

**From:** Kainen, Michael [Michael.Kainen@state.vt.us]  
**Sent:** Wednesday, July 15, 2015 9:41 AM  
**To:** London, Sarah  
**Subject:** Driver restoration  
**Attachments:** 201507150933.pdf

Hi Sarah,

I sent this out to see if there were some interest in the transportation committees. This is far from draft legislation. I know that both TJ and Fenster are interested in permanent legislation, and they may have further developed some drafting.

Thank you for your time on Monday. Sorry if we ran over.

Michael

-----Original Message-----

From: DO.NOT.REPLY@sas.windsor [<mailto:DO.NOT.REPLY@sas.windsor>]  
Sent: Wednesday, July 15, 2015 9:34 AM  
To: Kainen, Michael  
Subject: Message from "5SouthMain-2-RicohMPC4502"

This E-mail was sent from "5SouthMain-2-RicohMPC4502" (Aficio MP C4502).

Scan Date: 07.15.2015 09:33:35 (-0400)  
Queries to: DO.NOT.REPLY@sas.windsor

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July 8, 2015

Representative Patrick Brennan  
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Representative David Potter  
462 East Tinmouth Road  
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Senator Richard Mazza  
777 West Lakeshore Drive  
Colchester, VT 05466

Senator Richard Westman  
2439 Iron Gate Road  
Cambridge, VT 05444

Re: Driver restoration – legislation which would make this unnecessary

Dear Gentlemen,

T.J. Donovan had the vision to see that some people are under a pile of tickets which they cannot dig their way out of. We have an interest in having as many drivers licensed as possible. Licensed drivers are more likely to be insured, which reduces the cost shift to our uninsured motorist coverage. In this state, people have to drive to get to work, and so they end up violating the law to support themselves and their families.

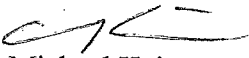
Windsor and Rutland are planning a joint restoration day for the end of September, but I think we need to find a permanent solution which would avoid our getting to where we are.

- 1) Change the waiver penalty system to allow someone to pay a fine based on his or her income. In the Scandinavian countries, they use "day fines". Those are fines based on some fraction/multiple of the person's daily earnings. We need to accept that poor people can't pay significant fines and surcharges. I think we would be collecting more, if we just imposed a fine which they could pay. Start with a minimum \$40.00 combined fine and surcharge, and create three tiers going up to family incomes of \$75,000 which would pay the full waiver penalty.

- 2) Decouple license revocation from failure to pay fines and failure to show up for court. Many people simply drive without the license, and pick up DLS charges. In the case of failure to pay fines, require people to show up and explain why they have not paid (called a show cause hearing). At that hearing, the hearings officer could reduce past fines in order to get the person caught up. I believe you will collect more money with show cause hearings than you will by sending a letter with a license suspension.

I hope that you would be open to such a proposal next year.

Sincerely,



Michael Kainen  
State's Attorney