

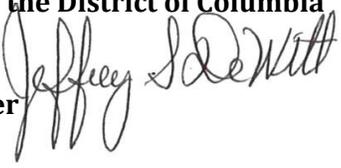
Government of the District of Columbia
Office of the Chief Financial Officer



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: October 4, 2016

SUBJECT: Fiscal Impact Statement – Distracted Driving Safety Amendment Act of 2016

REFERENCE: Bill 21-21, Draft Committee Print as shared with the Office of Revenue Analysis on September 12, 2016

Conclusion

Funds are not sufficient in the fiscal year 2017 through fiscal year 2020 budget and financial plan to implement the bill.

The bill's implementation is subject to the Metropolitan Police Department (MPD) developing an electronic system that provides enforcement officers with real-time data on prior convictions for distracted driving offenses. MPD is currently introducing the necessary technology to all of its officers who also wear body cameras, but not to all officers who issue tickets. Thus, it is neither possible to determine the extent of the costs of the technology nor to determine the number of officers issuing tickets and generating revenue therefrom. There also may be additional system enhancement costs once the technology is introduced, but those costs are unknown at this time.

Background

Distracted driving,¹ including using a mobile phone while operating a vehicle, is prohibited in the District and an offender can be assessed a \$100 fine.²

The bill imposes enhanced penalties for multiple distracted driving offenses within an eighteen-month period and eliminates the penalty waiver for first-time offenders who purchase a hands-free device. A second offense carries a fine of \$150. A third or subsequent offense carries a fine of \$200

¹ Distracted driving is inattentive driving while operating a motor vehicle that results in the unsafe operation of that vehicle.

² First time offenders of using a mobile phone can purchase a hands-free device and have the fine waived.

The Honorable Phil Mendelson

FIS: Bill 21-21, "Distracted Driving Safety Amendment Act of 2016," Draft Committee Print as shared with the Office of Revenue Analysis on September 12, 2016

and results in the suspension of the license and registration of the driver for at least 30 days, but not more than 90 days. The District will also suspend the offender's vehicle registration for at least 30 days, but not more than 90 days if the offender is a District resident.

Financial Plan Impact

Funds are not sufficient in the fiscal year 2017 through fiscal year 2020 budget and financial plan to implement the bill. The District issues approximately 6,900 distracted driving tickets each fiscal year, but it is unknown how many of those have been issued to repeat offenders within an eighteen-month period who would then be subject to the enhanced penalties. Furthermore, because the enhanced penalties are designed to deter repeat offenders, if the program is effective, after an initial surge in revenues, we would not expect significant additional repeat-offender fine revenues from the bill's implementation.

MPD currently uses both handheld electronic devices and paper tickets to enforce distracted driving violations. MPD will need to upgrade its ticket issuance system, which is being deployed in the form of smartphones for officers who also wear body cameras,³ in order to track repeat-offenders and implement enhanced penalties for distracted driving offenses. However, not all officers who issue tickets will be receiving the new technology and there will be additional costs to increase the deployment of the technology to these users. The District may also need to work with its vendor to update the software for all users so that the District can implement enhanced penalties. The costs associated with these upgrades are unknown at this time.

³ MPD expects to complete this process in fiscal year 2017.