

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
Department of Transportation**
(DLS Control No. 16-081)

Overview and Legal and Fiscal Impact

These regulations (1) reduce fees for the issuance and renewal of moped operator's permits; (2) repeal a fee for county-specific stickers and update language accordingly; (3) reduce the annual fee for a shuttle permit; and (4) update language related to vehicle emissions inspection.

The regulations present no legal issues of concern.

Special fund revenues for the Transportation Trust Fund decrease by \$5,358 in fiscal 2017 and by \$6,430 annually beginning in fiscal 2018.

Regulations of COMAR Affected

Department of Transportation:

Motor Vehicle Administration – Administrative Procedures: Motor Vehicle Fees:
COMAR 11.11.05.03, .04, and .06

Motor Vehicle Administration – Vehicle Registration: Issuance, Renewal, Display, and
Expiration of Registrations: COMAR 11.15.16.02

Legal Analysis

Background

On September 15, 2015, Governor Larry Hogan announced a plan to reduce or eliminate a number of fees across State government. Governor Hogan announced a second round of fee reductions or eliminations on May 12, 2016. This regulation is part of the second round of reductions or eliminations. Additional information regarding Governor Hogan's fee reduction initiative may be found [here](#).

Summary of Regulations

These regulations reduce the fees below that are assessed by the Motor Vehicle Administration.

Service	Current Fee	Proposed Fee
Moped Operator’s License – New Issuance	\$45	\$20
Moped Operator’s License – Renewal	\$30	\$15
County Sticker	\$5	\$0
Shuttle Permit (Annual Fee)	\$50	\$25

The regulations also make conforming changes for the repeal of the fee for a county-specific sticker and update language related to vehicle emissions inspection to reflect current advanced testing methods.

Legal Issues

The regulations present no legal issues of concern.

Statutory Authority and Legislative Intent

The administration cites §§ 12-104(b), 13-410, 13-412, 13-413, 13-626, 16-104.2, 16-122, and 23-207 of the Transportation Article as statutory authority for the regulations. More specifically, § 12-104(b) generally authorizes the administration to adopt regulations necessary to carry out the provisions of law that the administration is authorized or required to enforce or administer. Section 13-410(c) authorizes the administration to charge a fee for issuing or replacing a county sticker. Section 13-626(b) authorizes the administration to issue a shuttle permit for a vehicle to lead a procession of new vehicles from a port facility to a storage area within 5 miles of the port facility, and subsection (c) requires the administration to charge a fee for shuttle permits not to exceed the cost of procurement and issuance of the permits. Section 16-104.2(f) requires an applicant for a moped operator’s permit to pay a fee established by the administration before a moped operator’s permit will be issued or renewed. Section 23-207 authorizes the administration and the Secretary of the Environment to jointly adopt regulations to implement and administer the motor vehicle emissions inspection program. The remaining cited authority is not relevant to these regulations.

The relevant cited authority is correct and complete. The regulations comply with the legislative intent of the law.

Fiscal Analysis

Special fund revenues for the Transportation Trust Fund decrease by \$5,358 in fiscal 2017 and by \$6,430 annually beginning in fiscal 2018.

Agency Estimate of Projected Fiscal Impact

The regulations reduce or eliminate four MVA fees: (1) new moped operator’s license issuance; (2) renewal moped operator’s license; (3) county sticker; and (4) shuttle permit. The annual revenue change for each fee is shown below. Reducing or eliminating the fees decreases

special fund revenues for the Transportation Trust Fund by an estimated \$5,358 in fiscal 2017 (assuming an effective date of September 1, 2016) and \$6,430 annually beginning in fiscal 2018. The Department of Legislative Services concurs with this estimate.

Fee	Current Annual Revenue	Expected Annual Revenue	Annual Revenue Change
Moped Operator’s License – New Issuance	\$7,740	\$3,440	(\$4,300)
Moped Operator’s License – Renewal	690	345	(345)
County Sticker	1,635	0	(1,635)
Shuttle Permit	300	150	(150)
Total	\$10,365	\$3,935	(\$6,430)

Impact on Budget

There is no material impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The administration advises that the regulations have minimal or no impact on small businesses in the State. The Department of Legislative Services concurs as the impact, if any, on small businesses is negligible.

Contact Information

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