

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

Revised

House Bill 140 (Delegate Wood. *et al.*)

Commerce and Government Matters

Vehicle Laws - School Bus Passenger Safety Act

This bill authorizes law enforcement agencies to issue civil citations through the mail to owners of vehicles who, based on reports from school bus operators, failed to stop for a school vehicle with flashing warning lights. The civil penalty may not exceed \$200. The District Court is required to create a uniform citation form. The Motor Vehicle Administration (MVA), in consultation with the State Department of Education, is required to create the reporting form for use by the school bus operators. Recipients of the mailed citations may either pay the penalty or contest the charge in District Court. The defenses that may be used in contested cases are outlined in the bill.

The District Court must notify the MVA of those citation recipients that neither pay the fine nor appear for trial. The MVA may refuse to register or reregister or may suspend the registration of the motor vehicle. The violation for which the civil penalty is imposed is not a moving violation for the purposes of assessing points. The bill does, however, increase the points assessed for a criminal violation from two to three points.

Fiscal Summary

State Effect: Potential minimal increase in general fund expenditures and revenues. Potential minimal increase in special fund expenditures.

Local Effect: Potential minimal increase in administrative costs.

Small Business Effect: None.

Fiscal Analysis

State Effect: In fiscal 1998 there were 1,001 citations issued for failure to stop for a school bus. The citations were issued by law enforcement officers who actually witnessed the violations. The bill allows a report of a school bus driver to cause a citation to be mailed to the owner of the vehicle. To the extent that school bus drivers witness such violations and are able to report the necessary information to law enforcement agencies within 24 hours of the violation, general fund revenues from fines could increase.

The District Court is responsible for the collection of prepaid fines and has exclusive original jurisdiction in proceedings dealing with the civil infraction. While the bill does not mention court costs, it is assumed that the District Court may assess the same costs as other traffic cases; \$20 for a contested citation and \$2 for an uncontested citation.

The District Court would incur costs to design, print, and distribute the citation form and to modify its computer systems and cash registers. Any such costs are assumed to be minimal. It is not expected that the bill will result in a significant increase in the number of transactions requiring action by the District Court. Accordingly, the workload generated by the bill could be handled with the existing District Court staff.

The MVA advises that computer programming expenditures could increase by an estimated \$20,000 to modify its computer programs to receive notification from the District Court citing this specific violation. The Department of Legislative Services (DLS) advises that if other legislation is passed requiring computer reprogramming changes for either the District Court or the MVA, economies of scale could be realized. This would reduce computer programming costs associated with this bill and other legislation affecting the District Court system or the MVA system. Further, DLS advises that the increased computer expenditure is simply an estimate and the District Court and the MVA may be able to handle the changes with either less money than estimated or existing resources.

The MVA would incur costs to design, print, and distribute the school bus operator report form. Any such costs are assumed to be minimal. The MVA could handle the additional workload associated with the suspension and refusal to renew registrations and the increased point assessment with existing resources.

Local Effect: Although current law allows local law enforcement agencies to send warnings, allowing citations to be issued may increase enforcement efforts. Minimal increases in postage and administrative expenses may result. However, the number of additional reports filed by school bus drivers is not expected to reach a level that will require additional resources for local law enforcement agencies.

Information Source(s): Judiciary (The District Court); Maryland Department of

Transportation; Department of State Police; Anne Arundel, Garrett, Prince George's, and Montgomery counties; Department of Legislative Services

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