

## **Department of Planning and Budget 2008 Fiscal Impact Statement**

**1. Bill Number:** SB 309

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

**2. Patron:** Reynolds

**3. Committee:** Appropriations

**4. Title:** Suspended license; unpaid fines

**5. Summary:** This bill authorizes the issuance of a restricted permit to operate a motor vehicle during a period of suspension for unpaid fines and costs.

**6. Fiscal impact estimates:** Indeterminate.

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

**8. Fiscal implications:** This bill permits a court to issue a restricted driver's license to someone whose license was suspended for failure to pay the fines and costs imposed for conviction of a crime or traffic infraction. An individual would petition the general district court in the jurisdiction where he resides.

According to the Department of Motor Vehicles (DMV), there are 615,543 individual drivers with a Virginia address whose driving record shows at least one suspension (issued for any reason, not only for nonpayment of fines and costs). Assuming that half of those 615,543 suspended drivers are suspended for failure to pay (307,772) and half of that group seeks this restricted license, general district courts throughout the Commonwealth could have to deal with at least 154,000 individuals potentially eligible to apply for restricted licenses.

Processing this many additional applications for restricted licenses will add to the workload of the general district courts, which already have heavy workloads and are understaffed. Unless additional staff is provided to the general district courts, the provisions of this bill could result in backlogs of all general district court paperwork. It should be noted that the Senate budget included \$483,120 in FY 2009 and \$966,240 in FY 2010 and 20 positions in each year for district courts. While it is unknown whether all general district courts would realize an increase in workload or only selected courts, the additional staff could help cover the possible workload generated by this legislation.

Changes to DMV's automated systems to implement a new process, in which a court order for a restricted license is not tied to specific fines and costs suspension, but rather applies to all such fines and costs suspensions, are estimated at \$138,150. This cost can be addressed within existing reinstatement fees.

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

**10. Technical amendment necessary:** No.

**11. Other comments:** If the conviction and imposition of a fine and court costs occurred in the general district court where the person lives, the cases, though many, will be straightforward. That court would have ready access to the records of the conviction and the nonpayment of a fine and court costs. However, if the conviction took place in another court, and if the court issuing the restricted driver's license wants to verify the person's conviction and nonpayment through court records, that general district court would have to contact the court, or courts, where the other conviction(s) occurred. In addition, this would put a general district court in the position of modifying the orders of other general district courts, juvenile and domestic relations district courts, and even circuit courts.

**Date:** 2/29/2008/jlv

**Document:** G:\08-10\FIS\SB309H1.Doc Janet Vogelgesang

cc: Secretary of Transportation