

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: SB875

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: McDougale

3. Committee: Transportation

4. Title: Issuing citations; certain traffic offenses.

5. Summary: Removes provisions prohibiting a law-enforcement officer from stopping a motor vehicle for operating (i) with an expired registration sticker prior to the first day of the fourth month after the original expiration date; (ii) with defective and unsafe equipment; (iii) without tail lights, brake lights, or a supplemental high mount stop light; (iv) without lighted headlights displayed when so required; (v) with certain tinting films, signs, posters, stickers or decals; (vi) with objects or other equipment suspended so as to obstruct the driver's view; or (vii) with an expired inspection prior to the first day of the fourth month after the original expiration date, as well as the accompanying exclusionary provisions. Law-enforcement officers are also permitted under the proposed legislation to stop pedestrians that are improperly crossing or stepping into highways where they cannot be seen.

Additionally, the proposed legislation prohibits the issuance of citations for violations of (i) the provisions of driving with a learner's permit or driver's license issued to an individual less than 18 years old; (ii) smoking in a vehicle with a minor present; or (iii) the requirement of occupants of front seats of motor vehicles to use safety belts unless the officer issuing such citation has cause to stop or arrest the driver for the violation of some other provision related to the operation, ownership, or maintenance of a motor vehicle or any criminal statute.

The proposed legislation also provides that an exhaust system will not be considered in good working order if it emits noise in excess of that permitted by standard factory equipment exhaust systems.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary (see Item 8 below).

8. Fiscal Implications: Currently, several of the Code section violations listed in the proposed legislation may be punishable by a civil fine, plus court processing fees. Revenue from assessment of court costs against persons convicted of crimes is deposited into the general fund. Fines are deposited into the Literary Fund. In addition, various fees are required by law to be assessed and the revenue is deposited into a large number of special funds that support

specified programs. However, there is not enough information to reliably estimate the impact on these revenues as a result of this proposal.

The Department of State Police (VSP) and Department of Motor Vehicles do not anticipate any material fiscal impact on their revenues or expenditures. Any potential impact on local law enforcement agencies is indeterminate at this time.

9. Specific Agency or Political Subdivisions Affected: Virginia State Police, Department of Motor Vehicles, local law enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.