Department of Planning and Budget
2023 Fiscal Impact Statement

1. **Bill Number:** HB2204

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

2. **Patron:** Delaney

3. **Committee:** Judiciary

4. **Title:** Department of Motor Vehicles; driving under the influence of alcohol, drugs, or a combination thereof; data collection and reporting

5. **Summary:** This bill requires the Department of Motor Vehicles to collect and disseminate, on an annual basis, statewide and locality-level data related to driving under the influence of alcohol, drugs, or a combination thereof. The bill requires the Department of Motor Vehicles to submit an annual report on the data collected on or before October 1 to the General Assembly, the Governor, and the Virginia State Crime Commission and to make such data available to the public on the website of the Department. The bill provides that the Department of Motor Vehicles shall not be required to submit the first annual report prior to October 1, 2024, and that the first annual report shall include data from calendar year 2019 through calendar year 2023. This bill is a recommendation of the Virginia State Crime Commission.

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

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

8. **Fiscal Implications:** The bill proposes requiring the Department of Motor Vehicles (DMV) to collect data relating to driving under the influence of alcohol (DUI), driving under the influence of drugs (DUI-D), or a combination of both, from the Office of the Chief Medical Examiner (OCME), the Department of State Police (VSP), the Office of the Executive Secretary of the Supreme Court of Virginia (OES), the Compensation Board, the Department of Corrections (DOC), the Virginia Alcohol Safety Action Program (VASAP), and the Department of Forensic Science (DFS). The bill also permits DMV to collect data from every entity created by the Commonwealth or to which the Commonwealth is a party, and from any political subdivision of such an entity; every law enforcement agency; and every circuit court clerk. The bill would require DMV to submit an annual report to the Governor, the General Assembly, and the Virginia State Crime Commission (VSCC) based on the data collected and the data DMV maintains.

   The bill has enactment clauses delaying the date of the first report until October 1, 2024, and requiring that the first report include data from calendar years 2019 through 2023.

Assuming that DMV can collect all data necessary to produce the report in a standardized, electronic format in summary or aggregated form from only the seven state agencies specifically listed in subsection B of the proposed Code § 46.2-223.1, DMV will be able to implement the legislation using existing resources. The bill will have a fiscal impact, however, if those agencies are unable to provide DMV with the necessary data in a standardized, electronic format or if the data is not in a summary or aggregated form. The bill will have a substantial fiscal impact if DMV is required to obtain data from other entities, described in subsection A, scaling with the number of such entities from which DMV collects the necessary data. For example, the bill permits DMV to report data aggregated by every law enforcement agency. According to the Department of Criminal Justice Services' (DCJS) Criminal Justice Directory, there are 442 such agencies in the Commonwealth.

9. **Specific Agency or Political Subdivisions Affected:** Department of Motor Vehicles, Office of the Chief Medical Examiner, Department of State Police, Office of the Executive Secretary of the Supreme Court of Virginia, the Compensation Board, Department of Corrections, Virginia Alcohol Safety Action Program, and Department of Forensic Science.

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

11. **Other Comments:** This bill is a companion to SB 1398.