

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 1107 (Delegate Genn. *et al.*)

Commerce and Government Matters

Motor Vehicles - Reckless and Negligent Driving

This bill increases, from four to eight, the number of points that the Motor Vehicle Administration (MVA) is required to assess against an individual convicted of reckless driving. Additionally, those convicted of reckless driving will be subject to a fine of up to \$1,000 or imprisonment of up to one year, or both, for the first offense. For any subsequent offense, violators will be subject to a fine of up to \$1,000 or imprisonment of up to two years, or both. Under current law, the maximum penalty is a fine of \$500.

The bill further requires the MVA to assess 12 points against an individual convicted of either: (1) reckless endangerment committed by means of a motor vehicle; (2) reckless driving that contributes to a vehicle accident that results in the death of another person; or (3) negligent driving that contributes to a vehicle accident that results in the death of another person.

Fiscal Summary

State Effect: Minimal increase in general fund revenues and expenditures due to the bill's penalty provisions. Minimal increase in Transportation Trust Fund (TTF) expenditures for administrative hearings, and minimal increase in TTF revenues based on the number of license reinstatements.

Local Effect: Minimal increase in expenditures due to the bill's penalty provision.

Small Business Effect: Minimal. To the extent that drivers accumulate additional points on their driving records, small businesses that provide driver improvement programs may experience an indeterminate increase in business.

Fiscal Analysis

State Effect: In fiscal 1997, there were 3,747 reckless driving violations and 13,613 negligent driving violations. It is not clear how many of these violations contributed to a

motor vehicle accident that resulted in the death of another person. However, the number is assumed to be fairly low. The MVA advises that it will require an additional Administrative Specialist to recode driving records, process suspension and revocation letters, and schedule administrative hearings. TTF expenditures would increase by \$29,600 in fiscal 1999 accounting for the bill's October 1, 1998 effective date. Future year expenditures would be approximately \$40,000. This estimate includes salary, fringe benefits, and ongoing operating expenses.

However, the Department of Legislative Services (DLS) advises that this additional person is not justified. The MVA must send a point system warning letter to all those who accumulate three points. Therefore, convictions of reckless driving currently prompt action by the MVA. Increasing the point assessment for reckless driving will not significantly increase the workload. Furthermore, it is likely that the number of those convicted of reckless or negligent driving that contribute to an accident that results in the death of another person is minimal. The MVA should be able to handle the additional workload with existing resources.

It costs the MVA approximately \$62 in reimbursable funds to the Office of Administrative Hearings for each MVA hearing. It is expected that the bill will increase the number of hearings requested, although the number of additional hearings that may be held to contest license suspensions and revocations is uncertain. To the extent that individuals with suspended and revoked licenses request hearings, TTF expenditures could increase.

The MVA charges a \$45 fee to process forms in order to reinstate a revoked license. It charges a \$30 fee to create the new license. TTF revenues could increase in future years based on the number of individuals whose licenses are revoked and subsequently reinstated.

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

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Analysis by: Jody J. Minnich

Reviewed by: John Rixey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710