

**Department of Legislative Services**  
 Maryland General Assembly  
 2018 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 13 (Delegate Robinson)  
 Environment and Transportation

**Vehicle Laws - Licenses, Identification Cards, and Moped Operator's Permits -  
 Indication of Applicant's Sex**

This bill requires that an application for a license, identification card, or a moped operator’s permit allow an applicant to identify as (1) female; (2) male; or (3) unspecified. If an applicant identifies as an unspecified sex in the application, the Motor Vehicle Administration (MVA) must ensure that the license, identification card, or moped operator’s permit displays an “X” in the appropriate location.

The bill prohibits MVA from (1) requiring an applicant to provide proof of the applicant’s sex or (2) denying an application because the sex selected by the applicant does not match the sex displayed on another document associated with the applicant.

**Fiscal Summary**

**State Effect:** Transportation Trust Fund (TTF) expenditures increase by \$220,500 in FY 2019 only for reprogramming changes. TTF revenues are likely not materially affected.

(in dollars)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	220,500	0	0	0	0
Net Effect	(\$220,500)	\$0	\$0	\$0	\$0

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

**Local Effect:** None.

**Small Business Effect:** None.

## Analysis

**Current Law/Background:** The Maryland Vehicle Law does not explicitly require an applicant for a driver's license, identification card, or moped operator's permit to select a specific gender in an application. However, MVA applications for those credentials require an applicant to choose between one of the two options.

MVA does, however, allow a change of gender designation on a driver's license, learner's permit, or identification card. The change must be made in person, and an applicant must present one of the following documents when making the request:

- court order showing requested gender designation (original or certified copy);
- federal/state-issued identification showing requested gender designation;
- birth certificate showing requested gender designation; or
- an authorized letter obtained from the MVA's Driver Wellness and Safety Division.

MVA takes a new photograph and charges a fee each time a correction or change is made that requires a new license, permit, or identification card to be issued.

### *Recent Actions in Other Jurisdictions*

Oregon, California, Washington State, and Washington, DC, all recently authorized the designation of an unspecified ("X") gender on driver's licenses and identification cards. Oregon and Washington, DC, began issuing licenses with the unspecified designation in 2017. Washington State authorized the change through regulation and announced that the designation will be allowed effective January 27, 2018. California authorized the designation through legislation; the change will take effect January 1, 2019.

**State Fiscal Effect:** TTF expenditures increase by \$220,500 in fiscal 2019 for MVA to contract with an outside vendor for reprogramming changes. MVA estimates a total of 1,470 hours of reprogramming are necessary to modify the driver's license system, user interface, database tables, stored procedures, etc. Internal reprogramming changes totaling 180 hours can be absorbed within existing budgeted resources.

TTF revenues may be affected to the extent that individuals with existing licenses request new licenses. The fee for making a correction to a driver's license is \$20. To the extent that individuals request new licenses as a result of the bill, TTF revenues increase. However, the number of individuals expected to request the new designation is minimal. Thus, TTF revenues are likely not materially affected by the bill.

## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** *New York Times*; *Washington Post*; California Legislature; Washington State Department of Health; Maryland Commission on Civil Rights; Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - January 23, 2018  
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