

## Department of Motor Vehicles 2006 Fiscal Impact Statement

1. **Bill Number** HB5061

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed

**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

2. **Patron**        Oder

3. **Committee**   Referral Pending

4. **Title**            Height of vehicles; penalty.

5. **Summary/Purpose:** Provides that any person driving or attempting to drive a vehicle or any combination of vehicles into or through any tunnel when the permitted height of the vehicle exceeds the height of the tunnel shall be assessed five demerit points, and the owner of any such vehicle shall be fined \$1000. Any fourth or subsequent violation shall result in a fine of \$2,500.

6. **Fiscal Impacts are unknown**

7. **Budget amendment necessary:** No.

8. **Fiscal implications:** Unknown; see item 11 below.

9. **Specific agency or political subdivisions affected:** DMV, VDOT, State Police

10. **Technical amendment necessary:** Unclear; the bill requires five demerit points be assigned to persons convicted of violating this part of the Code section. Under § 46.2-492, the Uniform Demerit Code System has three assignment levels: three points for less serious offenses, four points for relatively serious offenses, and six points for serious offenses. There is no five point assignment level. DMV will contact the patron to alert him to this issue and to confirm if it was his intent to create a new assignment level for this one conviction/offense.

11. **Other comments:** The impact of increasing the demerit points from three to five on suspensions is unknown. As for revenue and expenditure impacts, overall impacts are unknown. There is no data available for fines charged in relation to any Class 3 misdemeanor convictions (up to \$500) under the current law. Data from State Police indicates 234 summonses were issued at the Hampton Roads Tunnel alone for vehicle height violations in calendar year 2005. DMV conviction data indicates 136 convictions were issued for vehicle height violations in the last half of calendar year 2005. There were a total of 20,295 height-related stops in the Hampton Roads District in calendar year 2005; 12,775 vehicles were stopped, measured and turned around because of height violations. The Hampton Roads District includes the Elizabeth River midtown and downtown tunnels, the Hampton Roads bridge-tunnel and the Monitor-Merrimac Memorial bridge-tunnel.

**Date:** 09/20/06 /jmc

**Document:** G:\LLSDATA\2006 Legislation - Special Session\DPB Fiscal Impacts\HB5061.DOC

cc: Secretary of Transportation