

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
Department of Transportation**
(DLS Control No. 15-415)

Overview and Legal and Fiscal Impact

The regulations eliminate fees associated with adding or removing a notation of veteran status from an identification card or driver's license.

The regulations present no legal issues of concern.

Special fund revenues for the Transportation Trust Fund decrease by \$2,380 in fiscal 2016 and by \$9,520 annually beginning in fiscal 2017.

Regulations of COMAR Affected

Department of Transportation:

Motor Vehicle Administration – Driver License and Identification Card:

Identification Cards: COMAR 11.17.06.08

Corrected Driver's License: COMAR 11.17.16.03

Legal Analysis

Background

The Motor Vehicle Administration offers a veteran designation on a driver's license or identification card for qualifying veterans. The designation indicates that the individual is eligible for State or federal veteran benefits. A "W" code is placed on the front of the driver's license or identification card, and the word "veteran" on the back, indicating veteran status.

To qualify for the designation, applicants must present United States military veteran documentation certifying veteran status. An individual can add the veteran designation when the individual applies for, renews, or corrects a driver's license or identification card.

Currently, there is a \$20 fee to add or remove the designation on a driver's license or identification card if the license or identification card is being corrected between renewal dates.

Summary of Regulations

The regulations eliminate fees associated with adding or removing a notation of veteran status from an identification card by adding veteran designations to the list of corrections that are

made to an identification card for which there is no fee charged by the administration. The regulations also eliminate fees associated with adding or removing a notation of veteran status from a driver's license by adding veteran designations to the list of circumstances that do not constitute a driver's license correction.

Legal Issues

The regulations present no legal issues of concern.

Statutory Authority and Legislative Intent

The administration cites §§ 12-104(b), 12-301, 16-111.1, 16-114.1, and 16-818 of the Transportation Article as statutory authority for the regulations. More specifically, § 12-104(b) authorizes the administration to adopt rules and regulations to carry out the State vehicle law or any other law that relates to or is administered and enforced by the administration. Section 12-301(b) requires the administration to establish a fee for the issuance of an original or duplicate identification card. Section 16-111.1(d)(1) requires that an applicant for a driver's license pay the fees provided for by the subtitle. Lastly, § 16-114.1 provides requirements for obtaining a corrected commercial license, non-commercial license, and for obtaining a corrected license when the licensee is out of state. The remaining cited authority is not relevant to these regulations.

While not cited by the administration, § 12-302(a) of the Transportation Article requires the administration to include the designation of veteran status on a driver's license or identification card if an applicant provides certification of his or her veteran status, and subsection (c) authorizes the administration to adopt regulations to carry out the requirement.

With the addition of § 12-302 of the Transportation Article, the relevant cited authority is correct and complete. The regulations comply with the legislative intent of the law.

Technical Corrections and Special Notes

In response to suggestions from the Department of Legislative Services, staff from the administration agrees to make the following changes to the regulations:

- adding § 12-302 of the Transportation Article as statutory authority for the regulations; and
- making a grammatical correction to COMAR 11.17.06.08D(1).

Fiscal Analysis

Special fund revenues for the Transportation Trust Fund decrease by \$2,380 in fiscal 2016 and by \$9,520 annually beginning in fiscal 2017.

Agency Estimate of Projected Fiscal Impact

The regulations eliminate the correction fee charged for a veteran to add or delete a veteran designation on an identification card or driver's license. Eliminating the correction fee decreases special fund revenues for the Transportation Trust Fund by an estimated \$2,380 in fiscal 2016 and \$9,520 annually beginning in fiscal 2017 (based on \$20 in reduced revenue from an average of 476 corrections per year). Internal programming costs totaling \$56,400 can be handled with existing resources. The Department of Legislative Services concurs with this estimate.

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 economic impact on small businesses in the State. The Department of Legislative Services concurs.

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