

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: HB2041EH1

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

2. Patron: Iaquinto

3. Committee: Senate Committee on Courts of Justice

4. Title: **Ignition Interlock Limitations After First Offense.**

5. Summary: Provides that a person who is convicted of DUI is required to have an ignition interlock as a condition of a restricted license.

6. Fiscal Impact Estimates: Preliminary (see Item 8)

6b. Revenue Impact: See Item 8

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2010	\$372,00	General
2011	\$372,00	General
2012	\$372,00	General
2013	\$372,00	General
2014	\$372,00	General
2015	\$372,00	General

7. Budget Amendment Necessary: No

8. Fiscal Implications: According to the Supreme Court of Virginia (SCV), the increased number of ignition interlock devices being ordered will have some revenue impact. By statute, the clerk collects an additional \$20 administrative fee when an ignition interlock is ordered, in addition to the standard applicable court costs. That fee is deposited in the General Fund of the Commonwealth.

SCV does not track the number of restricted driver's licenses issued pursuant to those convictions, although anecdotal evidence suggests that a significant majority of those eligible for a restricted license request one. The most recent court data available shows nearly 31,300 DUI convictions on an annual basis (24,373 first time convictions and 6,933 second and subsequent convictions). Discounting for the more serious DUI offenders who are not eligible for a restricted license or who do not become eligible immediately, those whose request is denied and those who do not seek one, it is conservatively assumed that 75 percent of those convictions will result in a restricted driver's license, or approximately 23,500 restricted licenses.

Since there are approximately 4,900 ignition interlocks currently issued, one could conclude that there could be an ignition interlock ordered in an additional 18,600 cases. Assuming these estimates are reasonably accurate, the administrative fee for the additional 18,600 ignition interlock users represents \$372,000 in additional revenue.

According to the Department of Motor Vehicles (DMV), the proposed legislation has no fiscal impact on agency operations.

9. Specific Agency or Political Subdivisions Affected: Courts, DMV

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 2/17/2009

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