

## **Department of Planning and Budget**

### **2022 Fiscal Impact Statement**

**1. Bill Number:** HB79

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** Campbell, R.R.

**3. Committee:** Committee Referral Pending

**4. Title:** Issuing citations; marijuana and certain traffic offenses.

**5. Summary:** Removes provisions that provide that no law enforcement officer may lawfully stop (i) a motorcycle, moped, or motorized skateboard or scooter that is in violation of noise ordinances for such vehicles; (ii) a vehicle for having an expired registration sticker; (iii) a pedestrian for interfering with the orderly passage of vehicles, (iv) a pedestrian for stepping into a highway where they cannot be seen, (v) a vehicle for having defective equipment, (vi) a vehicle for lighting violations, (vii) a vehicle for exhaust system violations, (viii) a vehicle for tinting violations, (ix) a vehicle with suspended objects that obstruct the view of the driver, (x) a vehicle for seat belt violations for front seat passengers, (xi) a vehicle with an expired safety inspection, or (xii) a vehicle for a violation of a local vehicle ordinance.

The bill also provides that an officer cannot issue a citation for (i) a license violation of a person less than 18 years of age, or (ii) smoking in a vehicle with a minor present, unless the driver of the vehicle was stopped for the violation of some other Code section related to the vehicle or of a criminal statute. The bill also repeals §4.1-1302 which provides that no law enforcement officer may lawfully stop, search, or seize any person, place, or thing on the basis of the odor of marijuana and that no evidence discovered or obtained as a result of such search is admissible in court.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Preliminary. See Item 8 below.

**8. Fiscal Implications:** The Department of State Police (VSP) does not anticipate a fiscal impact on agency operations as a result of the provisions of this proposed legislation. Any potential fiscal impact on local law enforcement agencies is indeterminate at this time.

**9. Specific Agency or Political Subdivisions Affected:** Department of State Police, local law enforcement agencies.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.