

Procedure for Personal Appearance Hearings held by Vermont Agency of Transportation Hearings Section

**** These conditions are subject to change in accordance with guidance from the appropriate authorities including Agency of Transportation, Department of Human Resources, and the Office of the Governor****

1. Upon agreement of all parties, the Hearings Examiner, and the Commissioner of Motor Vehicles, personal appearance hearings may be held via remote means. Participants in hearings without access to the required technology to effectively hold hearings remotely, or in instances where remote hearings are otherwise impracticable, shall have personal appearance hearings conforming to the following procedures.
2. Parties must notify the Hearings Examiner 7 days in advance of the hearing of all those who will be appearing at the hearing. The individuals present at these hearings shall be limited to the Petitioner, legal counsel or another individual to help Petitioner through the course of the hearing, a representative from the Attorney General's Office, a Representative from the Department of Motor Vehicles or Agency of Transportation (as applicable), and any other person required to provide transportation or care to one of the named individuals.
3. All individuals shall be required to comply with requirements for individuals entering state buildings. This will include, but is not limited to, completion of the pre-screening assessment and temperature check. All individuals shall be required to wear a non-medical cloth mask or face covering, unless unable due to a health condition. Upon entry to a state facility you must wash your hands. The pre-screening assessment will be sent via email to participants and shall be emailed to AOT.Hearings@vermont.gov. If a party does not have access to email/computer, they shall inform the Hearings Examiner so that the pre-screening assessment can be conducted over the phone.
4. Cloth face coverings should not be placed on children younger than 2 years of age, anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance. If you or somebody in your party is unable to safely wear a mask, please contact the Hearings Section immediately to determine the best way to proceed with the hearing in a manner that ensures everybody's safety.
5. Proper physical distancing, 6-feet or more, shall be maintained between individuals at all times while on State property. Hearings will be held in a room sufficient to allow appropriate physical distancing.
6. The number of people in the room shall not exceed the number permitted for gatherings by the State of Vermont. As of **May 29, 2020**, the maximum number of people in the room **will be 10**.
7. Witnesses, other than the Petitioner and a representative from DMV, will testify via remote means. Remote may include, but is not limited to, telephone or video conference. In accordance with Hearings Section Guidelines, please inform the other parties as well as the Hearings Section of any person anticipated to be called as a witness. Please contact the Hearings Section in advanced to coordinate the

type of remote testimony that will be expected and to ensure the witness has the technological capabilities to testify in the agreed upon manner.

8. Please contact the Hearings Section via email at AOT.Hearings@vermont.gov with any questions or concerns regarding these procedures.