

Department of Planning and Budget

2017 Fiscal Impact Statement

1. Bill Number: SB954

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: DeSteph

3. Committee: Transportation

4. Title: Toll violations.

5. Summary: This bill relocates Title 46.2 (Motor Vehicles) provisions relating to driving a motor vehicle from an establishment where motor fuel is dispensed into the vehicle's tank without payment, and smoking in proximity to gas pumps, from their current location in Article 1.1 (Toll Violations and Enforcement) of Chapter 8 to a more logical placement in Chapter 1 (General Provisions). The bill combines Code sections relating to electronic toll facilities. The bill requires a court to consider extenuating circumstances in assessing civil penalties for toll violations, which have been updated to reflect the technological advancements in collecting tolls. The bill makes the procedure for contesting toll violations via affidavit on toll facilities uniform.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: Implementation of this bill should have minimal fiscal impact. By relocating two Code sections and combining two others, the courts and the Virginia Department of Motor Vehicles (DMV) will have to adjust the conviction codes associated with the violations in the sections accordingly. In addition, DMV will be required to amend some information use agreements to reflect the newly-applicable Code sections. The agency estimates the cost to update its automated systems as a result of this legislation to be \$1,905. It is expected that DMV can absorb any associated costs within existing resources.

According to the Office of the Executive Secretary of the Supreme Court (OES), the reorganization alone of these statutory provisions will not have a fiscal impact on the courts. However, the bill “requires a court to consider extenuating circumstances in assessing civil penalties for toll violations” (lines 288-300). To the extent to which consideration of those extenuating circumstances results in fewer convictions and fewer assessments of civil penalties, there could be some revenue impact. However, it is not possible to foresee or estimate how often that might occur.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Motor Vehicles, Virginia Department of Transportation, Virginia Courts System.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/16/2017

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cc: Secretary of Transportation