

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: SB246 S1

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

2. Patron: Surovell

3. Committee: Finance and Appropriations

4. Title: Department of Motor Vehicles; sex designation

5. Summary: This bill requires the Department of Motor Vehicles to offer any applicant the option to choose "non-binary" when identifying the applicant's sex.

6. Budget Amendment Necessary: Yes. Item 39.

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

8. Fiscal Implications: This fiscal impact statement is revised to account for costs associated with the court system.

This bill proposes that the Department of Motor Vehicles (DMV) offer to any applicant the option to choose "non-binary" when identifying the applicant's sex. To date, sixteen states and the District of Columbia allow individuals to choose a non-binary option for gender designation on driver's licenses and identification cards.

This legislation will not result in a significant expenditure increase for the agency. DMV's current credential vendor has provided a cost estimate of \$30,936 to implement this change. The staff hours required to implement the bill can be accomplished during the normal work schedules for DMV employees, given current workloads. DMV would be able to absorb this cost within its existing resources assuming other legislative proposals with fiscal impacts to DMV are not passed. DMV's current fiscal outlook precludes funding the cumulative burden of implementing the programming and staffing requirements of multiple pieces of legislation without improved revenue streams.

According to the Supreme Court of Virginia, it will require additional general fund support of \$41,253 for reprogramming costs associated with this bill. Three case management systems utilized by the courts (general district court, juvenile and domestic relations district court, and circuit court) interface with DMV systems. Such systems would need to be reprogrammed to accept an "X" in the Gender/Sex field for a defendant. This change would be necessary in the Sex/Gender field for 13 separate divisions across the three case management systems, and across 4 separate interfaces (e.g. Virginia State Police and Department of Motor Vehicles).

9. Specific Agency or Political Subdivisions Affected: Department of Motor Vehicles. court system.

10. Technical Amendment Necessary: No.

11. Other Comments: None.