


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



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Philip H. Mendelson
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: October 22, 2012

SUBJECT: Fiscal Impact Statement – “Reckless Driving Amendment Act of 2012”

REFERENCE: Bill 19-823 – Draft Committee Print Shared with the Office of Revenue Analysis on October 11, 2012

Conclusion

Funds are sufficient in the FY 2013 through FY 2016 budget and financial plan to implement the bill.

Background

Currently, when a resident is cited for a motor vehicle infraction in another jurisdiction, he or she receives the equivalent points¹ as if the infraction occurred in the District. In some cases, the nature of the out-of-state infraction could result in the automatic suspension or revocation of driving privileges in the District even when the same infraction, if committed in the District, would not have resulted in suspension. This is because jurisdictions differ in how they classify infractions. For example, the Commonwealth of Virginia considers any speed over 80 miles per hour to be reckless driving, even if driving at that speed is only 12 or 15 miles per hour over the posted speed limit. When reported to the District as reckless driving, this infraction would result in a 12-point penalty and automatic suspension of driving privileges, but the same infraction committed in the District would only result in a 3 point penalty.²

If the resident’s out-of-state violation is considered a different type of infraction in the District, such as the aforementioned example, the Director of the Department of Motor Vehicles (DMV)³ can redesignate the infraction to reflect its classification under local law.

¹ Points are assessed against a driving record upon receipt of evidence of a traffic conviction.

² An infraction of 11-15 mph over the speed limit is a 3 point penalty.

³ Title 18 DCMR § 303.13, Establishment of a Point System.

The bill amends District law and regulations on reckless driving offenses. The bill eliminates the automatic revocation of driving privileges resulting from reckless driving and reduces the associated points from twelve to six. Additionally, the bill allows reckless driving offenses to be adjudicated through DMV Adjudication Services as opposed to D.C. Superior Court. Lastly, the bill assures that official documentation can be provided to assist the DMV Director in considering offense redesignations.

In addition to reckless driving amendments, the bill ensures points earned for safe driving⁴ are assigned at the beginning of a calendar year and that they cannot be used to reduce points received for offenses where driving privileges are automatically revoked or suspended.⁵

Financial Plan Impact

Funds are sufficient in the FY 2013 through FY 2016 budget and financial plan to implement the bill.

From FY 2009 to FY 2011 the District experienced an average of thirty-seven reckless driving offenses annually.⁶ In FY 2012, that figure jumped to over four hundred, nearly 90 percent of which were infractions issued by the Commonwealth of Virginia.⁷ The bill's changes allow drivers who receive reckless driving infractions in other jurisdictions to submit official documentation to DMV to align their speeding ticket with the District's speeding offenses, which are unlikely to be considered reckless driving. The Director redesignated over 350 driving penalties in 2012 and can continue to redesignate any future offenses with existing resources. Additionally, any new cases⁸ brought to DMV Adjudication Services can be absorbed with existing resources.

⁴ Drivers can earn safe driving points when he or she is assessed no points in the preceding twelve months.

⁵ Examples of offenses resulting in automatic revocation of driving privileges are alcohol related driving offenses, homicides with a motor vehicle, and committing a felony while using a motor vehicle.

⁶ This includes reckless driving citations issued by the District and those imposed due to out-of-state infractions.

⁷ DMV is unaware of what caused Virginia to notify the District of significantly more reckless driving offenses this year.

⁸ District issued reckless driving infractions were 4 in FY 2011 and 10 in FY 2012.