



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0982 Introduced on February 8, 2018
Author: Hutto
Subject: Ignition Interlock Restricted License
Requestor: Senate Judiciary
RFA Analyst(s): Wren, Gardner, and Mitchell
Impact Date: March 14, 2018

Estimate of Fiscal Impact

	FY 2018-19	FY 2019-20
State Expenditure		
General Fund	Pending	\$0
Other and Federal	Pending	\$0
Full-Time Equivalent Position(s)	0.00	0.00
State Revenue		
General Fund	Pending	\$0
Other and Federal	Pending	\$0
Local Expenditure	\$0	\$0
Local Revenue	\$0	\$0

Fiscal Impact Summary

The expenditure impact of this bill on the General Fund, Other Funds, and Federal Funds of the Department of Motor Vehicles (DMV) and the Department of Probation, Parole, and Pardon Services (PPP) is pending, contingent upon responses from the agencies. The bill will have no expenditure impact on the Department of Alcohol and Other Drug Abuse Services since the bill does not alter the responsibilities of the agency. The Judicial Department and Administrative Law Court indicate that should there be an increase in caseloads they will absorb any expenditure impact on the General Fund using current resources.

The revenue impact on the General Fund, Other Funds of the Department of Public Safety, and Other Funds of the Department of Transportation is pending, contingent upon a response from DMV on the potential number of ignition interlock restricted licenses, temporary alcohol licenses, route restricted licenses, special restricted licenses, and provisional licenses that may be affected by this bill. The revenue impact on Other Funds of PPP is undetermined since the bill does not state the dollar amount that may be charged for initial and subsequent manufacturer fees.

Explanation of Fiscal Impact

Introduced on February 8, 2018

State Expenditure

This bill allows an individual under the age of twenty-one to enroll in the Ignition Interlock Device Program and obtain an ignition interlock restricted license in lieu of serving the remainder of a suspension or denial of the issuance of a license or permit. The ignition interlock

device is required to be affixed to the motor vehicle equal to the length of time remaining on the person's suspension or denial of the issuance of a license or permit. The individual must receive credit for the number of days the person maintained an ignition interlock restriction on the temporary alcohol license. Once an individual has enrolled in the Ignition Interlock Device Program and obtained an ignition interlock restricted license, the individual cannot subsequently choose to serve the suspension. Also, within thirty days of the issuance of the notice of suspension, an individual may request a contested case hearing before the Office of Motor Vehicle Hearings and enroll in the Ignition Interlock Device Program. If an individual enrolls in the Ignition Interlock Device Program, the temporary alcohol license must contain an ignition interlock restriction for three months. If the contested case hearing has not reached a final disposition within three months, the individual may obtain a temporary alcohol license without an ignition interlock restriction. The bill also allows a habitual offender to enroll in the Ignition Interlock Device Program and obtain a license with an ignition interlock restriction. The bill also eliminates provisional driver's licenses for first offenses unless the offense occurred prior to the effective date of the bill. Additionally, the bill requires that an ignition interlock restriction be placed on a temporary alcohol license for three months and deletes the reference to route restricted driver's licenses

Department of Motor Vehicles (DMV). The expenditure impact of this bill is pending, contingent upon a response from DMV.

Department of Probation, Parole, and Pardon Services (PPP). The expenditure impact of this bill is pending, contingent upon a response from PPP.

Administrative Law Court. The department reports that as this bill creates a new offense, there is no data available to determine the number of additional hearings that would be heard in the Office of Motor Vehicle Hearings. Should there be an increase in caseloads, the department will absorb any expenditure impact on the General Fund using current resources.

Judicial Department. The department reports that as this bill creates a new offense, there is no data available to determine the number of additional hearings or trials that would be heard in general sessions courts. Should there be an increase in caseloads, the department will absorb any expenditure impact on the General Fund using current resources.

Department of Alcohol and Other Drug Abuse Services (DAODAS). DAODAS indicates that the bill does not materially alter the expenditures of the department. DAODAS is currently responsible for determining treatment for individuals that participate in the Ignition Interlock Program and is already responsible for notifying DMV of a person's completion and compliance with the program. Participants of the program bear the costs of treatment. Any increase in program enrolment will be offset by the fees paid to the agency by the participant. Therefore, any potential expenditure impact is expected to be minimal and can be managed within the agency's existing appropriations.

State Revenue

This bill allows an individual under the age of twenty-one to enroll in the Ignition Interlock Device Program and obtain an ignition interlock restricted license in lieu of serving the

remainder of a suspension or denial of the issuance of a license or permit. Also, the bill allows the Department of Probation, Parole, and Pardon Services (PPP) to charge an initial annual fee on the manufacturer's application for certification of each ignition interlock device and a subsequent fee for every year the manufacturer continues to provide the certified device to drivers in this state. The fee must be remitted to the Ignition Interlock Device Fund for use by PPP in the support of the Ignition Interlock Device Program.

The fee for an ignition interlock restricted license is \$100 and is allocated to the State Highway Fund of the Department of Transportation (DOT). Since the number of first offenders that may opt to enroll in the Ignition Interlock Device Program and obtain an ignition interlock restricted license in lieu of serving the remainder of a suspension or denial of the issuance of a license or permit is unknown, the revenue impact on the State Highway Fund of DOT is undetermined. Additionally, the bill could affect the number of temporary alcohol licenses, route restricted licenses, special restricted licenses, and provisional licenses. Revenue derived from these licenses are allocated to the Department of Public Safety (DPS), State Highway Fund, Non-Federal Aid Highway Fund, and the General Fund. Therefore, the revenue impact on DPS, Other Funds of DOT, and the General Fund are pending, contingent upon a response from DMV.

Since the dollar amount of the initial fee for a manufacturer's application and the subsequent manufacturer fees are not stated in the bill, the increase in Other Funds revenue for PPP is undetermined.

DAODAS is currently responsible for determining treatment for individuals that participate in the Ignition Interlock Program and is responsible for notifying DMV of a person's completion and compliance with the program. However, participants of the program bear the costs of treatment. The cost of treatment may not exceed \$500 for education services, \$2,000 for treatment services, and \$2,500 in total for all services. It is anticipated that any increase in the number of participants will be offset by the fees paid to the agency. Therefore, any potential increase in DAODAS' revenue is expected to be minimal and will be used to offset the costs of the program.

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director