



# VERMONT LEGISLATIVE Joint Fiscal Office

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## Fiscal Note

June 5, 2025

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### **Act 41 (H.44) – An act relating to miscellaneous amendments to the laws governing impaired driving**

As enacted<sup>1,i</sup>

#### **Act Summary**

This act makes miscellaneous changes to the laws governing impaired driving. Section 5 creates 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 are 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 act), attendance, and how many members or designees are eligible for per diems and expense reimbursement. The act does not include an appropriation for these costs.

#### **Background and Details**

Section 5 establishes 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 seven-member Task Force is 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; the President of the Vermont Sheriffs’ Association or designee; and a representative from the Vermont Police Association.

The Commissioner of Public Safety or designee is 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 is authorized to meet not more than six times and will cease to exist on February 1, 2026. The Task Force will have the administrative, technical, and legal assistance of DPS.

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<sup>1</sup> The Joint Fiscal Office (JFO) is a nonpartisan legislative office dedicated to producing unbiased fiscal analysis – this fiscal note is meant to provide information for legislative consideration, not to provide policy recommendations.

Task Force members who are not otherwise compensated or reimbursed for their attendance are 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 are 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 are State employees, the costs associated with Task Force participation will 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.

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<sup>i</sup> The full fiscal note history is available on the fiscal tab of the bill page on the General Assembly website and can be accessed through a bill number search on the JFO page.