

Creation of the Agency of Public Safety
SGO Committee Bill: 21-0890, Draft 1.3

OVERVIEW

This bill would create the Agency of Public Safety, comprising the divisions of the Department of Public Safety (the Department of Public Safety would cease to exist), the Vermont Criminal Justice Council, the Enhanced 911 Board, and the certified law enforcement officers of the Department of Motor Vehicles.¹

Key provisions of this bill include:

- Department of Public Safety: The conversation of all duties, positions, funding, obligations of the Department of Public Safety to the Agency of Public Safety, effective 7/1/21.²
- Vermont Criminal Justice Council: The transfer of the Vermont Criminal Justice Council into the Agency of Public Safety, effective 7/1/21.
 1. Certain administrative functions would be controlled by the Agency Secretary, but the Council would maintain its current statutory authority and duties and would appoint its own Executive Director.³
- Enhanced 911 Board: The transfer of the Enhanced 911 Board into the Agency of Public Safety, effective 7/1/22.
 1. The Agency Secretary would appoint the Director of the Board in consultation with the Board.⁴
 2. The Board would not be under the direction and control of the Agency except with regard to the budget and other administrative powers and functions of the Board/its Director.⁵
- DMV Enforcement: The transfer of certified law enforcement officers of the Department of Motor Vehicles into the Agency of Public Safety, effective 7/1/22.
 1. Certified law enforcement officers transferred to the Agency of Public Safety shall maintain their relationships with and support of the Department of Motor Vehicles, other components of federal, State, and municipal government, and private sector collaborations.⁶
 2. Members from different divisions of the Department of Law Enforcement shall not be reassigned or transferred outside their division unless the member requests a transfer and the Commissioner approves the transfer.⁷

¹ 3 V.S.A. § 6002(b)

² See Secs. 12–21

³ 3 V.S.A. § 6003(c); 3 V.S.A. § 6054(c)

⁴ 3 V.S.A. § 6054(d)

⁵ 3 V.S.A. § 6054(d)

⁶ Sec. 5(d); 3 V.S.A. § 6025(b)

⁷ 3 V.S.A. § 6053(1); see *divisions of Department of Law Enforcement* (3 V.S.A. § 6002(b))

- Reports:
 1. 11/15/21 – Agency to report to the Legislature on the status of the organizational transition and recommend any legislative changes needed for the transition.⁸
 2. 10/15/22 – Agency shall study and report to the Legislature on the feasibility and advisability of transferring the operations of the following to the Agency of Public Safety:
 - Department of Fish and Wildlife certified law enforcement officers;
 - Department of Liquor and Lottery certified law enforcement officers;
 - the Capitol Police; and
 - the Department of Labor relating to VOSHA, Project WorkSAFE, and Passenger Tramway Safety.⁹
 3. 11/15/22 – Agency to report to the Governor and Legislature on the status of the organizational transition and recommend any legislative changes needed to continue the orderly and efficient organizational transition.¹⁰
- Effective Dates: Effective on passage except that:
 1. Provisions for the creation of the Agency of Public Safety and the conversion of the Department of Public Safety’s responsibilities to the Agency of Public Safety are effective 7/1/21.
 2. Provisions for the transfer of the Vermont Criminal Justice Council are effective 7/1/21.
 3. Provisions for the transfer of the Enhanced 911 Board and DMV certified law enforcement officers are effective 7/1/22.¹¹

⁸ Sec. 23(a)

⁹ Sec. 23(b)

¹⁰ Sec. 23(c)

¹¹ Sec. 24