


Government of the District of Columbia  
Office of the Chief Financial Officer



Jeffrey S. DeWitt  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Jeffrey S. DeWitt  
Chief Financial Officer 

**DATE:** January 5, 2017

**SUBJECT:** Fiscal Impact Statement – Department of Motor Vehicles Drug  
Conviction Repeal Amendment Act of 2017

**REFERENCE:** Draft Bill as shared with the Office of Revenue Analysis on January 3,  
2017

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**Conclusion**

Funds are sufficient in the fiscal year 2017 through fiscal year 2020 budget and financial plan to implement the bill. The District will lose approximately \$54,000 annually in license reinstatement fee revenue, but the Department of Motor Vehicles (DMV) will absorb this loss within its existing budget.

**Background**

DMV revokes a resident's operator's permit or a nonresident's privilege to operate a vehicle in the District for a period of at least six months, but not more than two years,<sup>1</sup> if that person is convicted of a drug offense. The bill repeals this revocation requirement.

The bill also repeals DMV's authority to delay the issuance of an operator's permit to any individual<sup>2</sup> convicted of a stolen vehicle offense, operating a vehicle without a permit or with a suspended permit, and the commission of a felony when a vehicle is involved.

**Financial Plan Impact**

Funds are sufficient in the fiscal year 2017 through fiscal year 2020 budget and financial plan to implement the proposed resolution. The bill's implementation reduces license reinstatement

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<sup>1</sup> District of Columbia Traffic Act of 1925, effective March 16, 1989 (D.C. Law 7-222; D.C. Official Code § 50-1403.02).

<sup>2</sup> This applies only to individuals who are not already in possession of a valid operator's license.

The Honorable Phil Mendelson

FIS: "Department of Motor Vehicles Drug Conviction Repeal Amendment Act of 2017," Draft Bill as shared with the Office of Revenue Analysis on January 3, 2017

revenues by approximately \$54,000 annually, but DMV can absorb this loss within its existing budget.

Federal law requires a jurisdiction to suspend or revoke the driver's license of a person convicted of a drug offense or violation of the Controlled Substances Act<sup>3</sup> or adopt a resolution opposing any law that requires the revocation or suspension of a driver's license.<sup>4</sup> If one of these conditions is not met, then the Federal government will withhold eight percent of the jurisdiction's federal transportation funds.

The bill, on its own, violates this federal provision and puts federal funding at risk, but if the District concurrently declares that it opposes a law that requires the revocation or suspension of a driver's license upon conviction of a drug offense, it will maintain compliance with the federal law and preserve its federal transportation funding. The Mayor intends to introduce the Opposition to the Revocation of the Operator Permit (Driver License) or Driving Privilege of a Person Convicted of a Drug Offense Resolution of 2017 which will make this declaration. The District would likely need to defer or eliminate planned transportation projects if it experiences a reduction in federal transportation funds.

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<sup>3</sup> 21 U.S.C. §§ 801 to 904.

<sup>4</sup> Revocation or suspension of drivers' licenses of individuals convicted of drug offenses (23 U.S.C. 159).