

Department of Planning and Budget

2022 Fiscal Impact Statement

1. Bill Number: SB247ER

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

2. Patron: Surovell

3. Committee: Passed both houses

4. Title: Careless driving; vulnerable road users.

5. Summary: The enrolled bill amends § 46.2-816.1 to add causing the death of a vulnerable road user to the definition of careless driving, which is a Class 1 misdemeanor. Current law only includes the injury of a vulnerable road user in this definition. The bill also amends § 46.2-392 to add careless driving to the list of crimes where the court is authorized to suspend the driver's license or restrict the driver's license of a person for up to six months. Current law only authorizes the court to suspend or restrict a driver's license for reckless or aggressive driving.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: Implementation of the enrolled bill could result in more individuals being convicted of a Class 1 misdemeanor for careless driving. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail and a fine of not more than \$2,500, either or both.

However, there is not enough information available to reliably estimate the increase in jail population as a result of this proposal. However, any increase in jail population will increase costs to the state. The Commonwealth currently pays the localities \$4.00 a day for each misdemeanant or otherwise local-responsible prisoner held in a jail. It also funds a large portion of the jails' operating costs, e.g. correctional officers. The state's share of these costs varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2021), the estimated total state support for local jails averaged \$37.58 per inmate, per day in FY 2020.

9. Specific Agency or Political Subdivisions Affected: Local and regional jails; Courts; Commonwealth Attorneys; Public Defenders.

10. Technical Amendment Necessary: No

11. Other Comments: This bill is similar to HB920.