

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 222 (Delegate C. Davis, *et al.*)
Judiciary

Crimes Involving Motor Vehicles - Drivers' Licenses - Issuance and Suspension

This bill requires the Motor Vehicle Administration (MVA) to suspend for at least one year the driver's license of any person who is convicted of destroying, damaging, stealing, or carjacking a motor vehicle, or convicted of any other unauthorized use of a motor vehicle. The MVA is also required to refuse to issue a license to any person under the age of 18 who has been convicted of the specified offenses.

The bill requires a court to notify the MVA in writing of any convictions involving these motor vehicle offenses. In addition, the MVA is permitted to reinstate the suspended driver's license only after a court provides notice to the MVA that the person has satisfied all the conditions of the probation or sentence.

If a person is convicted of driving with a suspended license under the provisions of this bill, a court is required to impose a minimum sentence of one year imprisonment (maximum five years).

Fiscal Summary

State Effect: Transportation Trust Fund revenues could increase by at least \$26,300 annually beginning in FY 1999. Transportation Trust Fund expenditures could decrease by at least \$27,500 in FY 1998 and \$1,600 annually thereafter. Future year estimates reflect annualization and assumes that the number of suspensions, refusals, and hearings remain constant.

(In dollars)	FY 1998	FY 1999	FY 2000	FY 2000	FY 2002
SF Revenues	0	26,300	26,300	26,300	26,300
SF Expenditures	27,500	1,600	1,600	1,600	1,600
Net Effect	(\$27,500)	\$24,700	\$24,700	\$24,700	\$24,700

Note: () - decrease; GF - general funds; FF - federal funds; SF - special funds

Local Effect: Potential minimal increase in expenditures. Revenues would not be affected.

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

Fiscal Analysis

State Revenues: Data is not readily available on the actual number of convictions of these offenses specifically regarding motor vehicles. However, it is estimated that in fiscal 1996, approximately 10,000 individuals were charged with these violations. Assuming that one-third are convicted, there may be 3,500 driver license suspensions or refusals resulting from the bill. Of that number, the MVA assumes that 75% of those convicted would have their driver's license suspended and 25% would be refused a license.

The MVA collects a \$10 license duplication fee to reinstate a license after a suspension. Assuming that 2,625 apply and have their license restored after the suspension, Transportation Trust Fund revenues could increase by \$26,250 annually beginning in fiscal 1999. Any increase in revenue would not begin until fiscal 1999, as the suspension period is a minimum of one year.

The bill also requires the MVA to refuse to issue a driver's license to persons under the age of 18. The fee for obtaining a driver's license is \$30. Assuming that 875 minors are denied drivers' licenses in the first year, there would be a revenue loss of \$26,250 in the first year only. In the second year, it is assumed these minors would turn 18 and apply for and receive their driver's licenses. The revenue generated would increase by the same amount. However, also in the second year, there would be another group of minors who would be refused licenses due to motor vehicle related convictions. Thus, in the second year and beyond, the Transportation Trust Fund revenue loss would offset the revenue gain.

State Expenditures: The bill requires the circuit courts and the District Court to notify the MVA of any convictions in these specified offenses relating to motor vehicles. The District Court's computerized case management system currently cannot distinguish when these offenses occur to motor vehicles. Thus, the District Court estimates that computer programming costs could increase by \$60,000. The Department of Fiscal Services (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.

The circuit court clerks' offices would notify the MVA manually if they do not have an automated reporting system. Although the clerks' offices would experience an increased workload, the bill's requirements could be handled with existing systems.

The MVA advises that reprogramming expenditures could increase by an estimated \$51,200

to program the changes proposed in this legislation. DFS advises that if other legislation is passed requiring computer reprogramming changes, economies of scale could be realized. This would reduce computer programming costs associated with this bill and other legislation affecting the MVA system.

The MVA advises that a hearing may be granted when the identity of the suspended person is in question. Because the District Court cannot obtain the driver's license number, there may be instances when the identity of the driver may be uncertain. The MVA estimates that 1% of the persons convicted may be granted a hearing to determine identity due to the lack of information regarding the driver's license number. According to the MVA, it costs the MVA approximately \$45 for each MVA hearing in the Office of Administrative Hearings. Assuming that 1% of the persons convicted request a hearing for this purpose, general fund expenditures for hearings could increase by approximately \$1,180 in fiscal 1998, accounting for the October 1 effective date, and \$1,575 annually thereafter.

General fund expenditures could increase as a result of the bill's incarceration penalty due to more people being committed to a Division of Correction (DOC) facility for reimbursement of inmate costs, depending upon the number of convictions and sentences imposed. Persons serving a sentence longer than one year are incarcerated in a DOC facility. In fiscal 1998 the average monthly cost per inmate is estimated at \$1,500. It is uncertain the number of persons that may be convicted of driving with suspended licenses or the length of the sentence imposed under this bill.

Local Expenditures: The reporting system in the circuit courts of Montgomery and Prince George's counties are automated and fully funded by the counties. These counties may require additional expenditures to allow MVA notification for these specified offenses. While the computer costs are indeterminate, the increase in expenditures is assumed to be minimal.

Information Source(s): Department of Transportation (Motor Vehicle Administration), Office of Administrative Hearings, Judiciary (District Court of Maryland, Circuit Court of Anne Arundel County), Department of Public Safety and Correctional Services (Division of Correction, Division of Probation and Parole), Department of Fiscal Services

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