

**S. 998, Driving for Opportunity Act of 2021**

As ordered reported by the Senate Committee on the Judiciary on October 28, 2021

By Fiscal Year, Millions of Dollars	2022	2022-2026	2022-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	7	20
Statutory pay-as-you-go procedures apply?	No	<b>Mandate Effects</b>	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

S. 998 would authorize the Department of Justice (DOJ) to establish a grant program to cover costs incurred by states for reinstating drivers' licenses that have been suspended for unpaid fees and fines. It also would require the Government Accountability Office (GAO) to report to the Congress on the program's implementation. In addition, the bill would repeal a provision of law that requires the Federal Highway Administration to withhold a portion of highway grants from states that do not revoke or suspend the licenses of people convicted of drug offenses.

A state could participate in the DOJ grant program if no state or local law allows it to suspend, revoke, or refuse to renew a driver's license or vehicle registration for a driver who has unpaid civil or criminal fees or fines. Where such laws exist, they would need to have been repealed within three years before the state applied for or received a grant.

S. 998 would authorize the appropriation of \$10 million annually over the 2022-2026 period for the program and would cap grants at 5 percent of the amount a state is allocated under DOJ's Justice Assistance Grant program. (In 2020, a total of \$187 million was allocated to states and territories under that program.) CBO estimates that under the bill, DOJ could grant about \$10 million annually to states and territories.

Several states recently repealed laws concerning the suspension of driver's licenses for unpaid fees and fines; those repeals vary in scope. Under the bill's eligibility requirements,



states that enact partial repeals (for example, preventing license suspensions for unpaid traffic fees but not for unpaid criminal fines) would not be eligible for grants. States could take future legislative action to meet the bill’s requirements, however.

Based on the number of states that have recently repealed laws concerning the suspension of driver’s licenses for unpaid fees and fines and the number of states that are considering similar legislative proposals, and accounting for significant uncertainty concerning state legislative action, CBO estimates that 25 states and territories are currently eligible for the grant program or would take legislative action to become eligible after S. 998 is enacted. Based on projections of state participation, historical patterns of spending for similar programs, and assuming appropriation of the authorized amounts, CBO estimates that DOJ would spend \$6 million over the 2022-2026 period and about \$12 million after 2026 on grants to eligible states. Based on the cost of similar activities, CBO estimates that it would cost DOJ \$1 million over the 2022-2026 period and about \$1 million after 2026 to establish and administer the program. In total, CBO estimates, implementing the program would cost \$7 million over the 2022-2026 period and \$13 million after 2026. CBO estimates that the remaining \$30 million of authorized budget authority would not be spent unless state participation were higher than CBO expects.

CBO estimates that the costs to GAO for conducting its study would not be significant over the 2022-2026 period.

In recent years, only one state has had federal highway funding withheld because it failed to revoke or suspend the drivers’ licenses of people convicted of drug offenses; in 2022, no state had funds withheld for that reason. Therefore, CBO estimates that repealing that provision of law would not affect federal spending.

The costs of the legislation, detailed in Table 1, fall within budget function 750 (administration of justice).

**Table 1.**  
**Estimated Increases in Spending Subject to Appropriation Under S. 998**

	By Fiscal Year, Millions of Dollars					2022-2026
	2022	2023	2024	2025	2026	
Estimated Authorization	10	10	10	10	10	50
Estimated Outlays	*	1	1	2	3	7

Components may not sum to totals because of rounding; \* = between zero and \$500,000.

On May 26, 2021, CBO transmitted a cost estimate for [H.R. 2453](#), the Driving for Opportunity Act of 2021, as ordered reported by the House Committee on the Judiciary on April 20, 2021. That bill is similar to S. 998, as described above, and CBO’s estimates for the bills are slightly different because they are based on different assumed enactment dates.



The CBO staff contacts for this estimate are Lindsay Wylie (Department of Justice) and Robert Reese (Federal Highway Administration). The estimate was reviewed by Leo Lex, Deputy Director of Budget Analysis.