

Department of Planning and Budget 2017 Fiscal Impact Statement

1. Bill Number: HB1633

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

2. Patron: Sullivan

3. Committee: Courts of Justice

4. Title: Careless driving; cause of injury to vulnerable road user.

5. Summary: Provides that a person is guilty of a Class 1 misdemeanor and shall have his license suspended who operates a motor vehicle in a careless or distracted manner and is the proximate cause of serious physical injury to a vulnerable road user, defined in the bill as a pedestrian or person riding a bicycle, electric wheelchair, electric bicycle, wheelchair, skateboard, skates, foot-scooter, animal, or animal-drawn vehicle.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. Ultimately, the presiding judge will decide if there is to be any time served in jail; however, any increase in jail population will increase costs to the state. The Commonwealth presently pays the localities \$4.00 a day for each misdemeanant or otherwise local responsible prisoner held in a jail. It also funds most of the jails' operating costs. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2016), the estimated total state support for local jails averaged \$34.40 per inmate, per day in FY 2015.

The Department of Motor Vehicles (DMV) will be required to create a new conviction code in their IT systems, and program the systems to generate a suspension if ordered by the court. DMV estimates these requirements will result in a one-time IT expenditure of \$38,430. DMV would be able to absorb this cost within its existing resources assuming other legislative proposals with fiscal implications to DMV do not pass. DMV's current fiscal outlook precludes funding the cumulative burden of implementing the programming requirements of multiple pieces of legislation without improved revenue streams.

9. Specific Agency or Political Subdivisions Affected: Department of Motor Vehicles, judicial system, Compensation Board

10. Technical Amendment Necessary: No

11. Other Comments: Companion bill to SB1339