

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: SB868

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
Second House	<input checked="" type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Cosgrove

3. Committee: Transportation

4. Title: Passing stopped school buses; civil penalty

5. Summary: The bill clarifies that a civil penalty imposed for a violation of the prohibition on passing stopped school buses shall not be considered a conviction, become part of the driving record of the person found liable, or be used for motor vehicle insurance coverage purposes. The bill prohibits the imposition of court costs and provides that a finding of a violation by a general district court may be appealable to the circuit court in a civil proceeding. The bill changes from 10 days to 30 business days the period of time in which a summons must be issued to create a rebuttable presumption that the registered owner was the operator at the time of the violation.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: This bill would eliminate the court cost for persons who have been found guilty of passing a stopped school bus via video monitoring. In calendar year 2022, there were 779 guilty dispositions for persons violating Va. Code §§ 46.2-844 or 46.2-859. Had these defendants not been assessed the \$51 court costs, it would have resulted in a loss of \$39,729. It is important to note that the number of convictions under these two statutes dropped precipitously during the pandemic, as there were 1,000 convictions in 2019, but only 397 convictions in 2020. Therefore, if one assumes that the number of convictions in 2022 is not representative of the number of convictions that will result annually in the future, the fiscal impact of this bill on the court system would be anticipated to be closer to \$50,000.

A fiscal impact on the Department of Motor Vehicles is not anticipated.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.