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## FISCAL IMPACT REPORT

ORIGINAL DATE 01/21/13

SPONSOR Martinez LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Clarify Driver's License Suspensions SB 37

ANALYST Jorgensen

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	NFI	NFI	NFI	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Administrative Office of the Courts (AOC)

Public Defender Department (PDD)

Taxation and Revenue Department (TRD)

### SUMMARY

#### Synopsis of Bill

The bill separates the statutes referring to suspended and revoked licenses, which are currently combined in Section 66-5-39, into a statute for driving while license suspended, Section 66-5-39, and a new statute for driving while license revoked, Section 66-5-39.1. This bill does not propose substantive changes to existing law other than to separate the two offenses.

### SIGNIFICANT ISSUES

According to the AOC, Separating the statutory sections relating to suspended and revoked licenses will reduce confusion for defendants, law enforcement, and the courts, and help expedite a just resolution of these cases.

### TECHNICAL ISSUES

The TRD suggests that the bill be amended to add the words "or privilege to drive" after the word "license" on page 2 line 22 and after the word "license" on page 5 line 3. The words "an additional like period" on page 4 lines 15-16 should be replaced with "one year" or other specific

**Senate Bill 37 – Page 2**

time period. The TRD recommends specifying a time period because, for example, if a person does not pay a ticket, his or her driving privileges are suspended until the ticket is paid, perhaps three years later. Does MVD suspend for three years since that would be the “like” period? The law would be clearer if it just stated the specific length of the additional suspension period – one year would be consistent with Section 66-5-32.

NCJ/svb/bm