

Department of Planning and Budget 2006 Fiscal Impact Statement

1. Bill Number HB 5046

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

2. Patron Hamilton

3. Committee House Courts of Justice

4. Title Assessment of Traffic Congestion Fee.

5. Summary/Purpose: This bill provides that any person convicted of reckless driving, when such reckless driving results in a traffic accident determined by a judge to have created a significant traffic delay on any highway, bridge, or tunnel within the system of highways in Virginia, would be required to pay an additional "Traffic Congestion Fee." The amount of the fee, which could not exceed \$10,000, would be determined by a judge. This fee would be in addition to any penalty assessed under subsection A or B of Virginia Code 46.2-868. Any Traffic Congestion fees collected under the provisions of this bill would be paid into the Transportation Trust Fund.

6. Fiscal impacts are indeterminate. Refer to item 8 below.

7. Budget amendment necessary: No.

8. Fiscal implications: The fiscal impact of this bill cannot be determined. In fiscal year 2005, 74,681 drivers were convicted of reckless driving in the Commonwealth of Virginia. It is not known what percentage of these drivers would be determined by a judge to have caused a significant traffic delay from an accident nor the amount of the Traffic Congestion Fee that would be assessed by the judge in each case. As a result, the amount of the funds to be deposited into the Transportation Trust Fund under the provisions of this legislation cannot be identified. However, for illustrative purposes, the chart below presents possible scenarios that could result from the imposition of the Traffic Congestion Fee on an assumed constant annual stream of 74,681 drivers convicted of reckless driving.

Potential Annual Revenue Impact from Traffic Congestion Fee

(in millions \$)

		Percentage deemed creating delay					
		5%	10%	25%	50%	75%	100%
Fee	\$ 100	0.4	0.7	1.9	3.7	5.6	7.5
	\$ 250	0.9	1.9	4.7	9.3	14.0	18.7
	\$ 500	1.9	3.7	9.3	18.7	28.0	37.3
	\$ 1,000	3.7	7.5	18.7	37.3	56.0	74.7
	\$ 5,000	18.7	37.3	93.4	186.7	280.1	373.4
	\$ 10,000	37.3	74.7	186.7	373.4	560.1	746.8

9. Specific agency or political subdivisions affected: Supreme Court of Virginia, local courts.

10. Technical amendment necessary: No.

11. Other comments: None.

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cc: Secretary of Transportation