for civil license suspension
9 hearings for certain DUI offenses

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

11 Sec. 1. ADMINISTRATIVE ORDER NO. 49; SUSPENSION OF TIME
12 FRAMES FOR PRELIMINARY AND MERITS HEARINGS ON
13 CIVIL SUSPENSION

14 Notwithstanding any provision of law to the contrary, for the duration of
15 time A.O. No. 49 is in effect, the statutory time frames for preliminary and
16 merits hearings on civil suspension pursuant to 23 V.S.A. § 1205(g) and (h) are
17 suspended for first and second violations of 23 V.S.A. § 1201 if a hearing is
18 requested by the defendant. If a person accused of a first or second violation
19 of 23 V.S.A. § 1201 does not request a hearing on the civil suspension, the
20 license suspension shall continue as provided in 23 V.S.A. § 1205. If a person
21 accused of a first or second violation of 23 V.S.A. § 1201 requests a hearing on

1 the civil suspension, the Commissioner of Motor Vehicles shall not suspend the
2 person's driver's license or privilege to operate pursuant to 23 V.S.A. 1205
3 until the civil suspension hearing on the merits is held.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on passage.