

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: HB42

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

2. Patron: Anderson

3. Committee: Committee Referral Pending

4. Title: Improper driving.

5. Summary: Provides that a person may be charged with the offense of improper driving when his conduct is of the kind that constitutes reckless driving but when his degree of culpability is slight. Currently, a law-enforcement officer is not able to charge a person with improper driving, but a charge of reckless driving may be reduced to improper driving by the court or the attorney for the Commonwealth.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: Reckless driving is punishable as a Class 1 misdemeanor, which is subject to a sentence of up to 12 months in jail and a fine of not more than \$2,500, while improper driving is punishable as a traffic infraction with a fine of not more than \$500. As a result of the proposed legislation, some people may be subject to a fine of up to \$500 for improper driving rather than a Class 1 misdemeanor if the offense is the kind that constitutes reckless driving but when the degree of culpability is slight. It is possible this bill could reduce the number of people sentenced to local or regional jails, but any potential impact is indeterminate at this time. Proceeds of all fines and penalties collected for offenses committed against the Commonwealth are paid into the state treasury to the credit of the Literary Fund. While this legislative proposal may reduce the amount of fines collected, it is not feasible to determine the impact to revenue that would be deposited into the Literary Fund as a result of the provisions of this legislation.

9. Specific Agency or Political Subdivisions Affected: Local law enforcement, local and regional jails, Courts.

10. Technical Amendment Necessary: No

11. Other Comments: None