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H.732

Introduced by Representatives Joseph of North Hero and Grad of Moretown

Referred to Committee on

Date:

Subject: Criminal procedures; DUI; waiver of court surcharges and program  
fees for a person represented by a public defender

Statement of purpose of bill as introduced: This bill proposes to waive court  
surcharges and alcohol and driving education and rehabilitation program fees  
for a person charged with DUI and represented by a public defender.

An act relating to waiver of court surcharges and certain program fees for a  
person who is charged with DUI and is represented by a public defender

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

Sec. 1. 13 V.S.A. § 7282 is amended to read:

§ 7282. SURCHARGE

\* \* \*

(b)(1) The surcharges imposed by this section shall not be waived by the  
court except as provided in subdivision (2) of this subsection.

(2) The court shall wave the surcharges imposed by this section for a  
person if:

1           (A) the person is charged with operating a motor vehicle while under  
2           the influence of alcohol or another drug in violation of 23 V.S.A. § 1201; and

3           (B) a public defender is appointed to represent the person pursuant to  
4           section 5272 of this title.

5   \* \* \*

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

7           § 1209a. CONDITIONS OF REINSTATEMENT; ALCOHOL AND  
8   DRIVING EDUCATION; SCREENING; THERAPY PROGRAMS

9           (a) Conditions of reinstatement. No license or privilege to operate  
10           suspended or revoked under this subchapter, except a license or privilege to  
11           operate suspended under section 1216 of this title, shall be reinstated except as  
12           follows:

13   \* \* \*

14           (5) The fees imposed by this subsection for alcohol and driving  
15           education and rehabilitation programs shall be waived for a person if:

16           (A) the person is charged with operating a motor vehicle while under  
17           the influence of alcohol or another drug in violation of section 1201 of this  
18           title; and

19           (B) a public defender is appointed to represent the person pursuant to  
20           13 V.S.A. § 5272.

21           Sec. 3. EFFECTIVE DATE

22           This act shall take effect on July 1, 2018.