

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.