

HOUSE BILL 1448

E2, R4

8lr1569

By: **Delegate Vallario**

Introduced and read first time: February 9, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Clerks of the Courts – Traffic Fines – Installment Payments**

3 FOR the purpose of allowing the District Court or a circuit court to authorize the clerk of
4 the court to approve certain agreements for the payment of certain fines for traffic
5 offenses under certain circumstances; authorizing a certain defendant to apply to the
6 clerk of the court to make certain installment payments; specifying certain duties of
7 the clerk of the court; providing for the content and posting of certain agreements;
8 prohibiting the Motor Vehicle Administration from suspending or continuing to
9 suspend a driver's license or privilege to drive under certain circumstances; and
10 generally relating to certain agreements for the payment of certain fines for traffic
11 offenses under certain circumstances.

12 BY adding to
13 Article – Courts and Judicial Proceedings
14 Section 7–504.1
15 Annotated Code of Maryland
16 (2013 Replacement Volume and 2017 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article – Transportation
19 Section 26–204(e) and (g) and 27–103
20 Annotated Code of Maryland
21 (2012 Replacement Volume and 2017 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
23 That the Laws of Maryland read as follows:

24 **Article – Courts and Judicial Proceedings**

25 **7–504.1.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) THIS SECTION APPLIES TO A DEFENDANT WHOSE DRIVER'S LICENSE OR**
2 **PRIVILEGE TO DRIVE MAY BE OR IS SUSPENDED FOR FAILURE TO PAY A FINE FOR**
3 **ONE OR MORE TRAFFIC OFFENSES, INCLUDING ONE OR MORE CITATIONS FOR A**
4 **VIOLATION OF A PARKING ORDINANCE OR REGULATION ADOPTED UNDER TITLE 26,**
5 **SUBTITLE 3 OF THE TRANSPORTATION ARTICLE.**

6 **(B) THE DISTRICT COURT OR A CIRCUIT COURT MAY AUTHORIZE THE**
7 **CLERK OF THE COURT TO APPROVE AN INDIVIDUAL INSTALLMENT PLAN**
8 **AGREEMENT IN ACCORDANCE WITH THIS SECTION FOR THE PAYMENT OF ONE OR**
9 **MORE FINES IMPOSED BY THE COURT.**

10 **(C) (1) A DEFENDANT WHO IS SENTENCED TO PAY ONE OR MORE FINES**
11 **THAT TOTAL AT LEAST \$300 AND CERTIFIES THAT THE DEFENDANT IS UNABLE TO**
12 **PAY THE FINE OR FINES MAY APPLY TO THE CLERK OF THE COURT TO MAKE**
13 **INSTALLMENT PAYMENTS IN ACCORDANCE WITH THIS SECTION.**

14 **(2) AN INSTALLMENT PLAN AGREEMENT UNDER THIS SECTION**
15 **SHALL:**

16 **(I) REQUIRE THAT THE DEFENDANT MAKE INSTALLMENT**
17 **PAYMENTS OF 10% PER MONTH ON THE TOTAL AMOUNT OF THE FINE OR FINES**
18 **COVERED BY THE AGREEMENT;**

19 **(II) SPECIFY THE OFFENSES AND CITATIONS TO WHICH THE**
20 **AGREEMENT APPLIES; AND**

21 **(III) STATE WHETHER THE DEFENDANT'S DRIVER'S LICENSE OR**
22 **DRIVING PRIVILEGES ARE CURRENTLY SUSPENDED FOR FAILURE TO PAY THE FINE**
23 **OR FINES TO WHICH THE AGREEMENT APPLIES.**

24 **(3) AS A CONDITION OF AN INSTALLMENT PLAN AGREEMENT, A**
25 **DEFENDANT WHO ENTERS INTO THE AGREEMENT SHALL INFORM THE CLERK OF THE**
26 **COURT OF ANY CHANGE OF ADDRESS DURING THE TERM OF THE AGREEMENT.**

27 **(4) THE CLERK OF THE COURT SHALL PROMPTLY:**

28 **(I) NOTIFY THE MOTOR VEHICLE ADMINISTRATION BY**
29 **SENDING A COPY OF THE INSTALLMENT PAYMENT AGREEMENT TO THE MOTOR**
30 **VEHICLE ADMINISTRATION, IF THE DRIVER'S LICENSE OR PRIVILEGE TO DRIVE OF**
31 **THE DEFENDANT IS CURRENTLY SUSPENDED FOR FAILURE TO PAY A FINE FOR ONE**
32 **OR MORE TRAFFIC OFFENSES TO WHICH THE AGREEMENT APPLIES;**

