

MARYLAND REGISTER

**Proposed Action on Regulations**

|  |   |  |
|--|---|--|
| <b>Transmittal Sheet</b><br><br><b>PROPOSED<br/>OR REPROPOSED</b><br><br><b>Actions on Regulations</b> | <b>Date Filed with AELR<br/>Committee</b> | <b>TO BE COMPLETED BY<br/>DSD</b>              |
|  | 06/18/2020                                | Date Filed with Division of<br>State Documents |
|  |   | Document Number                                |
|  |   | Date of Publication in MD<br>Register          |

**1. Desired date of publication in Maryland Register: 7/31/2020**

**2. COMAR Codification**

**Title Subtitle Chapter Regulation**

11 17 13 02

**3. Name of Promulgating Authority**

Department of Transportation

**4. Name of Regulations Coordinator Telephone Number**

Christian Skipper 410-865-1154

**Mailing Address**

7201 Corporate Center Drive

**City State Zip Code**

Hanover MD 21076

**Email**

cskipper1@mdot.state.md.us

**5. Name of Person to Call About this Document Telephone No.**

Tracey Sheffield 410-768-7545

**Email Address**

tshelfield@mdot.state.md.us

**6. Check applicable items:**

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: June 9, 2020.

Repeal of Existing Regulations

- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval
- Reproposal of Substantively Different Text:

: Md. R  
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

**7. Is there emergency text which is identical to this proposal:**

Yes  No

**8. Incorporation by Reference**

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

**9. Public Body - Open Meeting**

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

**10. Children's Environmental Health and Protection**

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

**11. Certificate of Authorized Officer**

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Damon Bell, Assistant Attorney General, (telephone #410-768-7415) on June 17, 2020. A written copy of the approval is on file at this agency.

**Name of Authorized Officer**

Christine Nizer

**Title**

Administrator

**Telephone No.**

410-768-7320

**Date**

June 17, 2020

**Title 11**

**DEPARTMENT OF TRANSPORTATION**

**Subtitle 17 MOTOR VEHICLE ADMINISTRATION—DRIVER LICENSING  
AND IDENTIFICATION DOCUMENTS**

**11.17.13 Point System: Definition of Moving Violation and Assessment of Points**

Authority: Transportation Article, §§12-104(b) and 16-402, Annotated Code of Maryland

### Notice of Proposed Action

□

The Administrator of the Motor Vehicle Administration proposes to amend Regulation .02 under COMAR 11.17.13 – Point System: Definition of Moving Violation and Assessment of Points.

### Statement of Purpose

The purpose of this action is to amend regulations to correct and add moving violations that will result in a one point assessment on an individual’s driving record upon conviction pursuant to the passage of Chapter 622 (HB 1493) and Chapter 623 (SB 878), Acts of 2020.

### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

### Estimate of Economic Impact

#### I. Summary of Economic Impact.

This action will have no economic impact on the Department to implement. There is a potential minimal increase in general fund revenues due to the penalty provisions applicable under Maryland Vehicle Law and a minimal impact on individuals who are convicted of a violation of Maryland Law.

| II. Types of Economic Impact.               | Revenue (R+/R-)     | Magnitude |
|---|---------------------|-----------|
|   | Expenditure (E+/E-) |           |
| A. On issuing agency:                       | NONE                |           |
| B. On other State agencies:                 | (R+)                | Minimal   |
| C. On local governments:                    | NONE                |           |
|   | Benefit (+)         | Magnitude |
|   | Cost (-)            |           |
| D. On regulated industries or trade groups: | NONE                |           |
| E. On other industries or trade groups:     | NONE                |           |
| F. Direct and indirect effects on public:   | (+)                 | Minimal   |

#### III. Assumptions. (Identified by Impact Letter and Number from Section II.)

B. There is a potential minimal increase in general fund revenues due to the penalty provisions applicable under Maryland Vehicle Law, and to the public for an individual convicted and fined by the Courts for violations of the Maryland Vehicle Law.

F. There is a potential minimal increase in general fund revenues due to the penalty provisions applicable under Maryland Vehicle Law, and to the public for an individual convicted and fined by the Courts for violations of the Maryland Vehicle Law.

### **Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

### **Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

### **Opportunity for Public Comment**

Comments may be sent to Tracey C. Sheffield, Regulations Coordinator, MVA, 6601 Ritchie Highway N.E., Room 200, Glen Burnie, MD 21062, or call 410-768-7545, or email to [tshellfield@mdot.state.md.us](mailto:tshellfield@mdot.state.md.us), or fax to 410-768-7506. Comments will be accepted through 8/30/2020. A public hearing has not been scheduled.

### **Economic Impact Statement Part C**

A. Fiscal Year in which regulations will become effective: FY 2021

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:  
Transportation Trust Fund

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

These regulations have no economic impact on small businesses because it only impacts individuals who are convicted for a violation of Maryland Motor Vehicle Law and are assessed one point on their Maryland driving records for that conviction

G. Small Business Worksheet:

a. Intended Beneficiaries: N/A

b. Intended Beneficiaries: Households: N/A

- c. Intended Beneficiaries: Businesses: N/A
- d. Other Direct or Indirect Impacts: Adverse: N/A
- e. Other Direct or Indirect Impacts: Positive: N/A
- f. Long-Term Impacts: N/A
- g. Estimates of Economic Impact: N/A

Attached Document:

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11.17.13 (Download June 9, 2020)

## **Title 11 DEPARTMENT OF TRANSPORTATION**

### **Subtitle 17 MOTOR VEHICLE ADMINISTRATION — DRIVER LICENSING AND IDENTIFICATION DOCUMENTS**

#### **Chapter 13 Point System: Definition of Moving Violation and Assessment of Points**

Authority: Transportation Article, §§12-104(b) and 16-402, Annotated Code of Maryland

##### **.02 Assessment of Points.**

A. (text unchanged)

##### **B. Section Moving Violation**

(1) [13-919(f) ----] *13-919(g)*— Operating dump truck vehicle in excess of speed limits

(2)—(30) (text unchanged)

[(31) 21-1124.1 --- Use of a text messaging device while operating a motor vehicle]

[(32)] (31) —[(71)] (70) (text unchanged)

(71) *21-1124.1 —Use of a text messaging device while operating a motor vehicle*

(72)—(75) (text unchanged)

(76) [21-1128] *21-1129* —[----] Driving while operating unauthorized television/video equipment visible to the

driver

(77) *21-1132(d)*— *Exhibition driving in a special event zone*

(78) *21-1132(e)(1)*— *Exceeding maximum speed limit by 1-9 miles per hour in a special event zone*

(79) *21-1132(e)(2)*— *Driving motor vehicle in a negligent manner in a special event zone*

(80) *21-1132(e)(5)*— *Driving in improper manner to cause skidding/spinning wheels/noise in a special event*

zone

(81) *21-1209(a)(1)*— *Failure to exercise due care for bicycle, EPAMD, or motor scooter*

[(77)] (82) —[(87)] (92) (text unchanged)

C. (text unchanged)

**CHRISTINE NIZER**

**Administrator**

**Motor Vehicle Administration**