

**Department of Fiscal Services**  
Maryland General Assembly

**FISCAL NOTE**

House Bill 61 (Delegate Arnick)  
Judiciary

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**Alcoholic Beverages Offenses - Minors - Penalties**

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This bill requires a court to notify the Motor Vehicle Administration (MVA) of any conviction of a minor under the age of 21 for possession of falsified identification or alcohol, or using falsified identification to obtain alcohol. Current law requires a court to notify the MVA if a minor between the age of 18 and 20 is convicted of using a falsified driver's license to obtain alcohol.

The bill also extends the authority of a court to order the MVA to suspend the license of any minor convicted of possessing falsified identification or alcohol, or using falsified identification to obtain alcohol. Current law allows a court to notify the MVA to suspend the license if a minor has been convicted of using a falsified driver's license to obtain alcohol.

In addition, the bill allows, but no longer requires, the MVA to suspend the driver's license of a minor when notified by a court of these violations. The bill also imposes maximum suspension periods of six months for the first offense and one year for a second or subsequent offense or until the minor turns age 21, whichever is longer. Current law imposes a suspension period of six months for the first offense and until the child reaches age 21 for a second or subsequent offense.

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**Fiscal Summary**

**State Effect:** Potential indeterminate increase in special and general fund revenues. Potential indeterminate increase in special fund expenditures as discussed below.

**Local Effect:** None.

**Small Business Effect:** None. This bill does not directly impact small businesses.

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## Fiscal Analysis

**State Revenues:** In fiscal 1996, an estimated 2,500 minors under the age of 18 were charged with alcohol related offenses and 2,000 minors age 18 to 20 were adjudicated guilty of alcohol related offenses. Because, the bill is authorizing in nature, it is estimated that 50% of minors with such convictions will have their licenses suspended. The fee to reinstate a license after a suspension is \$10. Assuming all 2,250 minors apply and have their licenses reinstated, Transportation Trust Fund revenues could increase by \$22,500 per year.

Under the bill, the MVA advises that hearings may be permitted to contest driver's license suspensions and the length of suspensions. The Office of Administrative Hearings (OAH) imposes a \$15 filing fee per hearing which is deposited into the general fund. The number of hearings that may be requested is uncertain. For illustrative purposes, assuming that 50%, or 1,125, of minors with suspended licenses request a hearing, general fund revenue could increase by \$16,875.

**State Expenditures:** According to the MVA, it costs the MVA approximately \$45 for each MVA hearing at OAH. The number of hearings that may be administered is uncertain. However, assuming that 1,125 request a hearing, Transportation Trust Fund expenditures could increase by \$50,625 to administer the hearings.

The MVA advises that one additional Customer Service Representative will be needed to process suspension orders, handle inquiries, and maintain records. The Department of Fiscal Services (DFS) advises that the additional position may not be justified. A division within the MVA, Administrative Adjudication, already handles inquiries and records related to hearings and could be able to handle the increased workload associated with this bill.

The District Court currently notifies the MVA of driver's license suspensions of minors aged 18 to 20 convicted of an alcoholic beverage code violation that involves the use of a driver's license through a manual recordkeeping system. The District Court reports that computer programming costs could increase by \$31,000 to automate this system. DFS advises that the Administrative Office of the Courts is in the early stages of a multi-year project to automate the offices of the clerks of the District Court. Though it is not currently part of the project, software to allow classification of offenses relating to motor vehicles could be incorporated into this system as it is implemented throughout the State.

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**Information Source(s):** Department of Transportation (Motor Vehicle Administration), Judiciary (District Court), Office of Administrative Hearings, Department of Fiscal Services

**Fiscal Note History:** First Reader - February 19, 1997

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