

**Department of Fiscal Services**  
Maryland General Assembly

**FISCAL NOTE**  
**Revised**

Senate Bill 538 (Senator Frosh)

Judicial Proceedings

Referred to Commerce and Government Matters

---

**Motor Vehicle Administration - Access to Public Records**

---

This amended bill prohibits the Motor Vehicle Administration (MVA) from disclosing “motor vehicle records,” at the direction of the party in interest, except under specified circumstances. The bill requires the MVA to establish procedures so that persons with motor vehicle records may contact the MVA to prohibit disclosure of personal information except as allowed by the bill.

---

**Fiscal Summary**

**State Effect:** Special fund expenditures could increase by an indeterminate amount as discussed below. Special fund revenues could be affected as discussed below.

**Local Effect:** None.

---

**Fiscal Analysis**

**State Revenues:** In fiscal 1995, approximately 2.5 million certified and non-certified records of driver and registration information were sold yielding \$12.7 million in special fund revenues. Thus, special fund revenues could decrease to the extent that the disclosure prohibitions required under this bill reduce the number of driving and registration records sold by the MVA.

Currently, the MVA imposes a \$5 fee for non-certified records and \$10 for certified copies. The Department of Fiscal Services advises that special fund revenues could increase if fees for the sale of records were increased consistent with the increased costs associated with providing such records as discussed below. For example, a 50 cent increase (from \$5 to \$5.50) in the fee for providing non-certified records could increase special fund revenues by \$1.25 million, an amount that is greater than the estimated cost increase to supply such records under this bill.

**State Expenditures:** The MVA estimates that additional special fund expenditures of \$1.1 million would be required in fiscal 1997 to comply with the provisions of this bill. This estimate includes 18 additional customer service representatives at an annual cost of approximately \$400,000 and an additional \$700,000 in data processing and form expenditures.

The additional expenditures identified above could be necessary to preserve the current administrative system for providing driving and registration records to interested parties and provides the MVA with \$12.7 million in annual revenue. The Department of Fiscal Services advises that modifying the administrative procedures for supplying records under current practice could reduce or eliminate cost increases associated with the bill. Further, if the disclosure prohibitions provided in this bill significantly reduce requests for driver and registration records, the MVA's expenditure estimate could be significantly reduced.

**Additional Comments:** The Federal Driver's Privacy Protection Act of 1994 establishes certain permissible uses of a state department of motor vehicles records. This Federal law requires State compliance by September 1997 and provides for a maximum penalty of \$5,000 per day. This bill addresses the requirements of the Federal Driver's Privacy Protection Act.

---

**Information Source(s):** Department of Transportation (Motor Vehicle Administration),  
Department of Fiscal Services

**Fiscal Note History:** First Reader - February 20, 1996

ncs Revised - Updated Information - March 4, 1996

lc Revised - Senate Third Reader - March 25, 1996

---

Analysis by: Paul Ballou

Reviewed by: John Rixey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710