

Department of Legislative Services  
Maryland General Assembly

FISCAL NOTE

House Bill 1283 (Delegate Hixson)

Judiciary

Vehicle Laws - Commercial Driver's License -  
Disqualification for Alcohol Concentration

This bill requires an applicant for employment as a driver of a commercial vehicle to provide to the prospective employer information on any suspension, revocation, cancellation, or disqualification of the applicant's commercial driver's license (CDL). The employer must report to the Motor Vehicle Administration (MVA) within 24 hours any employee who refuses to take a random alcohol test as required by federal law or any employee who has an alcohol concentration of .04 or more after undergoing a random alcohol test. The MVA must then disqualify those individuals from driving a commercial motor vehicle for one year.

Fiscal Summary

**State Effect:** Transportation Trust Fund (TTF) expenditures could increase by \$135,900 in FY 1999 for personnel and one-time postage and form production costs, exclusive of administrative hearings. Future years reflect annualization and inflation for ongoing personnel costs. TTF revenues could increase by \$38,400 annually.

(in dollars)	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003
SF Revenues	\$28,800	\$38,400	\$38,400	\$38,400	\$38,400
SF Expenditures	135,900	33,600	34,800	36,000	37,200
Net Effect	(\$107,100)	\$4,800	\$3,600	\$2,400	\$1,200

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

**Local Effect:** None.

**Small Business Effect:** Minimal.

## Fiscal Analysis

**State Expenditures:** There are approximately 128,000 drivers with CDLs in the State. The Federal Highway Administration conducts random alcohol tests on about 25% of CDL drivers in the State annually. However, the results of such tests are not forwarded to the MVA. Currently, MVA disqualifies a CDL only when a law enforcement officer issues a citation for an alcohol concentration that is above the legal limit. This bill will expand the disqualifications to those cases involving federal random alcohol tests. It is estimated that 2% of those tested by the federal government, or 640 additional CDLs, will be disqualified.

TTF expenditures could increase by an estimated \$135,903 in fiscal 1999, which accounts for the bill's October 1, 1998 effective date. This estimate reflects the cost of an additional Administrative Specialist to issue disqualifications and process correspondence to employers, licensees, and the federal government. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses. The one-time costs are expected to be approximately \$106,000 to notify all employers and CDL licensees of the bill's requirements and to create and produce forms. The information and assumptions used in calculating the estimate are stated below:

- one employee processed 612 alcohol related CDL disqualifications in 1997; and
- 640 additional disqualifications may occur as a result of the bill.

Salaries and Fringe Benefits	\$23,652
One-time costs	106,000
Operating Expenses	<u>6,251</u>
<b>Total FY 1999 Personnel Expenditures</b>	<b>\$135,903</b>

Future year expenditures reflect: (1) full salaries with 3.5% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

It costs the MVA approximately \$62 in reimbursable funds for each MVA hearing conducted by the Office of Administrative Hearings. The number of hearings that may be administered to contest CDL disqualifications is uncertain. To the extent that an individual with a disqualified CDL requests a hearing, TTF expenditures could increase.

**State Revenues:** After a CDL disqualification, an applicant may be downgraded to a non-

commercial license. The MVA charges a \$20 fee to reprint such a license. The applicant may further reapply for a CDL. The applicant must successfully complete all the required tests and pay a \$40 fee. Assuming the 640 additional licensees are disqualified annually and seek to regain a CDL license within the same year, revenues could increase by \$38,400 each year.

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

**Fiscal Note History:** First Reader - March 16, 1998

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