Department of Planning and Budget 2025 General Assembly Session State Fiscal Impact Statement

PUBLISHED: 2/19/2025 1:35 PM ORIGINAL

Bill Number: HB 2096S2 **Patron:** Hope **Bill Title:** Intelligent Speed Assistance Program established; penalty.

Bill Summary: This bill establishes the Intelligent Speed Assistance Program to be administered by the Commission on the Virginia Alcohol Safety Action Program. The bill authorizes enrollment in such Program as an alternative to suspending a person's driver's license upon such person's conviction of certain speed-related offenses. The bill requires (i) a court to order enrollment in such Program for a person convicted of reckless driving and who was found to have been driving in excess of 100 miles per hour and (ii) the Commissioner of the Department of Motor Vehicles to provide a person who has accumulated certain amounts of demerit points the option to either have his license suspended or to enroll in the Program. The bill specifies that no restricted license issued nor enrollment in the Program shall permit any person to operate a commercial motor vehicle. The bill requires any participant in the Program to install an intelligent speed assistance system, defined in the bill, in any motor vehicle owned by or registered to the participant and prohibits the participant from driving any motor vehicle that does not have such a system installed. The bill creates a Class 1 misdemeanor for tampering with or attempting to bypass or circumvent such a system. An enactment clause delays the effective date of this legislation until July 1, 2026.

Budget Amendment Necessary: No Items Impacted: N/A

Explanation: N/A

Fiscal Summary: This bill establishes the Intelligent Speed Assistance Program (ISAP) which requires offenders to install certified speed-limiting devices, mandates compliance through monitoring and penalties for tampering, and is funded by the offender. This bill would allow participants to retain restricted driving privileges during their enrollment period. The Department of Motor Vehicles (DMV) would issue a restricted license for use during ISAP enrollment and can support the requirements of the bill with existing resources. This bill also creates a Class 1 misdemeanor, but any potential revenue or cost related to this is indeterminate.

Fiscal Analysis: Implementation of the legislation by the Department of Motor Vehicles would require 470 hours of system programming at a cost of \$35,833, which can be absorbed within existing resources.

This bill also includes language creating a Class 1 misdemeanor. 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.

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 localities \$5.00 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

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these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2024), the estimated total state support for local jails averaged \$56.38 per inmate, per day in FY 2023.