

1 H.105

2 Senator Hashim moves that the report of the Committee on Judiciary be
3 amended as follows:

4 First: In Sec. 1, 7 V.S.A. § 656, in subdivision (a)(4), by striking out
5 “4(24)” and inserting in lieu thereof “1200(7)”

6 Second: In Sec. 1, 7 V.S.A. § 656, in subdivision (b)(3)(A), by striking out
7 “shall serve a suspension of” and inserting in lieu thereof “the Commissioner
8 of Motor Vehicles shall suspend”

9 Third: In Sec. 1, 7 V.S.A. § 656, in subsection (d), by striking out
10 subdivision (1) in its entirety and inserting in lieu thereof a new subdivision (1)
11 to read as follows:

12 (1) On behalf of the Commissioner of Motor Vehicles, a law
13 enforcement officer issuing a notice of violation in accordance with subsection
14 (c) of this section shall also serve a notice of suspension of the person’s
15 operator’s license and privilege to operate a motor vehicle in a form prescribed
16 by the Court Administrator. The form shall include the following:

17 (A) the effective date of the suspension;

18 (B) the suspension’s duration;

19 (C) an explanation of the consequences of the suspension;

20 (D) the option to operate a motor vehicle with an ignition interlock
21 restricted driver’s license or certificate in accordance with 23 V.S.A. § 1213;

1 (E) the projected date of reinstatement upon successful completion of
2 the suspension; and

3 (F) the ability to review the imposition of the suspension pursuant to
4 Rule 75 of the Vermont Rules of Civil Procedure.

5 Fourth: In Sec. 1, 7 V.S.A. § 656, in subsection (h), by striking out
6 subdivision (5) in its entirety and inserting in lieu thereof a new subdivision (5)
7 to read as follows:

8 (5)(A) A person aggrieved by a decision of the Diversion Program or
9 alcohol counselor may seek review of that decision pursuant to Rule 75 of the
10 Vermont Rules of Civil Procedure.

11 (B) Prior to the filing of the complaint with the Judicial Bureau in
12 accordance with this section, a person aggrieved by a suspension imposed
13 under subdivision (b)(3)(B) of this section may seek review of that imposition
14 pursuant to Rule 75 of the Vermont Rules of Civil Procedure.