

Department of Planning and Budget 2012 Fiscal Impact Statement

1. Bill Number: SB603

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. Patron: McWaters

3. Committee: Passed Both Houses

4. Title: Nonpayment of jail fees; suspension of driver's licenses.

5. Summary: This bill allows suspension of or refusal to renew the driver's license of persons who do not pay fees that local correctional facilities or regional jails are allowed to charge to defray the cost of their keep. The bill also divides existing § 46.2-320 of the Code of Virginia, relating to other grounds for refusal to issue or renew a driver's license, into two sections; grounds relating to nonpayment of child support (subsections B through E) are moved verbatim to new § 46.2-320.1.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final. See #8.

8. Fiscal Implications: A one-time cost of \$189,000 is estimated for automated system changes necessary to support the provisions of this bill. While DMV will absorb this cost within its existing resources, it is anticipated that the agency would recoup this expenditure over time through collections of the reinstatement fee that is required as part of the license reissue process.

For courts, this bill will result in additional cases of two different types, almost exclusively the general district court. There will be cases brought on behalf of local correctional facilities and regional jails to establish civil judgments for unpaid jail fees. Some percentage of the civil defendants against whom those judgments are obtained will have their driver's licenses suspended by DMV. Some percentage of those thus suspended by DMV will petition a general district court for a restricted driver's license. Since the institution of the civil judgment cases is within the control of the local correctional facilities and regional jails throughout the Commonwealth, it cannot be determined how many new civil judgment cases will be filed or how many resulting petitions for restricted driver's licenses will be filed. However, it is expected that the additional cases can be accommodated with current resources.

The fees that are paid are remitted to the local treasurer to be used to defray the cost of incarceration. Therefore, the fees are subject to the setoff debt collection act (§ 58.1-520 et

seq.) and/or collection by the local treasurer under existing law. The Department of Taxation's setoff debt collection unit is self-funded through fees charged against amounts collected, so any increase or decrease in debts assigned to the unit would not affect the Department of Taxation's appropriation.

9. Specific Agency or Political Subdivisions Affected: Department of Motor Vehicles; local correctional facilities and regional jails; courts.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 3/12/12

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c: Secretary of Transportation