

## Department of Planning and Budget 2015 Fiscal Impact Statement

**1. Bill Number:** HB2108

**House of Origin**     Introduced     Substitute     Engrossed  
**Second House**     In Committee     Substitute     Enrolled

**2. Patron:**    Futrell

**3. Committee:** Committee Referral Pending

**4. Title:**    Sale of recalled used motor vehicles; penalty.

**5. Summary:** This bill prohibits dealer sales or offers for sale of used motor vehicles recalled by their manufacturers. A violation of the prohibition is a Class 1 misdemeanor.

**6. Budget Amendment Necessary:** No

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

**8. Fiscal Implications:** According to the Motor Vehicle Dealer Board (MVDB), no fiscal impact on the agency is anticipated. If a dealer should be convicted under this proposal, the MVDB would conduct an administrative hearing just as it would for any other dealer-related conviction.

However, a dealer convicted of a Class 1 misdemeanor could be sentenced to time in jail. Although insufficient data exists to determine the fiscal impact due to this proposal, the proposed legislation could result in an increase in the jail population since Class 1 misdemeanor outcomes result in sentences of up to 12 months in jail (and a fine up to \$2,500). 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 a significant portion of the jails' operating costs, e.g. correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's FY2013 Jail Cost Report (November 1, 2014), the estimated total state support for local and regional jails averaged \$30.54 per state inmate, per day in FY 2013.

**9. Specific Agency or Political Subdivisions Affected:** Motor vehicle dealers, consumers.

**10. Technical Amendment Necessary:** None

**11. Other Comments:** None.

**Date:** 1/15/15

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c: Secretary of Transportation