

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 239 (Senator Teitelbaum. *et al.*)

Judicial Proceedings

Vehicle Laws - Driving With Suspended License - Penalty

This bill increases the penalty for driving with a suspended license. The bill provides that for the first offense, the penalty is a fine of up to \$1,000 or imprisonment of up to one year, or both. For a subsequent offense, the penalty is increased to a fine of up to \$1,000 or imprisonment of up to two years, or both. Under current law, the penalty for any offense of driving with a suspended license is a \$500 fine and imprisonment of not more than two months, or both.

Fiscal Summary

State Effect: Indeterminate increase in general fund revenues and expenditures due to the bill's penalty provision.

Local Effect: Indeterminate increase in revenues and expenditures due to the bill's penalty provision.

Small Business Effect: None.

Fiscal Analysis

State Revenues: General fund revenues could increase under the bill's increased monetary penalty provision for those cases heard in the District Court, depending upon the number of convictions and fines imposed. In fiscal 1997, there were 8,884 violations of driving with a suspended license.

State Expenditures: General fund expenditures could increase as a result of the bill's incarceration penalty due to people being committed to a Division of Correction (DOC) facility for longer periods of time and increased payments to counties for reimbursement of inmate costs, depending upon the number of convictions and sentences imposed.

Those convicted of driving with a suspended license for a second or subsequent time may have a prison sentence of up to two years. Persons serving a sentence longer than one year are incarcerated in a DOC facility. In fiscal 1999 the average monthly cost per inmate is estimated at \$1,500.

Persons serving a sentence of one year or less are sentenced to a local detention facility. The State reimburses counties for part of their per diem rate after a person has served 90 days. State per diem reimbursements for fiscal 1999 are estimated to range from \$12 to \$42 per inmate depending upon the jurisdiction. Persons sentenced to such a term in Baltimore City are generally incarcerated in a DOC facility, with an average monthly cost estimated at \$1,500 for fiscal 1999. [The Baltimore City Detention Center (BCDC), a State operated facility, is used primarily for pretrial detentions. The per diem cost for BCDC in fiscal 1999 is estimated at \$43 per inmate.]

Local Revenues: Revenues could increase under the bill's monetary penalty provision for those cases heard in the circuit courts, depending upon the number of convictions and fines imposed.

Local Expenditures: Expenditures could increase as a result of the bill's incarceration penalty depending upon the number of convictions and sentences imposed. Counties pay the full cost of incarceration for people in their facilities for the first 90 days of the sentence, plus part of the per diem cost after 90 days. Per diem operating costs of local detention facilities are expected to range from \$23 to \$84 per inmate in fiscal 1999.

Information Source(s): Department of Transportation (Motor Vehicle Administration), Judiciary (The District Court of Maryland), Department of Legislative Services

Fiscal Note History: First Reader - March 6, 1998

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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