



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number:	S. 0028	Introduced on January 12, 2021
Author:	Hutto	
Subject:	Driver's License; Suspended due to DUI	
Requestor:	Senate Judiciary	
RFA Analyst(s):	Griffith and Gardner	
Impact Date:	March 1, 2021	

Fiscal Impact Summary

This bill will increase non-recurring General Fund expenditures of the Department of Motor Vehicles (DMV) by \$79,200 in FY 2021-22 for programming changes related to the Ignition Interlock Device Program. The expenditure and revenue impacts on the Department of Probation, Parole and Pardon Services are pending, contingent upon a response from the agency.

Explanation of Fiscal Impact

Introduced on January 12, 2021

State Expenditure

This bill allows certain offenders whose license has been suspended for driving a motor vehicle under the influence to enroll in the Ignition Interlock Device Program.

SECTION 1. This section of the bill allows a person under the age of twenty-one whose driver's license, permit, or nonresident operating privilege has been suspended or denied by DMV to enroll in the agency's Ignition Interlock Device Program in lieu of serving the remainder of the suspension or denial. Within thirty days of the issuance of the notice of suspension, the person may request a contested case hearing before the Office of Motor Vehicle Hearings, enroll in the Ignition Interlock Device Program, and obtain a temporary alcohol license with an ignition interlock restriction. The ignition interlock restriction must be maintained on the temporary alcohol license for three months.

SECTION 2. A person whose driver's license or privilege to operate a motor vehicle has been revoked permanently for an offense that occurred prior to October 1, 2014, excluding those convicted of a felony driving under the influence of alcohol or another controlled substance, may petition the circuit court in the county of his residence for reinstatement of his driver's license under certain conditions.

SECTION 4. This section allows a habitual offender to operate a motor vehicle if the person is enrolled in the Ignition Interlock Device Program.

SECTION 7. This section requires manufacturers of ignition interlock devices to apply to the Department of Probation, Parole, and Pardon Services (PPP) for certification of devices provided

to South Carolina drivers who are subject to the ignition interlock restriction. PPP may charge an initial annual fee on the application and a subsequent fee for every year the manufacturer continues to provide the certified device to South Carolina drivers. The fees shall be remitted to the Ignition Interlock Device Fund for use by PPP in support of the Ignition Interlock Device Program.

SECTION 8. This section of the bill allows a person, within thirty days of the issuance of the notice of suspension of the person's driver's license, permit, or nonresident operating privilege, to request a contested case hearing before the Office of Motor Vehicle Hearings, enroll in the Ignition Interlock Device Program, and obtain a temporary alcohol license with an ignition interlock restriction. The ignition interlock restriction must be maintained on the temporary alcohol license for three months.

SECTION 9. This section requires a person whose driver's license has been suspended for driving while under the influence of alcohol or other drugs to enroll in the Ignition Interlock Device Program, whether or not they submit to a breath test.

Department of Motor Vehicles. DMV reports that making changes to their systems to implement the bill will require a significant changes to the violations and suspensions system. Thus, the agency estimates that it will take approximately 4.5 months for three programmers to program and test the systems. At \$110 per hour per programmer and 40 hours per week, the total expenditure impact to the agency will be \$79,200. Therefore, non-recurring General Fund expenditures will increase by \$79,200 in FY 2021-22.

Department of Probation, Parole and Pardon Services. The expenditure impact on PPP is pending, contingent upon a response from the agency.

State Revenue

Section 9 of the bill requires manufacturers of ignition interlock devices to apply to the Department of Probation, Parole and Pardon Services (PPP) for certification of devices provided to South Carolina drivers who are subject to the ignition interlock restriction. PPP may charge an initial annual fee on the application and a subsequent fee for every year the manufacturer continues to provide the certified device to South Carolina drivers. The fees shall be remitted to the Ignition Interlock Device Fund for use by PPP in support of the Ignition Interlock Device Program. The revenue impact on PPP is pending, contingent upon a response from the agency.

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director