

## **Department of Planning and Budget**

### **2017 Fiscal Impact Statement**

**1. Bill Number:** HB1525

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input 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:** Albo

**3. Committee:** Courts of Justice

**4. Title:** Revocation or suspension of driver's licenses; laws of other jurisdictions.

**5. Summary:** This bill precludes the Commissioner of the Department of Motor Vehicles from administratively revoking or suspending a person's driver's license solely on the basis that such person was convicted under the laws of another jurisdiction if any court of the Commonwealth has held that the other jurisdiction's law is not substantially similar to the laws of the Commonwealth or a county, city, or town ordinance.

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

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

**8. Fiscal Implications:** This bill will impact the automated systems of the Department of Motor Vehicles (DMV) by requiring modification to include jurisdictions that are substantially different so that the system will recognize when not to generate an action on a license. It is estimated that this will require 2,130 IT staff hours at a cost of \$135,255.

DMV would be able to absorb this cost within its existing resources assuming other legislative proposals with fiscal implications to DMV do not pass. DMV's current fiscal outlook precludes funding the cumulative burden of implementing the programming requirements of multiple pieces of legislation without improved revenue streams.

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

**10. Technical Amendment Necessary:** No

**11. Other Comments:** DMV has received preliminary comments from the Federal Motor Carrier Safety Administration (FMCSA) regarding this bill's provisions. Section 49 CFR 383.51 of FMCSA regulations require disqualification of a commercial driver from operating a commercial motor vehicle if he is convicted of "[b]eing under the influence of alcohol as prescribed by State law" whether he is operating a commercial vehicle or a non-commercial vehicle. If DMV receives an out-of-state conviction, it appears that under this federal regulation, DMV would need to take action on a commercial driver's license (CDL) whether or not the out-of-state law is deemed by a Virginia court to be substantially similar. In FY2016, DMV issued 37,810 CDLs. Passage of this legislation without some reference to

federal commercial driver requirements could put Virginia's ability to issue CDLs in jeopardy.

**Date:** 1/12/2017

**Document:** Janet Vogelgesang G:\16-18\FIS 2017\HB1525.docx

cc: Secretary of Transportation