

## **Department of Planning and Budget 2020 Fiscal Impact Statement**

**1. Bill Number:** HB885

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

**2. Patron:** Sickles

**3. Committee:** Courts of Justice

**4. Title:** Speeding; reckless driving.

**5. Summary:** Raises the threshold for per se reckless driving for speeding from driving in excess of 80 miles per hour to driving in excess of 85 miles. Adds that any person who drives a motor vehicle at a speed in excess of 80 miles per hour but below 85 miles per hour on any highway in the Commonwealth having a maximum speed limit of 70 miles per hour shall be subject to an additional fine of \$100.

**6. Budget Amendment Necessary:** Yes, Item 39.

**7. Fiscal Impact Estimates:** Preliminary, see Item 8.

**8. Fiscal Implications:** Reckless driving is punishable as a Class 1 misdemeanor. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail and a fine of up to \$2,500. It is possible this bill could reduce the number of people sentenced to local or regional jails, but any potential impact is indeterminate at this time.

As a result of this bill, less people may be subject to a fine of up to \$2,500 for reckless driving. However, more people may be subject to the additional fine of \$100. It is not feasible to determine the impact to revenue that would be deposited into the Literary Fund as a result of the provisions of this legislation.

VDOT previously installed signs where the speed limit is 70 miles per hour that indicate 80 miles per hour as the limit for reckless driving. This was done by VDOT as a public service to raise awareness of the law and to thereby improve public safety. If this bill passes, VDOT would need to either replace or remove approximately 12 signs on interstates where the speed limit is 70 mph that currently indicate 80 mph as the limit for reckless driving. The cost of replacing the signs to indicate the new limit for reckless driving would be approximately \$3,100 per sign, for a total estimated cost of \$37,200. The cost of simply removing the signs would be approximately \$800 per sign, for a total estimated cost of \$9,600. VDOT has not made any determination as to the effectiveness of the signs. These costs would have to be covered by VDOT redirecting existing resources from other priorities.

The implementation of an additional fine of \$100 will require the Office of the Executive Secretary to update its Financial Accounting System and the Legacy Financial Management

System. Each system would have to be reprogrammed to recognize when the speed limit zone entered by the clerk was 70 miles per hour, and in such cases, whether the defendant was convicted for driving between 81 – 84 miles per hour. The total estimated one-time cost for development, quality assurance analysis, and training of court personnel related to the change is \$15,176.

- 9. Specific Agency or Political Subdivisions Affected:** Department of State Police, local law enforcement, local and regional jails, Virginia Department of Transportation, Supreme Court of Virginia

- 10. Technical Amendment Necessary:** No

- 11. Other Comments:** This bill is similar to SB63.