

Fiscal Estimate Narratives

DOC 4/5/2017

LRB Number	17-2427/1	Introduction Number	AB-0197	Estimate Type	Original
Description revocation of operating privilege for certain offenses related to operating while intoxicated, operating after revocation, making an appropriation, and providing a criminal penalty					

Assumptions Used in Arriving at Fiscal Estimate

This bill provides for permanent revocation of a person's operating privilege if the person commits certain offenses related to drunken driving or driving under the influence of an intoxicant or other drug (OWI offenses).

Under current law, the Department of Transportation (DOT) may revoke or suspend a person's operating privilege if the person commits certain traffic offenses or crimes, such as operating a vehicle while intoxicated. The period of revocation varies based on the reason for the revocation, generally ranging from several months to a year. Suspensions of operating privileges may also be ordered by a court adjudicating an underlying criminal or traffic offense. Suspensions by a court also vary in length based on the underlying criminal or traffic offense, ranging from several months to several years.

This bill requires DOT to permanently revoke the operating privilege of a person who meets either of the following requirements: 1. The person has committed four or more OWI offenses. 2. The person has committed two or more OWI offenses and has two or more "qualifying convictions". A qualifying conviction is 1) a conviction for certain homicides that involve the use of a motor vehicle or 2) a conviction for certain felonies involving the use of a motor vehicle.

The bill also proposes increasing the penalty for person's operating a motor vehicle after revocation from \$2,500 or imprisonment for not more than one year, or both to \$10,000 or imprisonment for not more than one year, or both. Persons sentenced to less than one year of imprisonment serve that sentence in a county jail and not a state prison.

It is not anticipated that the proposed bill would result in any increase or decrease in the prison or community corrections population. The DOC does not anticipate any fiscal impact of this legislation on the Department.

It is unknown what the local fiscal impact of this bill would be. The Department of Corrections has no data from which to draw conclusions regarding the local fiscal impact of this bill.

Long-Range Fiscal Implications