Department of Planning and Budget
2020 Fiscal Impact Statement

1. **Bill Number:** SB1ER

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

2. **Patron:** Stanley

3. **Committee:** Passed Both Houses

4. **Title:** Driver's license; suspension for nonpayment of fines or costs

5. **Summary:** This bill removes the requirement that a court suspend the driver's license of a person convicted of any violation of the law who fails or refuses to provide for immediate payment of fines or costs. The bill provides that the fine for any moving violation while operating a motor vehicle in a designated highway safety corridor shall be no more than $500 for any violation that is a traffic infraction and not less than $200 for any violation that is a criminal offense. The bill repeals the Nonresident Violator Compact of 1977. The bill also provides that the Commissioner of the Department of Motor Vehicles shall reinstate a person's privilege to drive a motor vehicle that was suspended prior to July 1, 2019, solely pursuant to § 46.2-395 of the Code of Virginia and shall waive all fees relating to reinstating such person's driving privileges. Nothing in this act shall require the Commissioner to reinstate a person's driving privileges if such privileges have been otherwise lawfully suspended or revoked or if such person is otherwise ineligible for a driver's license.

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

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

8. **Fiscal Implications:** The bill repeals § 46.2-395 of the Code of Virginia requiring the suspension of the driver's license of any person who fails (1) to pay their fines and costs within 30 days of conviction or (2) to enter into a payment plan with the court of convictions, and strikes cross-references to § 46.2-395 throughout the Code of Virginia.

   During the 2019 General Assembly Session, the 2019 Appropriation Act (Chapter 854) was amended in § 3-6.03 to invalidate the language of § 46.2-395, effectively repealing the provisions of that section. This language also appears in § 3-6.03 B. of the 2020-2022 budget approved by the General Assembly (HB30/SB30).

   Prior to July 1, 2019, these suspended drivers would have paid a $145 reinstatement fee, of which $100 would go to the Trauma Center Fund and $45 to the Department of Motor Vehicles (DMV). Drivers with multiple suspensions or revocations would have paid the $145 reinstatement fee for the first order reinstated and a $5 multiple order fee for each additional order. Previously, an individual would have to pay fines and costs prior to being

eligible and pay the reinstatement fee, along with any multiple order fees, in order to be eligible for reinstatement.

The introduced budget also addresses the impact of DMV's annual decrease in fee revenue attributable to these type of suspensions through a reduction of its share of transfers for expenses incurred by central service agencies. The Trauma Center Fund is compensated for its annual revenue loss through the cessation of transfers from the Fund to the general fund.

As this provision has been effectively repealed through Chapter 854 (2019) and the Department of Motor Vehicles has already implemented it in response to the Appropriation Act, there will be no additional fiscal impact if this legislation were to pass.

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

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

11. **Other Comments:** This bill is a companion to HB1196.