

## FISCAL NOTE

November 28, 2017

<b>Bill No:</b>	HB 1777	<b>Printer's No:</b>	2404	<b>Sponsor:</b>	Wheatley (D)
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### COST / (SAVINGS)

Fund (s)	2017-18	2018-19
Motor License Fund	\$290,000	\$0

**SUMMARY:** This bill would amend Title 75 (Vehicles) establishing an amnesty program for traffic violations.

**ANALYSIS:** House Bill 1777 would establish the amnesty program providing for the reinstatement of the operating privileges for individuals with certain traffic violations upon payment of any delinquent fines, fees and penalties. The court and the Department of Transportation (DOT) would be required to administer the program. The program would be effective nine months after the effective date and would end 12 months later. Persons interested in participating in the program would be required to file an amnesty request with the court. The program would accept all fines, fees and penalties owed in the following manner:

- 100 percent of the original fines if the individual submitted an amnesty request within three months of the effective date.
- 100 percent of the original fine and no more than 50 percent of any late fines, fees and penalties if the individual files an amnesty request within three months after the effective date.
- 100 percent of the original fine and no more than 25 percent of any late fines, fees and penalties owed if the individual verifies under affirmation that he or she receives public assistance pursuant to this act.

Persons granted amnesty would be required to pay the amount necessary to have their driver's license reinstated and the court may elect to collect any reinstatement fee that does not exceed five percent of the amount accepted. Individuals may only participate in this program (or a comparable program subsequently established) once. Priority admission would be granted to individuals who on the effective date are enrolled in a payment plan or who have paid any delinquent fines, fees and penalties by the effective date. If an individual is delinquent in paying a scheduled amount owed, DOT would be required to send notice advising the individual that failure to resume payment within 30 days of notice would result in a suspension of his or her operating privilege. Information concerning the program would be posted on DOT's departmental website.

No later than 90 days after the effective date, each court would be required to provide DOT with a list of individuals delinquent in paying fines for violations under this act and DOT would be required to provide written notice concerning the existence of this program. If amnesty is

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granted, DOT would be required to remove all points from the individual's driver's license based on the conviction for which amnesty was granted. If removal of the points reduces the number of points below the amount for which suspension is required, DOT must immediately reinstate the operating privilege. DOT would be required to promulgate regulations concerning the implementation of this program and establish a procedure for the reinstatement of the operating privilege for persons granted amnesty in accordance with this act. Within six months after the completion of this program, the court and DOT would be required to provide the General Assembly with a joint report regarding the implementation of this program. All revenues received by the court for this program would be distributed pursuant to this act.

The sections concerning "ineligible violations," the establishment of the program, duties of the DOT and the promulgation of regulations would be effective immediately. The remainder of the act would be effective nine months after passage.

**FISCAL IMPACT:** DOT would incur a one-time cost of approximately \$290,000 in Fiscal Year (FY) 2017-18 to conduct changes to its Driver License and Control system. The Driver License and Control system would need to be modified to recognize offenders who would regain their operating privileges after certain criteria is met pursuant to this act.