

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

House Bill 1442 (Delegate Conaway)
Rules and Executive Nominations

Vehicular Accidents - Disclosure of Driver's Home Telephone Number Without Approval - Prohibition

This bill specifies that the home telephone number of a driver of a vehicle involved in a motor vehicle accident (resulting in bodily injury, death, or in damage to an attended vehicle or other attended property) may not be disclosed to any other person without the driver's approval.

Fiscal Summary

State Effect: The bill's requirements can be enforced with existing resources.

Local Effect: The bill's requirements can be enforced with existing resources.

Small Business Effect: None.

Analysis

Current Law: The Maryland Vehicle Law does not require a driver involved in a motor vehicle accident with injuries or fatalities to provide his or her home telephone number to any other person.

The driver of each vehicle involved in an accident that results in bodily injury or death to any person or damage to an attended vehicle or other attended property must render reasonable assistance to any person injured in the accident. If an injured person requests medical treatment or it is apparent that medical treatment is necessary, the driver must arrange for transportation to the nearest physician, surgeon, or hospital.

The driver of a vehicle involved in an accident that results in bodily injury or death, or damage to attended property, must provide his or her name, address, and the registration number of the vehicle involved and, on request, exhibit the license to drive, if available, to any person injured in the accident, the driver or occupant of the vehicle, a person attending any vehicle or other property damaged in the accident, and a police officer who is at the scene of, or is otherwise investigating, the accident.

If a police officer is not present and none of those involved is in any condition to receive the identifying information, as described above, the driver must immediately report the accident to the nearest office of an authorized police authority and provide the identifying information described above. The Maryland Vehicle Law requires that this action must be taken by the driver after giving assistance as much as possible and providing any required information to those involved to the extent it can be provided.

State Expenditures: The Department of State Police (DSP) advises that one additional staff person is required to redact home telephone information to comply with the bill. However, the Department of Legislative Services does not agree with this assessment and advises that the bill's requirements can be met with existing resources.

Under current law, a driver involved in a motor vehicle accident with injuries or fatalities is not required to divulge his or her home telephone number. The driver is only *required* to provide his or her name, address, the registration number of the vehicle that was driven and exhibit the driver's license on request (and then only if it is available). DSP may be collecting home telephone numbers, as a matter of practice, but that information is not required by law. Therefore, DSP has not been under any mandate to hold on to, store, or otherwise disseminate home telephone numbers of drivers involved in these accidents to any other person involved in an accident. Thus, despite the need to redact information that *may* currently be maintained, DSP could modify its procedures and could likely meet the bill's requirements with existing resources.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of State Police, Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - April 8, 2013

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