

## Department of Planning and Budget 2018 Fiscal Impact Statement

**1. Bill Number:** HB 633

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:** Krizek

**3. Committee:** Courts of Justice

**4. Title:** Driver's license suspensions for certain non-driving related offenses

**5. Summary:** This bill removes the existing provisions that a person's driver's license is suspended (i) when he is convicted of or placed on deferred disposition for a drug offense or (ii) for nonpayment of fines and court costs for offenses not pertaining to the operator or operation of a motor vehicle. The provisions of this bill that affect the Code of Virginia have a delayed effective date of September 1, 2018.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Preliminary. See Item #8.

**8. Fiscal Implications:** This bill would abolish driver's license suspensions for persons who are convicted of a drug offense, placed on probation following a deferral of prosecution for marijuana possession, or who receive a suspension for unpaid fines and costs where the underlying conviction was non-motor vehicle related.

Suspended drivers pay a \$145 reinstatement fee, of which \$100 goes to the Trauma Center Fund and \$45 goes to the Department of Motor Vehicles (DMV). Drivers with multiple suspensions or revocations pay the \$145 reinstatement fee for the first order reinstated and a \$5 multiple order fee for each additional order. Based on FY 2017 reinstatements, DMV estimates that it would lose approximately \$1.0 million annually in reinstatement fee revenue from this bill and deposits to the Trauma Center Fund would decrease by approximately \$2.2 million annually. Although DMV could absorb this revenue loss in the short term, it is anticipated that DMV will not have enough resources in future years to equal anticipated expenses.

This bill also addresses the provisions of 23 U.S.C. § 159, requiring states to have policies requiring suspension of drivers licenses for individuals who have committed drug offenses or risk a loss of federal highway funds. Under that statute, however, Virginia may opt out of the statute if the General Assembly passes a joint resolution of its opposition to the policy of the statute, and the Governor informs the federal government that he concurs with that resolution. This bill provides that its passage shall serve as the joint resolution of the General Assembly's opposition to the policy of the statute. Therefore, no loss of federal highway funds is expected.

**9. Specific Agency or Political Subdivisions Affected:** Department of Motor Vehicles, Virginia Department of Transportation, Virginia Department of Health, courts.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.

**Date:** 1/26/2018

**Document:** G:\18-20\FIS 2018\HB633.docx

cc: Secretary of Transportation