



VERMONT LEGISLATIVE
Joint Fiscal Office

1 Baldwin Street • Montpelier, VT 05633-5701 • (802) 828-2295 • <https://jfo.vermont.gov>

Fiscal Note

February 13, 2025

James Duffy, Fiscal Analyst

H.44 – An act relating to miscellaneous amendments to the laws governing impaired driving

As recommended by the House Committee on Judiciary

Bill Summary

This bill, as recommended by the House Committee on Judiciary, proposes to make miscellaneous changes to the laws governing impaired driving. Section 5 would create the Impaired Driving Processing Task Force (“Task Force”) to study the concept of implied consent during impaired driving investigations with the objective of recommending approaches to minimize the duration that impaired driving suspects are held for during investigations and to streamline the processing and paperwork associated with such investigations.

Fiscal Impact

The fiscal impact on the Department of Public Safety (DPS) in fiscal year 2026 for per diems and expense reimbursement for the Task Force will likely be de minimis. Most members of the Task Force would be ineligible for per diem compensation and unlikely to claim substantial expenses. Actual costs will vary based on the number of meetings convened (six in the bill), attendance, and how many members or designees are eligible for per diems and expense reimbursement. The bill does not include an appropriation for these costs.

Background and Details

Section 5 would establish the Impaired Driving Processing Task Force to study the concept of implied consent during impaired driving investigations with the objective of recommending approaches to minimize the duration that impaired driving suspects are held for during investigations and to streamline the processing and paperwork associated with such investigations. The six-member Task Force would be composed of the Chief Judge of the Superior Court or designee; the Defender General or designee; the Commissioner of Public Safety or designee; the Commissioner of Motor Vehicles or designee; the Executive Director of the Department of State’s Attorneys and Sheriffs or designee; and a representative from the Vermont Police Association.

The Commissioner of Public Safety or designee would be required to convene the first meeting of the Task Force on or before August 1, 2025 and submit a written report to the House and Senate Committees on Judiciary with recommendations for legislative action on or before November 15, 2025. The Task Force would be authorized to meet not more than six times and cease to exist on February 1, 2026. The Task Force would have the administrative, technical, and legal assistance of DPS.

Task Force members who are not otherwise compensated or reimbursed for their attendance would be

entitled to per diem compensation (\$50 per day) and reimbursement of expenses, as permitted under 32 V.S.A. § 1010, for not more than six meetings. Task Force members serving ex officio or otherwise regularly employed by the State would be entitled to receive actual and necessary expenses when away from home or office upon their official duties, but not per diem compensation. Since most Task Force members would be State employees, the costs associated with Task Force participation would likely have a de minimis impact on the DPS budget. DPS may incur additional staffing demands associated with providing administrative, technical, and legal assistance to the Task Force.