

148TH GENERAL ASSEMBLY

FISCAL NOTE

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| BILL: | SENATE BILL NO. 132 |
| SPONSOR: | Senator Henry |
| DESCRIPTION: | AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE PROCEDURES FOR THE SUSPENSION, NONRENEWAL, OR NONDUPLICATION OF DRIVER'S LICENSES OR DRIVING PRIVILEGES FOR THE FAILURE TO RESOLVE MOTOR VEHICLE CHARGES. |

ASSUMPTIONS:

1. This Act would change State policy regarding the suspension of licenses for failure to pay voluntary assessments. Currently, driver's licenses may be suspended for failure to pay voluntary assessments fines. This Act would no longer suspend driver's licenses for these events, but rather would refuse renewal of licenses if there are outstanding fines. Driver's licenses are renewed every 5 to 8 years; therefore, there will be cases where people wait until such time as their license expires to make payments.
2. In 2013, the Justice of the Peace Courts (JP Courts) sent out 41,605 suspension notices for failure to pay a voluntary assessment within 30 days from the date of arrest. Suspension notices advise a person that their driver's license will be suspended in 15 days absent payment. The Division of Motor Vehicles suspends approximately 11,000 licenses annually for failure to pay. Therefore, there were approximately 30,000 events in 2013 when a person received a suspension notice and paid the voluntary assessment prior to actual suspension.
3. According to JP Courts, an average total fine is approximately \$94.50. If all 30,000 persons who paid upon receipt of the suspension notice were motivated by the notice alone, the maximum amount of revenue payments that could be delayed is approximately \$2,800,000. This estimate includes all fine components, including the original fines and associated surcharges and assessments, such as Transportation Trust Fund, Court Security and the Fund to Combat Violent Crimes.
4. While many fines would eventually be paid, the payment could be years later at the time a person's license would expire. The first few years of implementation will most likely see a revenue loss, the amount of which is indeterminable.

Cost:

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| Fiscal Year 2016 | Indeterminable |
| Fiscal Year 2017 | Indeterminable |
| Fiscal Year 2018 | Indeterminable |

Office of Controller General
June 16, 2015
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(Amounts are shown in whole dollars)