

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

Senate Bill 46 (Chairman, Judicial Proceedings Committee)
(Departmental - Transportation)

Judicial Proceedings

**Commercial Vehicles - Commercial Vehicle Information Systems and Network
Transponders**

This departmental bill requires drivers of commercial vehicles equipped with Commercial Vehicle Information Systems and Network (CVISN) transponders to stop and submit the vehicle to inspection, measurement, or weighing when prompted by an electronic signal transmitted to the transponder. Offenders are subject to a fine of up to \$1,000.

Further, the bill prohibits a person from possessing, using, distributing, possessing with intent to distribute, manufacturing, selling or possessing with intent to manufacture a CVISN transponder that has been altered without the State's consent. The registered owner of the vehicle is liable for such violations unless: (1) the operator of the vehicle or person other than the registered owner is adjudicated to be solely responsible for the violation; or (2) the registered owner is a lessor of the vehicle and at the time of the violation the vehicle was in the possession of the lessee. Offenders of this provision are subject to a fine of up to \$500 or imprisonment of up to 6 months and are disqualified from driving a commercial vehicle. The Motor Vehicle Administration (MVA) may not register or transfer the registration of any vehicle involved in such a violation until final disposition of the offense.

Fiscal Summary

State Effect: Potential indeterminate increase in computer programming costs. The bill's criminal penalty provisions would not materially affect State finances or operations.

Local Effect: The criminal penalty provisions of this bill would not materially affect local finances or operations.

Small Business Effect: The Department of Transportation has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this

assessment.

Fiscal Analysis

Background: The CVISN is a component of the national Intelligent Transportation System program designed to manage commercial vehicle operations. Maryland was chosen by the Federal Highway Administration (FHWA) to be 1 of 2 states to develop and test CVISN technologies and identify planning and implementation issues. Maryland's test system is expected to be operational by the end of calendar 1999. The FHWA's goal is to have CVISN deployed nationwide by 2005.

State Effect: The MVA advises that computer programming expenditures could increase by an estimated \$10,000 to modify its computer programs. The Department of Legislative Services (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 system. 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.

The criminal penalty provisions of this bill are not expected to materially affect State revenues or expenditures.

Local Effect: The criminal penalty provisions of this bill are not expected to materially affect local expenditures.

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

Fiscal Note History: First Reader - February 2, 1999

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