

REVISED 1/24/16

**Department of Planning and Budget
2016 Fiscal Impact Statement**

1. Bill Number: HB 178

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

2. Patron: Bell, Richard P.

3. Committee: Transportation

4. Title: Commercial motor vehicles; limited to use of certain lanes of Interstate 64, penalty.

5. Summary: Allows commercial motor vehicles to travel in the left-most lane of Interstate 64, regardless of speed limit, in the Counties of Albemarle, Augusta, and Nelson except while traveling on Afton Mountain. The bill provides that any operator of a commercial motor vehicle who travels in the left-most lane while on Afton Mountain is guilty of reckless driving punishable by a mandatory minimum fine of \$500.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Indeterminate.

8. Fiscal Implications: According to the Department of Transportation (VDOT), some signage would be required on I-64 in the Afton Mountain area to inform motorists of the restriction. VDOT estimates that at least four signs would be required, at a total estimated cost of \$14,400. It is anticipated that VDOT can absorb the cost of additional signage resulting from this legislation.

According to section 46.2-868 of the Code of Virginia, reckless driving is a Class I misdemeanor. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. According to the Virginia Criminal Sentencing Commission, not enough information is available to reliably estimate how many additional inmates in jail could result from this proposal. Ultimately, the presiding judge will decide if there is to be any time served in jail; however, any increase in jail population will increase costs to the state. The Commonwealth presently pays the localities \$4.00 a day for each misdemeanant or otherwise local responsible prisoner held in a jail. It also funds the majority of the jails' operating costs, e.g. correctional officers. The state's share of these costs varies from locality to locality. According to the Compensation Board's most recent Jail Cost Report (November 2015), the estimated total state support for local jails averaged \$32.24 per inmate, per day in FY 2014.

This legislation could result in additional revenues from the fine applied to this offense. It is impossible to determine the magnitude of the potential impact because there is no way to project the amount of violations of this provision that will occur. Any revenue collected would be deposited in the Literary Fund, except if a citation is written against an identical local ordinance, in which case the revenue would belong to that locality.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Transportation, Virginia's judicial system, law enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.