

Department of Motor Vehicles

2002 Fiscal Impact Statement

1. Bill Number HB638

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☒ Substitute ☒ Enrolled

2. Patron O'Brien

3. Committee Conference

4. Title Driver's licenses, commercial driver's licenses, etc.

5. Summary/Purpose:

Driver's licenses, etc: Provides that obtaining, aiding in obtaining, or possessing a Virginia driver's license, special identification card, vehicle registration, certificate of title or other document issued by the Department of Motor Vehicles (DMV) constitutes a Class 2 misdemeanor if the violation involved obtaining or possession of the document for purposes of engaging in a non-limited activity (such as obtaining, possessing, or consuming alcoholic beverages) but constitutes a Class 6 felony if the violation was committed for other purposes. The bill also allows persons moving to Virginia from another state or country sixty days (instead of thirty days) to obtain Virginia driver's licenses.

The bill prohibits the use of immigration visas and written statements (whether notarized or not) where in another person "vouches" for the Virginia residency of an applicant for a Virginia driver's license, commercial driver's license, temporary driver's permit, learner's permit, motorcycle learner's permit, or special identification card. For applicants less than nineteen years old, however, proof that the applicant's parent or guardian is a Virginia resident may be accepted as evidence of the applicant's Virginia residency.

With certain exceptions (most notably for military personnel stationed outside Virginia and persons residing outside of Virginia in connection with their employment), the bill requires DMV to cancel the Virginia driver's licenses, commercial driver's license, and special identification cards or persons who change their address to a non-Virginia address.

Under this legislation, no person who holds a Virginia driver's license, commercial driver's license, temporary driver's permit, learner's permit, or motorcycle learner's permit would be allowed to hold a special identification card issued by DMV.

The legislation requires the DMV Commissioner, no later than December 1, 2002, to report to the Chairmen of the House and Senate Transportation Committees regarding the need for further modification or enhancement to the identity and residency requirements in the application process for Virginia driver's licenses, commercial driver's licenses, learner's permits, temporary driver's permits and special identification cards. The reports specifically must include an assessment of the feasibility and effectiveness of requiring applicants for DMV documents to prove their legal presence in the United States.

This bill incorporates HB 14 and HB 415 and is the same as SB 162.

6. Fiscal Impact Estimates are: PRELIMINARY

6a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2001-02	\$556,474		NGF
2002-03	\$200,000		NGF
2003-04	\$200,000		NGF

6b. Revenue Impact:

<i>FiscalYear</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2001-02			
2002-03	(\$722,871)* (\$28,690)**		NGF
2003-04	(\$722,871)* (\$28,690)**		NGF

*Represents Impact to DMV

**Represents Impact to Department of Education

7. Budget amendment necessary: Unknown

8. Fiscal implications: The fiscal implications of this legislation are uncertain. DMV programming costs necessary to implement this bill are estimated to be \$356,474. It is also estimated that annual costs to train DMV personnel regarding documentation and the new requirements will be approximately \$200,000.

9. Specific agency or political subdivisions affected: DMV

10. Technical amendment necessary: Yes

11. Other comments:

Prohibition against the issuance of special identification cards to persons that hold another DMV credential will result in an annual revenue loss of approximately \$451,027.

The prohibition against non-Virginia addresses on the face of a driver's license, commercial driver's license or special identification card could result in the non-renewal of all or some of these credentials. It is not clear whether all persons who currently have non-Virginia addresses displayed on DMV credentials would be unable to provide DMV with a bona fide Virginia address. Assuming that all DMV credentials currently issued with non-Virginia addresses could not be renewed, DMV would lose approximately \$271,844 in revenues, while the Department of Education (which receives \$1.50 for every license issued by DMV) would lose approximately \$28,690 in revenues, annually.

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cc: Secretary of Transportation