

Department of Legislative Services
 Maryland General Assembly
 2017 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 329 (Delegates Fraser-Hidalgo and Kramer)
 Judiciary

Reckless and Negligent Driving - Death of Another - Must-Appear Violation
 (Ryan's Law)

This bill alters enforcement, under the Maryland Vehicle Law, for reckless or negligent driving that contributes to an accident resulting in death to another by designating these violations as “must appear” offenses. Accordingly, the offender may not prepay the penalty but must appear in court to answer the charge.

Fiscal Summary

State Effect: General fund expenditures increase for the Judiciary by \$164,000 in FY 2018 for one-time computer programming costs associated with the bill. Enforcement can be handled with existing resources. No effect on revenues.

(in dollars)	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	164,000	0	0	0	0
Net Effect	(\$164,000)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Enforcement can be handled with existing resources. No effect on revenues.

Small Business Effect: None.

Analysis

Current Law: A person is guilty of reckless driving if a motor vehicle is driven in wanton or willful disregard for the safety of persons or property or in a manner that indicates a wanton or willful disregard for the safety of persons or property. A violation is a

misdemeanor, subject to a maximum fine of \$1,000. The Motor Vehicle Administration (MVA) is also required to assess six points against the driver's license upon conviction for this offense. The District Court prepayment penalty, including court costs, is \$510 for this offense.

A person is guilty of negligent driving if the motor vehicle is driven in a careless or imprudent manner that endangers any property or the life or safety of any individual. This violation is a misdemeanor, subject to a maximum fine of \$500. Upon conviction, MVA must assess one point against the driver's license, or three points if the offense contributes to an accident. The District Court assesses a prepayment penalty of \$140 for this offense or \$280 if the offense contributes to an accident.

Background: According to the District Court, in fiscal 2016, there were 11,864 citations issued for reckless driving, of which 15 contributed to an accident and resulted in fatalities, and 26,504 citations issued for negligent driving, of which 47 contributed to an accident and resulted in fatalities.

State Expenditures: General fund expenditures increase for the Judiciary by \$164,025 in fiscal 2017 for one-time computer programming changes to the Judicial Information System. The offenses covered by the bill must be designated as "must appear" instead of payable.

Additional Information

Prior Introductions: HB 1414 of 2016 received a hearing in the House Judiciary Committee, but no further action was taken.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Office of the Public Defender; State's Attorneys' Association; Department of State Police; Department of Legislative Services

Fiscal Note History: First Reader - January 30, 2017
mm/kdm

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