

Department of Planning and Budget 2019 Fiscal Impact Statement

1. Bill Number: SB1613

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

2. Patron: Ebbin

3. Committee: Finance

4. Title: Driver's license suspensions for certain non-driving related offenses

5. Summary: This bill removes the existing provisions that allow a person's driver's license to be suspended (i) when he is convicted of or placed on deferred disposition for a drug offense and (ii) for violations not pertaining to the operator or operation of a motor vehicle.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: The overall impact of this bill is revenue neutral as the Governor's introduced budget addresses the identified lost revenue.

This bill amends § 18.2-251 such that individuals convicted of drug related offenses will no longer have their driving privileges suspended. Additionally, this bill amends § 46.2-395, such that individuals who fail to pay court fines and costs following a non-motor vehicle related conviction also will not have their driving privileges suspended.

Suspended drivers pay a \$145 reinstatement fee, of which \$100 goes to the Trauma Center Fund and \$45 goes to the Department of Motor Vehicles (DMV). Drivers with multiple suspensions or revocations pay the \$145 reinstatement fee for the first order reinstated and a \$5 multiple order fee for each additional order.

Since no new individuals would be suspended for drug related convictions or unpaid court fines and costs when the underlying offense was not driving related, there would be a loss of reinstatement fee revenue from drivers who would have been suspended in the future but for this bill.

Based on past annual volumes of customers suspended for drug related convictions along with the current cohort of individuals suspended for drug related convictions, DMV estimates that as a result of this bill the Trauma Center Fund will lose approximately \$850,000 in annual revenue, while DMV will lose approximately \$400,000 in annual revenue due to this portion of the bill. DMV's portion includes an estimated loss of reinstatement fees and multiple order fees.

In FY 2017 and FY 2018, DMV collected an average \$1,562,475 from reinstatement fee payments made by individuals suspended solely for failure to pay fines and costs when the underlying conviction was not driving related. Additionally in FY 2017 and FY 2018, DMV collected an average \$20,140 from multiple order fees from individuals suspended solely for nonpayment of fines and costs when the underlying conviction was non-motor vehicle related. As a result, DMV estimates that the Trauma Center Fund will lose \$1 million in annual revenue and DMV will lose \$505,900 in annual revenue due to this portion of the bill.

In total, reductions in revenue for the both the Trauma Fund and DMV are offset by adjustments made to each in Part 3 of the introduced budget.

9. Specific Agency or Political Subdivisions Affected: Department of Motor Vehicles, Virginia Department of Health, courts system.

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is a companion to HB 2277.

Date: 1/18/2019

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Cc: Secretary of Transportation
Secretary of Health and Human Resources