

Department of Planning and Budget
2004 Fiscal Impact Statement

1. Bill Number HB374

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron Lingamfelter

3. Committee Transportation

4. Title Motorcycles; helmets.

5. Summary/Purpose: This legislation proposes to amend and reenact §§ 46.2-328 and 46.2-910 of the Code of Virginia to allow certain persons who are more than 21 years old, subject to payment to DMV of a fee of \$1 per year, to ride motorcycles helmet-free. The bill also provides that violations of the "helmet law" (i) are punishable by a civil penalty of \$25, to be paid into the Motorcycle Ride Safety Training Fund; (ii) are not to be assessed demerit points or court costs; (iii) do not constitute negligence and cannot be commented on by counsel in any action for the recovery of damages; (iv) may be charged on the uniform traffic summons form; and (v) are "secondary offenses." The legislation was amended to require that all fees collected pursuant to this subsection of the Code be credited to Motorcycle Rider Safety Training Program.

6. Fiscal Impact Estimates are: Preliminary. See item #8.

7. Budget amendment necessary: No.

8. Fiscal implications: The Department of Motor Vehicles advises that if this bill passes it will incur moderate vendor, programming and operational costs associated with the additional fee and license, but that those costs could probably be absorbed in the agency's budget.

9. Specific agency or political subdivisions affected: Department of Motor Vehicles

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 02/17/04 / MEM

Document: G:\Fis\04\Dmv\Hb374.Doc Michael McMahon

cc: Secretary of Transportation