

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: HB2021

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

2. Patron: Rust

3. Committee: Courts of Justice

4. Title: Impoundment of motor vehicle for driving without an operator's license.

5. Summary: Provides that a person who is found to be driving a motor vehicle without an operator's license or when his license is suspended for reasons not pertaining to DUI, having been previously convicted of any such an offense, shall have his motor vehicle impounded for up to 30 days. Any person who knowingly authorizes the operation of a motor vehicle by a person who he knows has no operator's license and who he knows has been previously convicted of driving a motor vehicle without an operator's license in violation of § 46.2-300 or a substantially similar ordinance or law in any other jurisdiction shall be guilty of a Class 1 misdemeanor (up to 12 months in jail and/or \$2,500 fine). Persons arrested for failure to have a valid operator's license who are under 18 years of age or whose licenses have been expired for less than one year are exempted from impoundment.

6. Fiscal Impact Estimates: *Preliminary.*

7. Budget Amendment Necessary: No.

8. Fiscal Implications: Although insufficient data exists to determine the fiscal impact due to the legislation at this time, the legislation could result in an increase in the jail population since a Class 1 misdemeanor can result in a sentence of up to 12 months in jail (and \$2,500 fine). Any increase in jail population will increase costs to the state. The Commonwealth pays the localities \$8.00 a day for each misdemeanant or otherwise local responsible prisoner held in a jail. It also funds most of the jails' operating costs, e.g. correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's FY2007 Jail Cost Report (November 1, 2008), the estimated total state support for local jails averaged \$28.77 per inmate, per day in FY 2007.

9. Specific Agency or Political Subdivisions Affected: Local and regional jails, State Compensation Board, law enforcement agencies statewide, general district courts.

10. Technical Amendment Necessary: No

11. Other Comments: None.

Date: 2/6/2009 dpb/jgc

Document: G:\2009\EFIS\Posted\HB2021H1.DOC