

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. Bill Number: HB1324ER

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

2. Patron: Fowler

3. Committee: Passed both houses

4. Title: Issuance of restricted driver's license for multiple convictions of driving while intoxicated.

5. Summary: The bill provides that a person whose driver's license has been revoked for multiple convictions of driving while intoxicated may file a petition for the issuance of a restricted driver's license without having to wait for the expiration of three years from the date of his last conviction, regardless of the date of such conviction, when such person's last conviction resulted from a final order being entered by a court after the successful completion of a Veterans Treatment Court Program, behavioral health docket, or other specialty docket.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final, see Item 8 below.

8. Fiscal Implications: This bill proposes amending language that requires a three-year waiting period before a driver whose license was revoked after specified driving under the influence (DUI) convictions may petition for a restricted driver's license. The bill would waive the waiting period if the driver's most recent conviction was the result of a final order in a Veterans Treatment Court Program, behavioral health docket, or other specialty docket.

Specialty dockets refer to specialized court dockets within the existing structure of Virginia's circuit and district court system. The Supreme Court of Virginia is authorized by statute to approve specialty dockets under Rule 1:25 of the Rules of Court. Specialty dockets allow courts to offer judicial monitoring of intensive treatment, supervision, and remediation integral to case disposition. Drug treatment courts, veterans' treatment courts, and behavioral health dockets are authorized pursuant to Code §§ 18.2-254.1, 18.2-254.2, and 18.2-254.3, respectively.

Under this bill, a driver whose license was revoked under § 46.2-391(B) could petition for a restricted driver's license without waiting the three-year period otherwise required by § 46.2-391(C)(2), if the offender successfully completes a specialty docket established under Rule 1:25 of the Supreme Court of Virginia.

The Department of Motor Vehicles (DMV) does not anticipate significant implementation challenges associated with the bill and will be able to implement the legislation using existing resources.

The fiscal impact to the Office of the Executive Secretary of the Supreme Court (OES) is not known at this time.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None