HB 831

Department of Legislative Services

Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 831 (Delegate Pitkin, *et al.*)
Economic Matters

Breathalyzer Incentive Pilot Program

This bill establishes a one-year Breathalyzer Incentive Pilot Program, under the Department of Labor, Licensing, and Regulation (DLLR), for the purpose of encouraging 50 owners and operators of establishments that serve alcohol to provide a breathalyzer for customer use. The bill establishes a commission to analyze the program's results and to determine the appropriate regulations governing public use breathalyzers. The commission is to submit a report with recommendations by July 1, 2002.

This bill takes effect October 1, 2000, and sunsets September 30, 2003.

Fiscal Summary

State Effect: General fund expenditures would increase by $220,500 in FY 2001 and by $140,600 in FY 2002. Revenues would not be affected.

(in dollars)	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
GF Revenues	$0	$0	$0	$0	$0
GF Expenditures	220,500	140,600	0	0	0
Net Effect	($220,500)	($140,600)	$0	$0	$0

Note: ( ) = decrease; GF = general funds; FF = federal funds; SF = special funds; - =indeterminate effect

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary: The Breathalyzer Incentive Pilot Program would place 50 breathalyzers, at State expense, in diverse alcohol serving establishments across the State that have volunteered to be part of the program. The program is to start on April 1, 2001. DLLR will train at least two employees at each establishment on how to administer a breathalyzer test. DLLR shall inspect each breathalyzer once a month to ensure that it is functioning properly.

The bill also establishes a 13-member Breathalyzer Incentive Program Commission to be appointed by December 1, 2000. The commission is to analyze the data from the program and determine usage patterns, program effectiveness, and the desirability of continuing the program.

If the commission recommends continuation of the program, then it is also required to recommend any regulatory and procedural steps needed to make the program viable for a longer period of time. The commission's report is due to the Secretary of DLLR by July 1, 2002, and the commission terminates on June 30, 2002.

The Secretary of DLLR is required to submit a report with the commission's and the Secretary's recommendations to the General Assembly by September 1, 2002, and is required to develop any legislation based on the report for introduction in the 2003 General Assembly session.

Current Law: None applicable.

State Fiscal Effect: General fund expenditures could increase by an estimated $220,500 in fiscal 2001, which accounts for the bill's October 1, 2000, effective date. This estimate reflects the cost of breathalyzers and hiring an administrator, an office secretary, and two investigators on a contractual basis to place and service the breathalyzers, train employees, and collect the data. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses. The cost of a breathalyzer is estimated at $2,000.

Salaries and Fringe Benefits	$90,300
Breathalyzers and Equipment	110,000
Operating Expenses	20,200
Total FY 2001 State Expenditures	**$220,500**

Future year expenditures reflect full salaries with 2.4% annual increases and a program expiration date of June 30, 2002.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Labor, Licensing, and Regulation; Comptroller's Office (Division of Alcohol and Tobacco Tax); State Highway Administration; Department of Legislative Services

Fiscal Note History: First Reader - March 13, 2000
jir/jr

Analysis by: Brian D. Baugus

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510