

**Department of Legislative Services**  
Maryland General Assembly  
2014 Session

**FISCAL AND POLICY NOTE**

Senate Bill 26

(Chair, Judicial Proceedings Committee)(By Request -  
Departmental - Transportation)

Judicial Proceedings

Environmental Matters

**Motor Vehicles - Commercial Instructional Permit Holders - Administrative  
Penalties and Procedures**

This departmental bill conforms specified provisions of the Maryland Vehicle Law to federal motor carrier safety regulations by adding the term “commercial instructional permit” to several sections of the Maryland Vehicle Law pertaining to the disqualification, cancellation, suspension, and revocation of a commercial driver’s license for consistency in the application of administrative sanctions among holders of commercial driver’s licenses and instructional permits.

**Fiscal Summary**

**State Effect:** Federal fund revenues are fully maintained in FY 2015 and subsequent years as the State Highway Administration (SHA) continues to qualify for existing federal Motor Carrier Safety Assistance Grant funds that it may no longer qualify for in the absence of the bill. While the exact amount of federal grant funds to be received in FY 2015 and future years cannot be reliably estimated, it may be similar to the approximately \$3.1 million expected to be received from the 2014 federal grant. Any impact resulting from the increase in the number of administrative hearings for sanctions imposed by the Motor Vehicle Administration (MVA) under the bill is assumed to be negligible.

**Local Effect:** Local government revenues from federal Motor Carrier Safety Assistance Program grant funds are fully maintained in FY 2015 and subsequent years. While the exact amount in federal funds to be received and distributed to local governments in FY 2015 and future years cannot be reliably estimated, it is not anticipated to be significant for any single jurisdiction.

**Small Business Effect:** The Maryland Department of Transportation (MDOT) has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

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## **Analysis**

**Current Law/Background:** The Maryland Commercial Driver's License Act implements the federal Commercial Motor Vehicle Safety Act and is intended to reduce or prevent commercial motor vehicle accidents by disqualifying drivers for certain criminal offenses and serious traffic violations and by strengthening licensing and testing standards. In addition to establishing the licensing standards for commercial drivers, the Act enumerates the various grounds for which MVA may take administrative action against a commercial driver's license. These include driving while under the influence, or impaired by, drugs or alcohol; refusing to submit to a test for intoxication; driving a commercial vehicle without the proper license or authority to do so; crimes punishable by imprisonment for more than a year; and numerous other infractions. The Act extensively details the actions that MVA may take against the holder of a commercial driver's license and the various administrative procedures that govern such actions. The Act only references commercial driver's licenses, however, and does not currently apply to commercial instructional permits.

According to MDOT, amended federal motor carrier safety regulations that take effect in the summer of 2015 require Maryland to amend its law or risk decertification of the State's commercial driver's license program. The bill conforms State law accordingly.

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## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of State Police, Office of Administrative Hearings, Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - January 14, 2014  
mlm/ljm

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## ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Motor Vehicles - Commercial Instructional Permit Holders –  
Administrative Penalties and Procedures

BILL NUMBER: SB 26

PREPARED BY: Department of Transportation

### PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL  
BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL  
BUSINESSES

### PART B. ECONOMIC IMPACT ANALYSIS