

1 Introduced by Senate Committee on Judiciary

2 Referred to Committee on

3 Date:

4 Subject: Judiciary; civil suspension hearings; DUI

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

8 An act relating to suspension of timeframes 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 49; SUSPENSION OF TIME FRAMES
12 FOR PRELIMINARY AND MERITS HEARINGS ON CIVIL SUSPENSION

13 Notwithstanding any provision of law to the contrary, for the duration of
14 time A.O. 49 is in effect, the statutory time frames for preliminary and merits
15 hearings on civil suspension pursuant to 23 V.S.A. 1205(g) and (h) are
16 suspended for first and second violations of 23 V.S.A. § 1201 if a hearing is
17 requested by the defendant. If a person accused of a first or second violation of
18 23 V.S.A. § 1201 does not request a hearing on the civil suspension, the
19 license suspension shall continue as provided in 23 V.S.A. § 1205. If a person
20 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
2 the 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.