

FISCAL NOTE

April 17, 2017

Bill No:	SB 553	Printer's No:	590	Sponsor:	Rafferty (R)
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COST / (SAVINGS)

Fund (s)	2016-17	2017-18
General Fund	\$0	\$750,000

SUMMARY: This bill would amend Title 75 (Vehicles) increasing civil penalties for refusal to submit to chemical testing for those suspected of driving under the influence (DUI).

ANALYSIS: Senate Bill 553 would rename “other suspension for refusal” to “other civil penalties for refusal” in certain sections relating to chemical testing used to determine the amount of alcohol or controlled substances in the commonwealth’s Vehicle Code. Additionally, the act would require a police officer to inform an individual upon arrest that they would be subject to a fine of \$2,000 if the individual was driving under the influence of alcohol (DUI) or a controlled substance, driving while his or her operating privilege was suspended or revoked upon a DUI conviction and illegally operating a motor vehicle not equipped with an ignition interlock. Civil fines would also be assessed and predicated on the number of prior like suspensions, as follows:

- A fine of \$500 would be assessed for first time refusal to chemical testing,
- A fine of \$1,000 would be assessed for second refusal; and
- A fine of \$2,000 would be assessed for a third or subsequent refusal.

Additionally, the act would clarify language to incorporate § 1547 of the Vehicle Code (relating to chemical testing to determine amount of alcohol or controlled substance) and the testing of blood pursuant to a search warrant. The act would also clarify language concerning an ignition interlock exception for an individual who is subject to mandatory suspension or operating privilege relating to Accelerated Rehabilitation Disposition.

FISCAL IMPACT: DOT would incur a one-time cost of \$750,000 for system changes to implement the provisions in this bill. DOT does not currently accept civil fines for driver license related matters. Significant system changes would be needed to create a civil penalty structure for the driver license system. As currently written DOT would need 18 months to implement the civil fines at an estimated cost of \$750,000.