

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: HB960

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

2. Patron: Wampler

3. Committee: Committee Referral Pending

4. Title: Issuing citations; marijuana and certain traffic offenses; exclusion of evidence.

5. Summary: Removes provisions providing that no evidence discovered or obtained as a result of a stop, search, or seizure of any person, place, or thing may be admissible in court solely on the basis of: (i) the odor of marijuana; (ii) a violation of driver's license laws pertaining to minors; (iii) a driver smoking in the vehicle with a minor present; (iv) pedestrian violations; (v) window tinting and windshield sign/decal/sticker violations; (vi) suspension of objects that obstruct the driver's view; (vii) seat belt violations; and (viii) local ordinances pertaining to vehicles.

The bill also removes provisions providing that no law enforcement officer may lawfully make a stop solely on the basis of the following instances, and no evidence from such stop may be admissible in court: (i) when a vehicle violates local noise ordinances; (ii) when a vehicle has an expired registration; (iii) a vehicle having defective equipment; (iv) a vehicle in violation of lighting requirements; (v) a vehicle in violation of exhaust system requirements; and (vi) an expired vehicle safety inspection.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: The bill is not expected to create a fiscal impact on state agencies. Any potential fiscal impact on local law enforcement agencies cannot be determined at this time.

9. Specific Agency or Political Subdivisions Affected: Courts, Department of State Police, Local law enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.