

2025 -- H 5259

=====
LC000457
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

—————
A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- OPERATORS' AND CHAUFFEURS'
LICENSES

Introduced By: Representatives Potter, Batista, Cruz, Casimiro, Dawson, Felix, Alzate,
and Craven

Date Introduced: January 31, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 31-10 of the General Laws entitled "Operators' and Chauffeurs'
2 Licenses" is hereby amended by adding thereto the following section:

3 **31-10-3.1. Prohibition of suspension of driving privileges.**

4 (a) Notwithstanding any other provision of the general laws, no court may suspend any
5 person's operators' or chauffers' license for the failure or inability to pay costs for any traffic
6 offense or the costs of any other judicial proceeding. If the person has pleaded guilty or been found
7 guilty of a traffic or other offense and the court finds, after a hearing, that the person does not have
8 the ability to pay the costs associated with those court proceedings, the court may order the offender
9 to perform community service in lieu of costs, or may order the offender to pay the costs in
10 installments according to a schedule set by the court.

11 (b) No court, department, division or any agency of this state may suspend any person's
12 operators' or chauffers' license or registration of any vehicle for the failure or inability of said
13 person to pay any child support payments, tax payments, court costs or any other fees, tolls, or
14 financial obligations owing the state.

15 (c) A person's operators' or chauffers' license shall only be subject to suspension for
16 convictions of driving offenses including, but not limited to, §§ 31-27-2 through 31-27-2.8 and
17 other moving violations as provided by law.

18 SECTION 2. Section 15-11.1-7 of the General Laws in Chapter 15-11.1 entitled "Full

1 Enforcement of Support Obligations" is hereby repealed.

2 ~~**15-11.1-7. Suspension by board — Notice from board.**~~

3 ~~(a) Upon receipt of the certification of noncompliance from the department issued in~~
4 ~~accordance with § 15-11.1-6, a board shall suspend the obligor's license and refuse to issue or~~
5 ~~reissue a license until the obligor provides the board with a release from the department that states~~
6 ~~the obligor is in compliance with the obligor's support order. When an obligor who is served notice~~
7 ~~under § 15-11.1-3 subsequently complies with the court order of support, the department shall~~
8 ~~within five (5) business days after compliance provide the obligor with written confirmation and a~~
9 ~~release that the obligor is in compliance with the order. A suspension by a board or a refusal by a~~
10 ~~board to reissue, renew, or otherwise extend the license or certificate of authority shall be deemed~~
11 ~~a final determination for the purposes of chapter 35 of title 42.~~

12 ~~(b) A board shall notify an obligor certified by the department under § 15-11.1-6, without~~
13 ~~undue delay, that the obligor's application for the issuance or renewal of a license may not be~~
14 ~~granted or that the obligor's license has been suspended because the obligor's name has been~~
15 ~~certified by the department as a support obligor who is not in compliance with a court order of~~
16 ~~support.~~

17 ~~(c) Within five (5) business days of receiving written confirmation that the obligor is in~~
18 ~~compliance with the court order of support, the board shall reinstate, reissue, renew or otherwise~~
19 ~~extend the obligor's license or certificate of authority.~~

20 ~~{See § 12-1-15 of the General Laws.}~~

21 SECTION 3. Section 21-28-4.1 of the General Laws in Chapter 21-28 entitled "Uniform
22 Controlled Substances Act" is hereby amended to read as follows:

23 **21-28-4.01. Prohibited acts A — Penalties.**

24 (a)(1) Except as authorized by this chapter and chapters 28.6 and 28.11 of title 21, it shall
25 be unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver
26 a controlled substance.

27 (2) Any person who is not a drug-addicted person, as defined in § 21-28-1.02, who violates
28 this subsection with respect to a controlled substance classified in schedule I or II, except the
29 substance classified as marijuana, is guilty of a crime and, upon conviction, may be imprisoned to
30 a term up to life or fined not more than five hundred thousand dollars (\$500,000) nor less than ten
31 thousand dollars (\$10,000), or both.

32 (3) Where the deliverance as prohibited in this subsection shall be the proximate cause of
33 death to the person to whom the controlled substance is delivered, it shall not be a defense that the
34 person delivering the substance was, at the time of delivery, a drug-addicted person as defined in §

1 21-28-1.02.

2 (4) Any person, except as provided for in subsection (a)(2), who violates this subsection
3 with respect to:

4 (i) A controlled substance, classified in schedule I or II, is guilty of a crime and, upon
5 conviction, may be imprisoned for not more than thirty (30) years, or fined not more than one
6 hundred thousand dollars (\$100,000) nor less than three thousand dollars (\$3,000), or both;

7 (ii) A controlled substance, classified in schedule III or IV, is guilty of a crime and, upon
8 conviction, may be imprisoned for not more than twenty (20) years, or fined not more than forty
9 thousand dollars (\$40,000), or both; provided, with respect to a controlled substance classified in
10 schedule III(d), upon conviction may be imprisoned for not more than five (5) years, or fined not
11 more than twenty thousand dollars (\$20,000), or both.

12 (iii) A controlled substance, classified in schedule V, is guilty of a crime and, upon
13 conviction, may be imprisoned for not more than one year, or fined not more than ten thousand
14 dollars (\$10,000), or both.

15 (b)(1) Except as authorized by this chapter, it is unlawful for any person to create, deliver,
16 or possess with intent to deliver, a counterfeit substance.

17 (2) Any person who violates this subsection with respect to:

18 (i) A counterfeit substance, classified in schedule I or II, is guilty of a crime and, upon
19 conviction, may be imprisoned for not more than thirty (30) years, or fined not more than one
20 hundred thousand dollars (\$100,000), or both;

21 (ii) A counterfeit substance, classified in schedule III or IV, is guilty of a crime and, upon
22 conviction, may be imprisoned for not more than twenty (20) years, or fined not more than forty
23 thousand dollars (\$40,000), or both; provided, with respect to a controlled substance classified in
24 schedule III(d), upon conviction may be imprisoned for not more than five (5) years, or fined not
25 more than twenty thousand dollars (\$20,000), or both.

26 (iii) A counterfeit substance, classified in schedule V, is guilty of a crime and, upon
27 conviction, may be imprisoned for not more than one year, or fined not more than ten thousand
28 dollars (\$10,000), or both.

29 (c)(1) It shall be unlawful for any person knowingly or intentionally to possess a controlled
30 substance, unless the substance was obtained directly from, or pursuant to, a valid prescription or
31 order of a practitioner while acting in the course of his or her professional practice, or except as
32 otherwise authorized by this chapter or chapters 28.6 and 28.11 of title 21.

33 (2) Any person who violates this subsection with respect to:

34 (i) Except as otherwise provided in §§ 21-28-4.01.1 and 21-28-4.01.2, ten grams (10 g.) or

1 less of a mixture or substance containing a detectable amount of a controlled substance classified
2 in schedules I, II, III, IV, and V, except buprenorphine and the substance classified as marijuana,
3 is guilty of a misdemeanor and, upon conviction, may be imprisoned for not more than two (2)
4 years, or fined not more than five hundred dollars (\$500) or both.

5 (ii) Except as otherwise provided in §§ 21-28-4.01.1 and 21-28-4.01.2, more than ten grams
6 (10 g.), but less than one ounce (1 oz.) of a mixture or substance containing a detectable amount of
7 a controlled substance classified in schedules I, II and III, IV, and V, except buprenorphine and the
8 substance classified as marijuana, is guilty of a felony and, upon conviction, may be imprisoned
9 for not more than three (3) years, or fined not more than five thousand dollars (\$5,000), or both.

10 (iii) Except as otherwise provided in §§ 21-28-4.01.1 and 21-28-4.01.2, more than two
11 ounces (2 oz.) or the equivalent amount in the form of cannabis concentrate of a controlled
12 substance classified in schedule I as marijuana is guilty of a misdemeanor unless possessed inside
13 one's own primary residence, except for those persons subject to (a)(1), and, upon conviction, may
14 be imprisoned for not more than one year, or fined not more than five hundred dollars (\$500), or
15 both. Exclusive of live marijuana plants, more than ten ounces (10 oz.) of a controlled substance
16 classified in schedule I as marijuana or the equivalent amount in the form of cannabis concentrate,
17 when possessed within one's personal residence is guilty of a misdemeanor, except for those
18 persons subject to (a)(1), and, upon conviction, may be imprisoned for not more than one year, or
19 fined not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500), or both.

20 Possession of live marijuana plants in excess of the number authorized pursuant to § 21-
21 28.11-22 but less than twenty-five (25) marijuana plants is guilty of a misdemeanor, except for
22 those persons subject to (a)(1) and, upon conviction, may be imprisoned for not more than one year,
23 or fined not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500), or
24 both.

25 Possession of twenty-five (25) or more live marijuana plants is guilty of a felony, except
26 for those persons subject to (a)(1), and upon conviction, may be imprisoned for not more than three
27 (3) years or fined not more than five thousand dollars (\$5,000), or both.

28 (iv) Notwithstanding any public, special, or general law to the contrary, and except as
29 otherwise provided in §§ 21-28-4.01.1 and 21-28-4.01.2, the possession of more than one ounce (1
30 oz.) but not more than two ounces (2 oz.) of marijuana or the equivalent amount in the form of
31 cannabis concentrate by a person who is at least twenty-one (21) years old, and who is not exempted
32 from penalties pursuant to chapter 28.6 of this title, shall constitute a civil offense, rendering the
33 offender liable to a civil penalty in the amount of one hundred fifty dollars (\$150) and forfeiture of
34 the marijuana, but not to any other form of criminal or civil punishment or disqualification.

1 Notwithstanding any public, special, or general law to the contrary, this civil penalty of one hundred
2 fifty dollars (\$150) and forfeiture of the marijuana shall apply if the offense is the first (1st) or
3 second (2nd) violation within the previous eighteen (18) months.

4 (v) Notwithstanding any public, special, or general law to the contrary, possession of two
5 ounces (2 oz.) or less of marijuana or the equivalent amount in the form of cannabis concentrate by
6 a person between seventeen (17) and twenty (20) years old, and who is not exempted from penalties
7 pursuant to chapter 28.6 of this title, shall constitute a civil offense, rendering the offender liable to
8 a civil penalty in the amount of one hundred fifty dollars (\$150) and forfeiture of the marijuana;
9 provided the minor offender completes an approved, drug-awareness program and community
10 service as determined by the court. If the person seventeen (17) years of age or older and under the
11 age of eighteen (18) years fails to complete an approved, drug-awareness program and community
12 service within one year of the disposition, the penalty shall be a three hundred dollar (\$300) civil
13 fine and forfeiture of the marijuana, except that if no drug-awareness program or community
14 service is available, the penalty shall be a fine of one hundred fifty dollars (\$150) and forfeiture of
15 the marijuana. The parents or legal guardian of any offender seventeen (17) years of age or older
16 and under the age of eighteen (18) shall be notified of the offense and the availability of a drug-
17 awareness and community-service program. The drug-awareness program must be approved by the
18 court, but shall, at a minimum, provide four (4) hours of instruction or group discussion and ten
19 (10) hours of community service. Notwithstanding any other public, special, or general law to the
20 contrary, this civil penalty shall apply if the offense is the first or second violation within the
21 previous eighteen (18) months.

22 (vi) [Deleted by P.L. 2022, ch. 31, § 10 and P.L. 2022, ch. 32, § 10.]

23 (vii) Any unpaid civil fine issued under (c)(2)(iv) or (c)(2)(v) shall double to three hundred
24 dollars (\$300) if not paid within thirty (30) days of the disposition. The civil fine shall double again
25 to six hundred dollars (\$600) if it has not been paid within ninety (90) days.

26 (viii) No person may be arrested for a violation of (c)(2)(iv) or (c)(2)(v) of this subsection
27 except as provided in this subparagraph. Any person in possession of an identification card, license,
28 or other form of identification issued by the state or any state, city, or town, or any college or
29 university, who fails to produce the same upon request of a police officer who informs the person
30 that he or she has been found in possession of what appears to the officer to be more than one ounce
31 (1 oz.) of marijuana, or the equivalent amount in the form of cannabis concentrate or any person
32 without any such forms of identification who fails or refuses to truthfully provide his or her name,
33 address, and date of birth to a police officer who has informed such person that the officer intends
34 to provide such individual with a citation for possession of more than one ounce (1 oz.) but less

1 than two ounces (2 oz.) of marijuana or the equivalent amount in the form of cannabis concentrate,
2 may be arrested.

3 (ix) No violation of (c)(2)(iv) or (c)(2)(v) of this subsection shall be considered a violation
4 of parole or probation.

5 (x) Any records collected by any state agency, tribunal, or the family court that include
6 personally identifiable information about violations of (c)(2)(iv) or (c)(2)(v) shall not be open to
7 public inspection in accordance with § 8-8.2-21.

8 **(3) Jurisdiction.**

9 (i) Any and all adjudications of violations of (c)(2)(i) shall be within the original
10 jurisdiction of the Rhode Island superior court. The department of attorney general shall prosecute
11 any and all violations of (c)(2)(i).

12 (ii) Any and all violations of (c)(2)(iv) and (c)(2)(v) shall be the exclusive jurisdiction of
13 the Rhode Island traffic tribunal. All money associated with the civil fine issued under (c)(2)(iv) or
14 (c)(2)(v) shall be payable to the Rhode Island traffic tribunal. Fifty percent (50%) of all fines
15 collected by the Rhode Island traffic tribunal from civil penalties issued pursuant to (c)(2)(iv) or
16 (c)(2)(v) shall be expended on drug-awareness and treatment programs for youth.

17 (4) Additionally, every person convicted or who pleads nolo contendere under (c)(2)(i) or
18 (c)(2)(ii) or convicted or who pleads nolo contendere a second or subsequent time under (c)(2)(iii),
19 who is not sentenced to a term of imprisonment to serve for the offense, shall be required to:

20 (i) Perform up to one hundred (100) hours of community service;

21 (ii) Attend and complete a drug-counseling and education program, as prescribed, by the
22 director of the department of behavioral healthcare, developmental disabilities and hospitals
23 (BHDDH) similar to that in § 21-28.11-27.2, and pay the sum of four hundred dollars (\$400) to
24 help defray the costs of this program which shall be deposited as general revenues. Failure to attend
25 may result, after hearing by the court, in jail sentence up to one year;

26 (iii) The court shall not suspend any part or all of the imposition of the fee required by this
27 subsection, unless the court finds an inability to pay.

28 ~~(iv) If the offense involves the use of any automobile to transport the substance or the~~
29 ~~substance is found within an automobile, then a person convicted or who pleads nolo contendere~~
30 ~~under (c)(2)(i), (c)(2)(ii) or (c)(2)(iii) shall be subject to a loss of license for a period of six (6)~~
31 ~~months for a first offense and one year for each offense after.~~

32 (5) All fees assessed and collected pursuant to (c)(2)(iii) shall be deposited as general
33 revenues and shall be collected from the person convicted or who pleads nolo contendere before
34 any other fines authorized by this chapter.

1 (d) It shall be unlawful for any person to manufacture, distribute, or possess with intent to
2 manufacture or distribute, an imitation controlled substance. Any person who violates this
3 subsection is guilty of a crime and, upon conviction, shall be subject to the same term of
4 imprisonment and/or fine as provided by this chapter for the manufacture or distribution of the
5 controlled substance that the particular imitation controlled substance forming the basis of the
6 prosecution was designed to resemble and/or represented to be; but in no case shall the
7 imprisonment be for more than five (5) years nor the fine for more than twenty thousand dollars
8 (\$20,000).

9 (e) It shall be unlawful for a practitioner to prescribe, order, distribute, supply, or sell an
10 anabolic steroid or human growth hormone for: (1) Enhancing performance in an exercise, sport,
11 or game, or (2) Hormonal manipulation intended to increase muscle mass, strength, or weight
12 without a medical necessity. Any person who violates this subsection is guilty of a misdemeanor
13 and, upon conviction, may be imprisoned for not more than six (6) months or a fine of not more
14 than one thousand dollars (\$1,000), or both.

15 (f) It is unlawful for any person to knowingly or intentionally possess, manufacture,
16 distribute, or possess with intent to manufacture or distribute, any extract, compound, salt
17 derivative, or mixture of salvia divinorum or datura stramonium or its extracts unless the person is
18 exempt pursuant to the provisions of § 21-28-3.30. Notwithstanding any laws to the contrary, any
19 person who violates this section is guilty of a misdemeanor and, upon conviction, may be
20 imprisoned for not more than one year, or fined not more than one thousand dollars (\$1,000), or
21 both. The provisions of this section shall not apply to licensed physicians, pharmacists, and
22 accredited hospitals and teaching facilities engaged in the research or study of salvia divinorum or
23 datura stramonium and shall not apply to any person participating in clinical trials involving the
24 use of salvia divinorum or datura stramonium.

25 SECTION 4. Sections 31-3-6, 31-3-6.1, 31-3-6.1.1, 31-3-6.2 and 31-3-6.3 of the General
26 Laws in Chapter 31-3 entitled "Registration of Vehicles" are hereby repealed.

27 **31-3-6. List of vehicles on which taxes delinquent — Denial of registration.**

28 ~~(a) On or before October 31 in each year, the collector of taxes of each city or town shall~~
29 ~~furnish the division of motor vehicles, with a listing showing the registration plate numbers, names,~~
30 ~~and addresses of the taxpayers of the city or town whose personal property and/or excise tax on~~
31 ~~motor vehicles, the assessment of which were made the prior December 31 in the case of the~~
32 ~~property tax, and the tax levied in the current year in the case of the excise tax, remained unpaid as~~
33 ~~of the date of the list. Subsequently, the collector of taxes in each city or town shall, at the times~~
34 ~~and in the manner prescribed by the administrator of the division of motor vehicles, furnish to the~~

1 ~~division of motor vehicles the names and addresses of those persons whose names appeared on that~~
2 ~~list who have subsequently paid the personal property, and/or excise taxes on motor vehicles, and~~
3 ~~the division shall remove from the list the names and addresses of those persons. No city or town~~
4 ~~treasurer or tax collector shall refuse to accept personal property, and/or excise taxes on a motor~~
5 ~~vehicle, or refuse to remove the names and addresses of the owners of the vehicle from the list~~
6 ~~because of any other taxes owing the city or town. No person, corporation, partnership, joint stock~~
7 ~~company, or association whose name appears on the list and whose name has not been subsequently~~
8 ~~removed from the list shall be permitted to register any motor vehicle until all the excise and~~
9 ~~attendant penalties have been paid in full and the payment has been certified to the division of~~
10 ~~motor vehicles by the tax collector. The provisions of this section shall not be construed so as to~~
11 ~~prevent the payment of taxes on motor vehicles in quarterly installments as provided in chapter 5~~
12 ~~of title 44. The provisions of this section shall apply in all respects in the case of taxes assessed~~
13 ~~upon motor vehicles by any fire district.~~

14 ~~(b) The division of motor vehicles (the “division”) shall provide a written notice to those~~
15 ~~persons or other taxpayers (the “person”) whose name appears on the list generated in accordance~~
16 ~~with the provisions of subsection (a). This notice shall include:~~

17 ~~(1) The name of the municipality or other entity providing the person’s name to the~~
18 ~~division; and~~

19 ~~(2) A statement that the person identified on the list shall not be permitted to register any~~
20 ~~motor vehicle until the tax matter has been resolved and the person’s name is removed from the list~~
21 ~~as provided for under subsection (a).~~

22 ~~**31-3-6.1. List of vehicles and licenses on which taxes delinquent — Denial of renewal**~~
23 ~~**of registration and licenses.**~~

24 ~~(a) The administrator/division of motor vehicles shall furnish to the Tax Administrator a~~
25 ~~listing showing the names, addresses and social security numbers of persons whose operator’s~~
26 ~~license and/or motor vehicle registration is subject to renewal within ninety (90) days. If within~~
27 ~~ninety (90) days prior to the renewal date the tax administrator determines that any person seeking~~
28 ~~to renew his/her operator’s license and/or registration has neglected or refused to file any tax returns~~
29 ~~or to pay any tax administered by the tax administrator and that such tax matter is not pending~~
30 ~~administrative or appellate review, the tax administrator shall send a written notice to such person~~
31 ~~informing him/her of the tax administrator’s intention to inform the division of motor vehicles not~~
32 ~~to renew the person’s operator license and/or motor vehicle registration and of the procedures~~
33 ~~available to the person to contest that determination.~~

34 ~~(b) Within twenty one (21) days from the date of such notice, the licensee or registrant may~~

1 ~~request, in writing, a conference with the tax administrator or his/her designee, in order to show~~
2 ~~proof of payment of all taxes or for the purpose of entering into a time payment agreement for the~~
3 ~~delinquent taxes satisfactory to the tax administrator.~~

4 ~~(e) If upon the expiration of twenty one (21) days from the date of the notice to the licensee~~
5 ~~or registrant or, if a conference has been requested, after a conference has been held, the licensee~~
6 ~~or registrant has not demonstrated to the satisfaction of the tax administrator that he/she has filed~~
7 ~~all required returns and paid all required taxes, or that the licensee or registrant has not entered into~~
8 ~~time payment arrangement satisfactory to the tax administrator, the tax administrator shall notify~~
9 ~~the administrator/division of motor vehicles that the licensee or registrant is delinquent in filing tax~~
10 ~~returns and/or remitting taxes due. The tax administrator shall send a copy of the notification to the~~
11 ~~licensee or registrant.~~

12 ~~(d) The administrator/division of motor vehicles shall not renew any operator's license or~~
13 ~~registration upon expiration thereof until all state taxes, interest and attendant penalties have been~~
14 ~~paid in full or the licensee or registrant has entered into a time payment agreement satisfactory to~~
15 ~~the tax administrator.~~

16 ~~(e) If the licensee thereafter files an overdue return and/or remits past taxes due or enters~~
17 ~~into a satisfactory time payment agreement with respect to any and all returns due and taxes~~
18 ~~payable, the tax administrator shall, within five (5) business days of a licensee's request, provide~~
19 ~~the appropriate agency or authority the certificate of good standing specified in § 5-76-5. Within~~
20 ~~five (5) business days of receiving such a certificate, the agency or authority shall reinstate, reissue,~~
21 ~~renew or otherwise extend the licensee's license.~~

22 ~~(f) Payment of tax not an admission. If the licensee or registrant files an overdue return~~
23 ~~and/or remits past due taxes in order to apply for or renew a license or registration, said late filing~~
24 ~~and/or payment shall not be an admission of a violation of any criminal tax statute regarding late~~
25 ~~filing and/or late payment. The tax administrator shall not refer such person to the Attorney General~~
26 ~~for prosecution based solely upon said late filing and/or payment of past due taxes.~~

27 ~~**31-3-6.1.1. Denial of registration — Denial of transfer of registration — Failure to file**~~
28 ~~**tax returns and/or pay taxes.**~~

29 ~~(a) On or before October 31 in each year and at least quarterly thereafter, the tax~~
30 ~~administrator shall furnish the division of motor vehicles, with a list of the names, addresses and~~
31 ~~social security numbers of persons who have neglected or refused to file a tax return(s) and/or to~~
32 ~~pay any tax administered by the tax administrator and that there is no administrative or appellate~~
33 ~~review pending regarding such tax matter.~~

34 ~~(b) Thereafter, the tax administrator, at the times and in the manner mutually agreed to by~~

1 ~~the tax administrator and the administrator of the division of motor vehicles, shall furnish to the~~
2 ~~division of motor vehicles the names, addresses and social security numbers of those persons whose~~
3 ~~names appear on that list but who have subsequently filed all required returns and paid all required~~
4 ~~taxes, interest and attendant penalties in full or entered into a time payment agreement satisfactory~~
5 ~~to the tax administrator. Upon receipt of said information, said names, addresses and social security~~
6 ~~numbers of said persons shall be removed from the list.~~

7 ~~(c) The administrator of the division of motor vehicles shall not register any motor vehicle~~
8 ~~or transfer the registration of any motor vehicle for any person whose name appears on a list~~
9 ~~provided by the tax administrator pursuant to subsection (a) above until all state taxes, interest and~~
10 ~~attendant penalties have been paid in full and the payment has been certified to the division of~~
11 ~~motor vehicles by the tax administrator.~~

12 ~~(d) If the person thereafter files an overdue return and/or remits past taxes due or enters~~
13 ~~into a satisfactory time payment agreement with respect to any and all returns due and taxes~~
14 ~~payable, the tax administrator shall, within five (5) business days of the person's request, provide~~
15 ~~the division of motor vehicles with a certificate of good standing specified in § 5-76-5. Within five~~
16 ~~(5) business days of receiving such a certificate, the division of motor vehicles shall register or~~
17 ~~transfer the person's registration.~~

18 ~~(e) If a person files an overdue return and/or remits past due taxes in order to register a~~
19 ~~motor vehicle or transfer the registration of a motor vehicle, said late filing and/or payment shall~~
20 ~~not be an admission of a violation of any criminal tax statute regarding late filing and/or late~~
21 ~~payment. The tax administrator shall not refer such person to the attorney general for prosecution~~
22 ~~based solely upon said late filing and/or payment of past due taxes.~~

23 **31-3-6.2. List of vehicles and licenses on which court costs owed delinquent — Denial**
24 **of renewal of registration and licenses.**

25 ~~(a) The administrator/division of motor vehicles shall furnish to the State Court~~
26 ~~Administrator a listing showing the names, addresses and social security numbers of persons whose~~
27 ~~operator's license and/or motor vehicle registration is subject to renewal within ninety (90) days.~~
28 ~~If within ninety (90) days prior to the renewal date the state court administrator determines that any~~
29 ~~person seeking to renew his/her operator's license and/or registration has neglected or refused to~~
30 ~~pay any cash assistance benefit overpayments, court costs owed, fines owed, obligations owed or~~
31 ~~restitution owed, as such terms are defined in § 44-30.1-1, the state court administrator shall send~~
32 ~~a written notice to such person informing him/her of the state court administrator's intention to~~
33 ~~inform the division of motor vehicles not to renew the person's operator license and/or motor~~
34 ~~vehicle registration and of the procedures available to the person to contest the determination. For~~

1 ~~the purposes of this section, the terms cash assistance benefit overpayments, court costs owed, fines~~
2 ~~owed, obligations owed or restitution owed by a debtor as defined in § 44-30.1-1, are referred to as~~
3 ~~“costs owed”.~~

4 (b) ~~Within twenty one (21) days from the date of such notice, the licensee or registrant may~~
5 ~~request, in writing, a conference with the state court administrator or his/her designee, in order to~~
6 ~~show proof of payment of all costs owed or for the purpose of entering into a time payment~~
7 ~~agreement for the delinquent costs owed satisfactory to the state court administrator.~~

8 (c) ~~If upon the expiration of twenty one (21) days from the date of the notice to the licensee~~
9 ~~or registrant or, if a conference has been requested, after a conference has been held, the licensee~~
10 ~~or registrant has not demonstrated to the satisfaction of the state court administrator that he/she has~~
11 ~~paid all required costs owed or that the licensee or registrant has not entered into time payment~~
12 ~~arrangement satisfactory to the state court administrator, the state court administrator shall notify~~
13 ~~the administrator/division of motor vehicles that the licensee or registrant is delinquent in paying~~
14 ~~costs owed. The state court administrator shall send a copy of the notification to the licensee or~~
15 ~~registrant.~~

16 (d) ~~The administrator/division of motor vehicles shall not renew any operator’s license or~~
17 ~~registration upon expiration thereof until all costs owed have been paid in full or the licensee or~~
18 ~~registrant has entered into a time payment agreement satisfactory to the state court administrator.~~

19 (e) ~~If the licensee thereafter files an overdue return and/or remits past taxes due or enters~~
20 ~~into a satisfactory time payment agreement with respect to any and all returns due and taxes~~
21 ~~payable, the tax administrator shall, within five (5) business days of a licensee’s request, provide~~
22 ~~the appropriate agency or authority the certificate of good standing specified in § 5-76-5. Within~~
23 ~~five (5) business days of receiving such a certificate, the agency or authority shall reinstate, reissue,~~
24 ~~renew or otherwise extend the licensee’s license.~~

25 ~~**31-3-6.3. Unpaid out-of-state toll amounts, administrative fees, and fines — Denial of**~~
26 ~~**registration — Denial of transfer of registration — Denial of renewal of registration and**~~
27 ~~**licenses.**~~

28 (a) ~~Upon receipt of a request from another state or other entity with similar tolling authority~~
29 ~~with which the Rhode Island turnpike and bridge authority has entered into an agreement providing~~
30 ~~for the reciprocal treatment of out-of-state toll violators to take action against a toll violator, the~~
31 ~~Rhode Island turnpike and bridge authority shall conduct an independent review of each toll~~
32 ~~violation that forms the basis for such request, which shall include a review of photographic, video,~~
33 ~~or other visual evidence, to determine that the requesting state or other entity with similar tolling~~
34 ~~authority imposed any toll amounts, administrative fees, and/or fines against the actual registered~~

1 ~~owner of the motor vehicle.~~

2 ~~(b) As part of its independent review, the Rhode Island turnpike and bridge authority shall~~
3 ~~provide written notice to the registered owner of the motor vehicle in question. The registered~~
4 ~~owner shall have ten (10) days from the date on the written notice to contact the Rhode Island~~
5 ~~turnpike and bridge authority and to provide information, documentation, and any other evidence~~
6 ~~contesting the requested action against the out of state toll violator. Thereafter, the Rhode Island~~
7 ~~turnpike and bridge authority shall consider all of the information, documentation, and any other~~
8 ~~evidence provided as part of its independent review.~~

9 ~~(c) If after its independent review the Rhode Island turnpike and bridge authority is~~
10 ~~satisfied that any toll amounts, administrative fees, and/or fines are properly imposed against the~~
11 ~~actual registered owner of the motor vehicle and the registered owner could be subject to reporting~~
12 ~~to the division of motor vehicles pursuant to § 24-12-37 if such toll violations had occurred on~~
13 ~~tolled projects in this state, the Rhode Island turnpike and bridge authority may report the registered~~
14 ~~owner to the division of motor vehicles.~~

15 ~~(d) The division of motor vehicles shall not renew any operator's license or registration~~
16 ~~upon expiration thereof; register any motor vehicle; or transfer the registration of any motor vehicle~~
17 ~~of any person reported to it pursuant to subsection (c) of this section until any toll amounts,~~
18 ~~administrative fees, and/or fines owed to the other state or other entity with similar tolling authority~~
19 ~~have been paid in full or the person has entered into, and is in current compliance with, a repayment~~
20 ~~agreement with respect to any amounts owed. The Rhode Island turnpike and bridge authority shall~~
21 ~~provide a copy of any notification received from the other state or other entity with similar tolling~~
22 ~~authority regarding full payment of amounts owed or the existence of a repayment agreement to~~
23 ~~the division of motor vehicles within five (5) business days of receipt. Within five (5) business days~~
24 ~~of receiving such notification, the division of motor vehicles shall renew the person's license and~~
25 ~~renew, transfer, or issue the person's registration.~~

26 SECTION 5. Section 31-10-3 of the General Laws in Chapter 31-10 entitled "Operators'
27 and Chauffeurs' Licenses" is hereby amended to read as follows:

28 **31-10-3. Persons ineligible for licenses.**

29 (a) The division of motor vehicles shall not issue any license under this chapter:

30 (1) To any person, as an operator, who is under the age of sixteen (16) years;

31 (2) To any person, as a chauffeur, who is under the age of eighteen (18) years;

32 (3) To any person, as an operator or chauffeur, whose license has been suspended, during
33 that suspension, nor to any person whose license has been revoked, except as provided in § 31-11-
34 10;

1 (4) To any person, as an operator or chauffeur, who is a habitual drunkard or habitual user
2 of drugs to such an extent that he or she is incapable of safely driving a motor vehicle;

3 (5) To any person, as an operator or chauffeur, who is required by this chapter to take an
4 examination unless that person shall have successfully passed that examination;

5 (6) ~~To any person who is required under the laws of this state to deposit proof of financial
6 responsibility and who has not deposited that proof;~~

7 (7) To any person when the administrator of the division of motor vehicles has good cause
8 based on clear and convincing evidence to believe that that person does not meet a standard of
9 physical or mental fitness for motor vehicle licensure established pursuant to § 31-10-44(b) and
10 that the person's physical or mental condition prevents him or her from being able to operate a
11 motor vehicle with safety upon the highway;

12 (8) To any person when the administrator of the division of motor vehicles has good cause
13 to believe that the operation of a motor vehicle on the highways by that person would pose an
14 imminent safety risk to the general public as determined by objectively ascertainable standards;

15 ~~(9) To any person who is subject to an order issued pursuant to § 14-1-67.~~

16 (b) The division of motor vehicles shall notify in writing any person whose application for
17 a license has been denied pursuant to subsection (a) of this section. The notice shall contain the
18 factual and legal basis for the denial, the procedure for requesting a hearing, and the rights afforded
19 the individual pursuant to the provisions of § 31-11-7(d) — (f). When physical or mental fitness is
20 the basis for the denial, the notice shall reference the specific functional standard promulgated
21 pursuant to § 31-10-44(b), which was relied upon by the division of motor vehicles. Upon his or
22 her request the division of motor vehicles shall afford the license applicant an opportunity for a
23 hearing as early as practical and no later than twenty (20) days after receipt of the request.

24 (c) The hearing procedures afforded the applicant shall conform to the provisions of § 31-
25 11-7(d) — (f).

26 SECTION 6. This act shall take effect upon passage.

=====
LC000457
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- OPERATORS' AND CHAUFFEURS'
LICENSES

- 1 This act would prohibit the suspension of any person's operators' or chauffeurs' license or
- 2 their vehicle registration unless upon conviction of driving offenses.
- 3 This act would take effect upon passage.

=====
LC000457
=====