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Introduced by Representatives Arsenault of Williston, Dolan of Essex
Junction, and Rachelson of Burlington

Referred to Committee on

Date:

Subject: Motor vehicles; operation of vehicles; impaired driving;
rehabilitation; program fees

Statement of purpose of bill as introduced: This bill proposes to require that the Department of Health's Impaired Driver Rehabilitation Program fees be imposed based on an individual's gross income compared to the federal poverty level. The bill proposes that an individual who requests a reduction or elimination of program fees disclose the individual's income. Using the disclosed income, the Program must charge a higher fee if the individual has greater financial resources and a lower fee if the individual has lesser financial resources.

An act relating to imposing Impaired Driver Rehabilitation Program fees based on a person's ability to pay

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

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

3 § 1209a. CONDITIONS OF REINSTATEMENT; ALCOHOL AND

4 DRIVING EDUCATION; SCREENING; THERAPY PROGRAMS

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

9 (1) In the case of a first suspension, a license or privilege to operate
10 shall be reinstated only:

11 (A) after the individual has successfully completed the Alcohol and
12 Driving Education Program, at the individual's own expense, followed by an
13 assessment of the need for further treatment by a State-designated counselor, at
14 the individual's own expense, to determine whether reinstatement should be
15 further conditioned on satisfactory completion of a therapy program agreed to
16 by the individual and the ~~Drinking Impaired~~ Driver Rehabilitation Program
17 Director;

18 (B) if the screening indicates that therapy is needed, after the
19 individual has satisfactorily completed or shown substantial progress in
20 completing a therapy program at the individual's own expense agreed to by the
21 individual and the Impaired Driver Rehabilitation Program Director;

1 outreach to ensure that individuals eligible to enroll in the Program are aware
2 of any required fees and any potential fee discounts.

3 (2)(A) Upon an individual's request, any discounted fees charged
4 pursuant to this subsection (f) shall consider the individual's annual gross
5 income prior to imposing such a fee.

6 (B) The Commissioner shall adopt rules pursuant to 3 V.S.A. chapter
7 25 establishing a graduated fee schedule bearing a reasonable relationship to an
8 individual's gross income. An individual shall be found eligible for a program
9 fee reduction based upon the federal poverty level.

10 (i) An individual with an annual gross income of less than or equal
11 to 175 percent of the current federal poverty guidelines shall not pay any
12 program fees.

13 (ii) An individual with an annual gross income of up to and
14 including 575 percent of the current federal poverty guidelines shall be eligible
15 for discounted program fees.

16 (C) An individual seeking a fee reduction to enroll in any program or
17 screening under this section shall disclose the individual's gross income. Any
18 income information disclosed by the individual shall remain confidential and
19 be solely used for the purpose of assessing any fee reduction for the individual
20 as required by this subsection (f).

1 (3) Charges collected under this section shall be credited to separate
2 special funds for each type of service and shall be available to the Department
3 of Health to offset the cost of operating the ~~Drinking~~ Impaired Driver
4 Rehabilitation Program.

5 Sec. 2. RULE IMPLEMENTATION DATE

6 The Commissioner of Motor Vehicles shall adopt the rules required by this
7 act on or before January 1, 2026.

8 Sec. 3. EFFECTIVE DATE

9 This act shall take effect on July 1, 2025.