

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE
Revised

Senate Bill 393 (Senator Ruben)

Judicial Proceedings

**Vehicle Laws - Failure to Comply with a Notice to Appear - Nonincarcerable
Offenses**

This bill provides that an individual who fails to comply with a notice to appear in court for a nonincarcerable traffic offense will be assessed points by the Motor Vehicle Administration (MVA) prior to final disposition of the case. The traffic citation must reflect that a failure to comply with a notice to appear will result in the assessment of points.

Fiscal Summary

State Effect: General fund expenditures could increase by \$3,000 in FY 2000. Potential indeterminate increase in Transportation Trust Fund (TTF) expenditures.

Local Effect: None.

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 Expenditures: Because the bill requires the District Court to revise the traffic citation forms to reflect the consequences for a failure to appear, general fund expenditures would increase by \$3,000 for citation revisions in fiscal 2000.

Under current law, the MVA must suspend the license of those individuals that fail to appear in court as notified by the District Court. In 1998, the MVA suspended 110,877 licenses of individuals that failed to appear. The MVA estimates that the points assessed for traffic violations associated with the failure to appear violations will increase the number of point system suspensions and revocations by as much as 36,000. The MVA estimates that it will require seven additional customer service representatives and two administrative specialists

to issue additional warning letters, suspension letters, and revocation letters and to schedule additional point system conferences. TTF expenditures could increase by an estimated \$246,600 in fiscal 2000, which accounts for the bill's October 1, 1999 effective date. This estimate includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses. Future year expenditures would be approximately \$300,000 and reflect: (1) full salaries with 3.5% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

The Department of Legislative Services (DLS) advises that the bill will not necessarily increase the number of points assessed on an individual's driving record. It will, however, change the time frame in which the points are assessed. Those charged with traffic violations and failure to appear will still have those traffic charges outstanding. Those individuals are required to pay the fine or go to court in order to renew their vehicles' registration. These cases will eventually be adjudicated and any points will be assessed before a registration could be renewed. Therefore, it is not clear what impact, if any, the bill would have on the workload of the MVA.

The MVA advises that computer programming expenditures could increase by an estimated \$10,000 to modify the computer programs to transfer and accept guilty pleas from failure to appear cases. DLS 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. Further, DLS advises that the increased computer expenditure is simply an estimate and the MVA may be able to handle the changes with either less money than it estimates or existing resources.

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

Fiscal Note History: First Reader - March 5, 1999
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