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H.549

An act relating to eligibility of sentenced or detained individuals to obtain a State-issued nondriver identification card, replacement operator’s license, or replacement learner’s permit

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

Sec. 1. 23 V.S.A. § 115 is amended to read:

§ 115. NONDRIVER IDENTIFICATION CARDS

\* \* \*

(m)(1) An individual who is sentenced to serve a period of imprisonment of six months or more ~~committed to the custody of the Commissioner of Corrections~~ in a correctional facility and who is eligible for a nondriver identification card under the requirements of this section shall, upon proper application and submission of the documentation required for a non-REAL ID or REAL ID identification card and in advance of release from a correctional facility, be provided with a nondriver identification card for a fee of \$0.00.

(2) As part of reentry planning, the Department of Corrections shall inquire with the individual to be released about the individual’s desire to obtain a nondriver identification card, operator’s license, or ~~any driving credential~~ replacement learner’s permit, if eligible, and inform the individual about the differences, including any costs to the individual.

(3) If the individual desires a nondriver identification card, the Department of Corrections shall coordinate with the Department of Motor

1 Vehicles to provide an identification card for the individual at the time of  
2 release.

3 (n)(1) If an individual who is detained for six months or more in a  
4 correctional facility is eligible for a nondriver identification card under the  
5 requirements of this section, the Department of Corrections, as soon as  
6 reasonably practicable, shall obtain the documentation required for a non-  
7 REAL ID or REAL ID nondriver identification card and shall provide the  
8 individual with the documentation at the time of release.

9 (2) The application shall include the post-release mailing address of the  
10 individual and proof that the individual is a resident of Vermont following  
11 release from the correctional facility.

12 (3) Upon proper application and submission of all required  
13 documentation following release from the correctional facility, an individual  
14 who was detained for six months or more in a correctional facility shall be  
15 provided with a nondriver identification card for a fee of \$0.00.

16 (4) The Department of Corrections shall coordinate with the Department  
17 of Motor Vehicles regarding the documentation required for an individual who  
18 is detained for six months or more in a correctional facility to obtain a non-  
19 REAL ID or REAL ID nondriver identification card.

20 (o) The Commissioner shall provide a form that, upon the individual's  
21 execution, shall serve as a document of an anatomical gift under 18 V.S.A.

1 chapter 110. An indicator shall be placed on the nondriver identification card  
2 of any individual who has executed an anatomical gift form in accordance with  
3 this section.

4 (p) As used in this section, “correctional facility” has the same meaning as  
5 in 28 V.S.A. § 3.

6 Sec. 2. 23 V.S.A. § 613 is amended to read:

7 § 613. REPLACEMENT LICENSE

8 \* \* \*

9 (c)(1) An individual who is sentenced to serve a period of imprisonment of  
10 six months or more in a correctional facility who holds an unexpired license  
11 issued under the provisions of this subchapter or who held a Vermont  
12 operator’s license that expired not more than three years prior shall:

13 (A) be eligible to apply for a replacement license pursuant to the  
14 provisions of this section; and

15 (B) upon proper application and submission of the documentation  
16 required for a non-REAL ID or REAL ID identification card and in advance of  
17 release from a correctional facility, be provided with a replacement operator’s  
18 license for a fee of \$0.00.

19 (2) The application shall include the post-release mailing address of the  
20 individual and proof that the individual will be a resident of Vermont  
21 following release from the correctional facility.



1           (B) held a Vermont operator’s license that expired not more than  
2           three years prior.

3           (2) If an individual who is detained for six months or more in a  
4           correctional facility is eligible for a replacement operator’s license under the  
5           requirements of this section, the Department of Corrections, as soon as  
6           reasonably practicable, shall obtain the documentation required for a non-  
7           REAL ID or REAL ID operator’s license and shall provide the individual with  
8           the documentation at the time of release.

9           (3) The application shall include the post-release mailing address of the  
10          individual and proof that the individual is a resident of Vermont following  
11          release from the correctional facility.

12          (4) Upon proper application and submission of all required  
13          documentation following release from the correctional facility, an individual  
14          who was detained for six months or more in a correctional facility shall be  
15          provided with a replacement operator’s license for a fee of \$0.00.

16          (5) The Department of Corrections shall coordinate with the Department  
17          of Motor Vehicles regarding the documentation required for an individual who  
18          is detained for six months or more in a correctional facility to obtain a non-  
19          REAL ID or REAL ID replacement operator’s license.

20          (e) As used in this section, “correctional facility” has the same meaning as  
21          in 28 V.S.A. § 3.





1           (A) holds an unexpired learner’s permit issued under the provisions  
2 of this section; or

3           (B) held a learner’s permit issued under the provisions of this section  
4 that expired not more than two years prior.

5           (2) If an individual who is detained for six months or more in a  
6 correctional facility is eligible for a replacement learner’s permit under the  
7 requirements of this section, the Department of Corrections, as soon as  
8 reasonably practicable, shall obtain the documentation required for a learner’s  
9 permit and shall provide the individual with the documentation at the time of  
10 release from the correctional facility.

11           (3) The application shall include the post-release mailing address of the  
12 individual and proof that the individual is a resident of Vermont following  
13 release from the correctional facility.

14           (4) Upon proper application and submission of all required  
15 documentation following release from the correctional facility, an individual  
16 who was detained for six months or more in a correctional facility shall be  
17 provided with a replacement learner’s permit for a fee of \$0.00.

18           (5) The Department of Corrections shall coordinate with the Department  
19 of Motor Vehicles regarding the documentation required for an individual who  
20 is detained for six months or more in a correctional facility to obtain a  
21 replacement learner’s permit.

