

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2014

Bill Number: H.591 Name of Bill: AN ACT RELATING TO RECOGNITION OF LICENSES ISSUED BY FOREIGN JURISDICTIONS

Agency/Dept: VT State Police Author of Bill Review: Trooper Todd Ambroz

Date of Bill Review: 1/17/2014 Status of Bill: (check one):

XX Upon Introduction As passed by 1st body As passed by both bodies

Recommended Position:

X - Support X- Oppose X- Remain Neutral Support with modifications identified in # 8 below
1st 2nd 3rd

Analysis of Bill

Summary of bill and issue it addresses. This is a bill which contains three proposals. **Part 1** of this bill is intended to specify the circumstances when a nonresident who holds a license issued by a foreign country may operate a motor vehicle on Vermont highways without a Vermont license. **Part 2** of the bill proposes to eliminate the requirement for reciprocal recognition of Vermont-issued licenses in order for licenses issued by other jurisdictions to be recognized in Vermont; **Part 3** of this bill is to authorize the Commissioner of Motor Vehicles to waive, if certain conditions are met, requirements that the holder of a foreign license who applies for a Vermont license pass an examination and road test in Vermont.

Is there a need for this bill? **(1)** There is a need for the first part of this bill as there is no law which currently addresses foreign country operators in Vermont's Motor vehicle laws. A vast majority of states recognize a foreign country operator's license from their respective country provided it has photo identification, full name, date of birth, and address. Along with the foreign operator's license, a requirement to carry an international driver's permit (IDP) should be considered. An IDP translates the information contained in the foreigner's official driver's license into 10 languages. When the IDP is carried along with all of the supporting documents of a foreigner's travel i.e. passport, visa, green card, employment authorization card, this would significantly help identify the operator in a much quicker manner, prevent untimely delays, and require far less resources to be involved in the process. **(2)** There is no need to modify the current law as it is written. As long as the operator has valid license we do not look beyond residency or length of time they have resided in VT. The law works well the way it is now. **(3)** The current practice is to allow bonafide tourists from countries on the list to drive in the USA on their foreign license for up to one year. If they accept employment or enroll in school they then lose their tourist status. At that point the DMV requires the applicants to complete and pass the eye, written and road examinations. Of interesting concern is that for the year they are here as a tourist they can operate anywhere in the country, but the second they get a job or enroll in school DMV mandates them to complete all the exams. This bill requires that the applicant be over the age of 18; they must have at least one year of driving experience, must be legally in the country, and have the international drivers permit.

It is the opinion of Law Enforcement this bill has no direct impact on how we conduct our business. As

Please return this bill review as a Microsoft Word or PDF document to laura.gray@state.vt.us

long as the operator has a valid driver's license from their country of origin, we have the ability to properly identify the operator, issue warnings, tickets, or traffic accident reports in the appropriate manner, then there are no issues regarding this particular aspect of the bill.

We have conferred with DMV regarding part 3 of the bill and they concur with us. This portion of the bill does not have any direct impact on them either. Mike Smith responded: *DMV will most likely take a neutral position on this bill.*

Historically we have been opposed to any type of provisions to accept licenses from foreign countries based on the fact that we are unable to review their driving record and we are not sure of the testing requirements employed by those foreign countries. The 1949 Convention on Road Traffic and the 1943 Convention on the Regulations of Inter-American Motor Vehicle Traffic allow bonafide tourists from countries on the list to drive in the USA on their foreign license for up to one year. If they accept employment or enroll in school they then lose their tourist status. At that point we have required the applicants to complete and pass the eye, written and road examinations. The interesting part here is that for the year they are here as a tourist they can operate anywhere in the country but the second they get a job or enroll in school we now (under existing practices) believe they cannot drive safely and require them to complete all the exams. This bill requires that the applicant be over the age of 18; they must have at least one year of driving experience, must be legally in the country, and have the international drivers permit.

1. What are likely to be the fiscal and programmatic implications of this bill for this Department?

First part of bill - No costs associated for Law Enforcement.

Second part of bill – this depends on how you wish to change the reciprocal recognition. There would be no implications to law enforcement other than education regarding the new law.

Third part of bill – No costs associated for Law Enforcement other than education updates (minimal).

2. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it? (1)The cost to add the new language in Title 23, update to schedule of fines. **(2)** Cost to DMV for updating their pamphlets, websites. **(3)** Cost to DMV to update their driver's manuals and Title 23. Once again, most cost effective means would be to update new requirements on website.

3. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it? Media awareness regarding the update would be minimal. Use of DMV website would be most cost effective.

4. Other Stakeholders:

6.1 Who else is likely to support the proposal and why? Part 1 - Federal law enforcement (Homeland Security, Border Patrol etc...) would support this bill as it aids in a more rapid identification of a person and prevents lengthy detentions when one's documents are only in their native language. These agencies are often used by VT law enforcement when we encounter a foreign traveler and need assistance in identifying them.

6.2 Who else is likely to oppose the proposal and why? (part 1) Some opposition may arise from tourists who may be visiting from countries where acquiring an IDP is expensive for them and hard to

Please return this bill review as a Microsoft Word or PDF document to laura.gray@state.vt.us

acquire. **(part 3)** Those that might oppose this bill would be foreign exchange students at the high school or collegiate levels. Possible opposition from migrant workers who are here on a seasonal basis.

- 5. Rationale for recommendation:** **(1)** Vermont does not have any laws regarding the first part of this bill. This would give law enforcement structured guidelines and a protocol to follow when coming in contact with foreign operators. **2** – Not recommended, there is no need to fix/modify something that already works. **3.** Neutral – changing this law has no impact on law enforcement whatsoever so our position remains neutral.
- 6. Specific modifications that would be needed to recommend support of this bill:** **(part 1)** Recommend an International Driver's Permit be necessary to operate in Vermont for Foreigners operating a motor vehicle. Based on our proximity to Canada it should not be a requirement for Canadian citizens to have an IDP. Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.

Secretary/Commissioner has reviewed this document



Date: 1/19/14

Please return this bill review as a Microsoft Word or PDF document to laura.gray@state.vt.us