

2026 -- S 2949

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- SUSPENSION OR REVOCATION OF
LICENSES -- VIOLATIONS

Introduced By: Senators LaMountain, Burke, Dimitri, and Bissaillon

Date Introduced: March 04, 2026

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-11-7 of the General Laws in Chapter 31-11 entitled "Suspension
2 or Revocation of Licenses — Violations" is hereby amended to read as follows:

3 **31-11-7. Authority of division of motor vehicles to suspend license.**

4 (a)(1) The division of motor vehicles is authorized to suspend the license of an operator or
5 chauffeur without preliminary hearing upon a showing by its records or other sufficient evidence
6 that the licensee:

7 (i) Has been adjudicated by a court of competent jurisdiction to have:

8 (A) Committed an offense for which mandatory revocation or suspension of license is
9 required upon conviction or adjudication;

10 (B) ~~Committed with such frequency of offenses against traffic regulations governing the~~
11 ~~movement of vehicles as to indicate a disrespect for traffic laws and a disregard for the safety of~~
12 ~~other persons on the highways;~~

13 (C) ~~Been a reckless or negligent driver of a motor vehicle;~~

14 (D) Permitted an unlawful or fraudulent use of a license;

15 (E) Committed an offense in another state which, if committed in this state, would be
16 grounds for suspension or revocation;

17 (F) Committed any offense enumerated in § 31-9-1; or

18 (ii) Is the subject of an order issued pursuant to § 14-1-67; ~~or.~~

1 ~~(iii) Poses an imminent safety risk to the general public as determined by the application~~
2 ~~of objectively ascertainable standards.~~

3 (2) Except for paragraph (1)(ii) of this subsection, the suspension shall be for any length
4 of time, not exceeding one year, that the division of motor vehicles shall determine is necessary in
5 order to protect public safety based upon its findings of the circumstances under which the offense
6 was committed, the likelihood of recurrence, and the deterrent effect that might reasonably be
7 expected to result from the hardship a suspension or prospective suspension would entail. Any
8 license ~~suspended~~ suspension pursuant to ~~paragraph (1)(ii) of this subsection~~ subsection (a) of this
9 section shall be for the length of time set forth in the court order and shall run concurrently with
10 any current suspension period unless otherwise specified.

11 (b) Upon suspending the license of any person as authorized by subsection (a) of this
12 section, the division of motor vehicles shall immediately notify the licensee in writing of the factual
13 and legal basis for the suspension, ~~the procedure for requesting a hearing, and the rights afforded~~
14 ~~the individual pursuant to subsections (d) — (f) of this section. When physical or mental fitness is~~
15 ~~the basis for the suspension determination, the notice shall reference the specific functional~~
16 ~~standard promulgated pursuant to § 31-10-44(b), which was relied upon by the division of motor~~
17 ~~vehicles. Upon his or her request the division of motor vehicles shall afford the licensee an~~
18 ~~opportunity for a hearing as early as practical and no later than twenty (20) days after receipt of the~~
19 ~~request.~~ An order from a judge or magistrate pursuant to subsection (a) of this section shall be
20 binding upon the division of motor vehicles, and the division is prohibited from further suspension
21 on the same matter.

22 (c) Notwithstanding the court's ability to order an ignition interlock system pursuant to §
23 31-27-2.8, the division of motor vehicles shall impose a hardship license and/or an ignition
24 interlock system in lieu of license suspension for offenses which, if committed in Rhode Island,
25 would result in suspension of license.

26 ~~(e)~~(d) Except as authorized in subsection (a)(1) of this section, whenever the division of
27 motor vehicles proposes to suspend the license of any person, the division of motor vehicles shall
28 afford a hearing to the licensee prior to suspending the person's license. ~~When a licensee requests~~
29 ~~a hearing, no~~ No action to suspend ~~his or her~~ a license shall be taken until a hearing decision has
30 been rendered in accordance with subsections ~~(d) — (f)~~ (e) through (g) of this section. The division
31 of motor vehicles shall notify the licensee in writing of the factual and legal basis for the proposed
32 suspension, the ~~procedure for requesting~~ right to a hearing, and the additional rights afforded the
33 individual pursuant to subsections ~~(d) — (f)~~ (e) through (g) of this section. When physical or mental
34 fitness is the basis for the suspension recommendation, the notice shall reference the specific

1 functional standard promulgated pursuant to § 31-10-44(b), which was relied upon by the division
2 of motor vehicles. The division of motor vehicles shall afford the licensee an opportunity for a
3 hearing as early as practical and no later than twenty (20) days after notice is issued.

4 ~~(d)~~(e) The division of motor vehicles shall ensure that the hearing procedures afforded
5 pursuant to subsection ~~(b) and (c)~~ (d) of this section provide for:

6 (1) ~~an~~ An in person hearing before an impartial decision-maker;

7 (2) ~~the~~ The opportunity to compel the production of documents and witnesses, including
8 members of the division of motor vehicles 's Medical Advisory Board;

9 (3) ~~the~~ The opportunity to confront and cross-examine witnesses;

10 (4) ~~access~~ Access to all of the evidence upon which the division of motor vehicles relied
11 in making its determination to suspend; and

12 (5) ~~the~~ The right to present any and all relevant evidence including the right to obtain and
13 present the results of a recently administered road test. During any hearing, the division of motor
14 vehicles shall bear the burden of proof as to the existence of the grounds for the suspension. The
15 division of motor vehicles shall further ensure that during a hearing to determine the physical or
16 mental fitness of a licensee, proof of the lack of physical or mental fitness shall be by clear and
17 convincing evidence. The presumption of inability to operate a motor vehicle with safety
18 established by the functional standards promulgated pursuant to § 31-10-44(b), shall be rebuttable
19 by evidence that notwithstanding an individual's functional limitation, he or she is able to safely
20 operate a motor vehicle.

21 ~~(e)~~(f) For the purpose of the hearing procedures described in subsection ~~(d)~~(e) of this
22 section, the administrator of the division of motor vehicles or ~~his or her~~ the administrator's duly
23 authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses
24 and the production of relevant books and papers, and may require a reexamination of the licensee.

25 ~~(f)~~(g) After the hearing conducted pursuant to subsection ~~(d)~~(e) of this section, the division
26 of motor vehicles shall issue a written decision based solely on the evidence adduced at the hearing
27 and containing the legal and factual basis for the determination. The division of motor vehicles may
28 either rescind its order of suspension, determine suspension is not warranted; may continue,
29 modify, or extend the suspension of the license; or may revoke the license.

30 (h) Any licensee aggrieved by a decision of the division of motor vehicles may appeal the
31 decision to the sixth division district court pursuant to § 31-2-19. Any suspension of license issued
32 by the division of motor vehicles shall be stayed until an appeal is heard by the sixth division district
33 court.

34 SECTION 2. Section 31-2-19 of the General Laws in Chapter 31-2 entitled "Division of

1 Motor Vehicles" is hereby amended to read as follows:

2 **31-2-19. Appeal from administrator of the division of motor vehicles.**

3 Any person aggrieved by any order of the administrator of the division of motor vehicles
4 may appeal the order to the sixth division district court by filing, within ten (10) days from the date
5 of the notice to such person of the issuance of the order appealed from, a petition in said court
6 stating the grounds upon which the appeal is taken. Upon the filing of such petition and tendering
7 a twenty-five dollar (\$25.00) filing fee, the court shall give thirty (30) days' notice of the pendency
8 of the petition to the administrator of the division of motor vehicles by serving the administrator of
9 the division of motor vehicles, in the manner in which subpoenas in equity are served, with a
10 certified copy of the petition and the petition shall follow the course of equity so far as it is
11 applicable. Upon hearing the petition, the court may review the evidence taken at a hearing or
12 investigator's reports, or other information upon which the administrator's action was taken, and
13 may in its discretion, affirm, overrule, or modify the order of the administrator of the division of
14 motor vehicles. The taking of such appeal shall not operate as a stay of the order of the administrator
15 of the division of motor vehicles from which appeal is taken, and such order shall remain in full
16 force and effect during the pendency of the appeal, [except for the provisions set forth in § 31-11-7.](#)
17 A party aggrieved by a final order of the court may seek appellate review pursuant to the procedures
18 set forth in § 42-35-15.

19 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- SUSPENSION OR REVOCATION OF
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1 This act would update and streamline the law regarding loss or suspension of license by
2 the division of motor vehicles, and eliminate the provisions that the division may suspend a license
3 for reckless or negligent operation of a motor vehicle or for frequency of offense.

4 This act would take effect upon passage.

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