

## Department of Planning and Budget

### 2022 Fiscal Impact Statement

**1. Bill Number:** SB368

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:** Reeves

**3. Committee:** Transportation

**4. Title:** Vehicle history report companies; notifications.

**5. Summary:** This bill requires vehicle history report companies, as defined in the bill, to notify a vehicle owner and lienholder, if any, if his vehicle has been deemed nonrepairable or any comparable term in the records of such company. The bill requires vehicle history report companies to establish and maintain a process for disputing such a designation and, if appropriate, having it corrected in a timely manner. The bill provides that a failure to notify the owner constitutes a violation of the Virginia Consumer Protection Act. The bill authorizes the Department of Motor Vehicles to release the name and address of the vehicle owner and lienholder for the purpose of such notification. Any person who discloses personal information in violation of the provisions of this legislation shall be subject to a civil penalty of \$1,000 per disclosure.

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

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

**8. Fiscal Implications:** The bill creates a requirement for vehicle history report companies to notify a vehicle owner and lienholder when a vehicle has been deemed nonrepairable. Current law specifies when and to whom the Department of Motor Vehicles (DMV) can release data. This legislation authorizes DMV to release the appropriate data to a vehicle history report company so that the company can release the data to the required parties.

This bill would not require DMV to implement new processes or procedures and any additional costs can be absorbed by the agency. Any civil penalties charged for unpermitted release of personal information associated with this legislation would go to the Literary Fund, though the amount of potential revenue that might be collected is indeterminate.

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

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

**11. Other Comments:** None.