



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1861

PRINTERS NO. 2872

PRIME SPONSOR: Hahn

COST / (SAVINGS)

FUND	FY 2015/16	FY 2016/17
General Fund	See "Fiscal Impact"	See "Fiscal Impact"
Motor License Fund	\$0	\$0
Judicial Computer System Augmentation Account	See "Fiscal Impact"	See "Fiscal Impact"
County Funds	See "Fiscal Impact"	See "Fiscal Impact"

SUMMARY: Amends the Vehicle Code to create a tiered penalty system for driving on a suspended license as a result of a DUI. This legislation would take effect in 60 days.

ANALYSIS: This legislation amends Title 75 Section 1543(b)(1) (relating to driving while operating privilege is suspended or revoked) to add additional penalties for second and subsequent violations for driving while operating privileges are suspended or revoked as follows:

- as a condition of Accelerated Rehabilitative Disposition (ARD) for a DUI
- for a DUI; or
- under the Driver's License Compact for an offense substantially similar to a DUI.

The penalties are as follows:

1st violation: a summary offense with a fine of \$500 and imprisonment of a period of not less than 60 days nor more than 90 days.

2nd violation: a summary offense with a fine of \$1,000 and imprisonment of a period of not less than 90 days.

3rd violation: a misdemeanor of the 3rd degree with a fine of \$2,500 and imprisonment of a period of not less than 6 months.

4th or subsequent violation: a misdemeanor of the 1st degree with a fine of \$5,000 and imprisonment for not less than 2 years.

FISCAL IMPACT: According to the Administrative Office of the Pennsylvania Courts (AOPC), their databases do not identify whether an offense is a second, third, or fourth offense, therefore it is unknown as to the number of repeat offenders who would receive increased prison sentences under this legislation. Back in 2012, there were 4,040 violations of Section 1543(b)(1) within the Commonwealth of Pennsylvania. There would likely be increased imprisonment costs at both the county and State level which would depend on the number of repeat offenders and the sentence of imprisonment. Without the repeat offender data, an estimate of such costs is impossible.

With the increase in fines through a tiered penalty system, this would provide for additional fine revenue to be deposited into the Judicial Computer System Augmentation Account. Any estimate of that revenue is indeterminable at this point due to the lack of repeat offender data.

This legislation would have no adverse fiscal impact on the Motor License Fund.

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House Appropriations Committee (R)

DATE: May 13, 2016

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.