

July 7, 2020

The Honorable Robert E. Craven, Sr.
Chair, House Committee on Judiciary
State House
Providence, RI 02903

Dear Chairperson Craven:

The Department of Revenue (“DOR”) writes in support of House Bill 7947 SUB A, An Act Relating to Labor and Labor Relations-Equal Opportunity and Affirmative Action-Licensing, and respectfully requests amendments to the current language.

DOR and its divisions which comprise it, including the Division of Motor Vehicles (“DMV”), the Division of Taxation (“Taxation”), and the Lottery Division (“Lottery”), are supportive of the bill’s goal of not permitting all past criminal convictions from becoming an absolute bar to obtaining or retaining an occupational license issued by a state agency. An individual’s ability to sustain a living through their chosen occupation is very important and must be properly balanced against the state’s duty to protect both the safety and welfare of the general public and property when issuing licenses.

DMV, Taxation, and Lottery respectfully request the following amendments given certain issues relating to the licenses issued under the provisions cited in the proposed amendment:

- Add the following language to the end of new subsection (c) on page 2, line 10:

“; provided, however, that none of the provisions of this section shall apply to any license, permit, certificate, endorsement, or registration issued by the Division of Motor Vehicles under title 31; any license issued by the Division of Taxation pursuant to R.I. Gen. Laws §§ 44-18-1 *et seq.* and 44-19-1 *et seq.* and R.I. Gen. Laws § 44-20-1 *et seq.*; or any license issued by the Rhode Island Lottery pursuant to R.I. Gen. Laws § 42-61-5; R.I. Gen. Laws § 42-61.2-3; and R.I. Gen. Laws § 11-19-35.”

- With the language above added, delete the following language at the end of new subsection (a)(2) on page 1, lines 8-9:

“, but it does not include a motor vehicle operator’s license as required in chapter 10 of title 31”

These proposed amendments will alleviate, for example, the following concerns presented by the bill’s current language:

- DMV’s ability to take appropriate actions with respect to licensing of individuals to operate a school bus; to take appropriate actions with respect to licensing of individuals to conduct commercial drivers’ school instruction; to take appropriate actions with respect to licensing

of individuals to work at a licensed motor vehicle dealer; and to take appropriate actions with respect to licensing of individuals to conduct motor vehicle inspections

- Lottery's ability to take appropriate action with respect to licensing of retail agents who collect money on behalf of the state in connection with the sale of Lottery products that must be turned over to the Lottery as **trust funds (42-61-5)**; technology providers who supply VLT games to the Lottery (usually entities) 42-61.2-3 and authorized sellers of Pull Tab games used by religious, fraternal, civic, educational, veterans', or charitable organizations to raise (11-19-35)
- Taxation's ability to take appropriate action with respect to licensing of retail sales tax permits in connection with the collection of sales and use tax, hotel tax, and meals and beverage under Chapters 18 and 19 of Title 44 of the Rhode Island General Laws; and licensing of cigarette and/or tobacco manufacturers, importers, dealers, and distributors (44-20-1 *et seq.*)

Thank you for your consideration.

Cc: Honorable Scott A. Slater
Honorable Members of the House Judiciary Committee
Danica Iacoi, Chief Legal Counsel