

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 253 (Delegate Cole. *et al.*)

Commerce and Government Matters

Vehicle Laws - Mandatory Seat Belt Use - Secondary Enforcement

This bill authorizes a police officer to enforce seat belt provisions only as a secondary action when the officer detains the driver of a motor vehicle for a suspected violation of another provision of the law. The bill specifies, however, that violations of child safety seat provisions are still subject to primary enforcement.

Fiscal Summary

State Effect: Potential significant decrease in federal fund revenue. Potential significant decrease in general fund fine revenue.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Adult passengers in the outboard front seats in a motor vehicle and passengers under 16 years old in any seat in a motor vehicle must be restrained by a seat belt. Violations may be enforced as a primary action.

State Revenues: The federal government offers incentive grants to encourage the use of seat belts and the enforcement of seat belt laws. The Occupant Protection Incentive Grant program offers incentive funds to states that meet at least four of six criteria: (1) a law requiring safety belt use by all front seat passengers in passenger vehicles; (2) a seat belt law providing primary enforcement; (3) minimum fines or penalties for seat belt and child seat use law violations; (4) a statewide special traffic enforcement program for occupant

protection that emphasizes publicity; (5) a statewide child passenger protection education program; and (6) a child passenger protection law that requires minors to be secured properly in a child safety seat or in another appropriate restraint system. Maryland is expected to receive approximately \$200,000 in fiscal 2001 based on meeting federal eligibility criteria. The State currently meets all but one of the criteria. The bill may be interpreted as placing the State beneath the eligibility threshold, thereby eliminating the grant.

The federal Safety Incentive Grants for Use of Seat Belts program offers funds based on a state's seat belt use rate. Maryland received \$3 million in fiscal 2000. The bill may lead to a lower rate of seat belt use, in turn lowering the funds available to the State under this program.

In fiscal 1999 there were 179,832 citations issued for seat belt violations. Such violations carry a \$25 fine. Of these citations, 141,253 were prepaid, generating \$3.5 million in general fund revenues. In fiscal 1997, the year before primary enforcement was enacted, there were 111,686 citations for seat belt violations. Of these citations, 87,361 were prepaid, generating \$2.2 million in general fund revenues.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of Transportation (State Highway Administration), Department of State Police, Department of Legislative Services

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