

Department of Legislative Services
 Maryland General Assembly
 2000 Session

FISCAL NOTE
Revised

House Bill 104 (Delegate Wood. *et al.*)

Commerce and Government Matters

Vehicle Laws - Drivers Failing to Stop for School Buses - Enforcement Initiative

This bill establishes the School Bus Safety Enforcement Fund as a special nonlapsing fund from which grants may be made to law enforcement agencies to target the problem of drivers illegally passing school vehicles. The bill also alters the points to be assessed for failure to stop for a school vehicle with activated flashing lights.

Fiscal Summary

State Effect: General fund revenues would decrease by \$600,000 annually. Special fund revenues and expenditures would increase by \$600,000 annually. Potential increase in general fund revenues due to the increased enforcement efforts.

(in dollars)	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
GF Revenues	(\$600,000)	(\$600,000)	(\$600,000)	(\$600,000)	(\$600,000)
SF Revenues	600,000	600,000	600,000	600,000	600,000
GF Expenditures	0	0	0	0	0
SF Expenditures	600,000	600,000	600,000	600,000	600,000
Net Effect	(\$600,000)	(\$600,000)	(\$600,000)	(\$600,000)	(\$600,000)

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

Local Effect: Revenues could increase to the extent that grants are applied for and subsequently awarded from the School Bus Safety Enforcement Fund. A county may receive a maximum of \$35,000 each year.

Small Business Effect: None.

Analysis

Bill Summary: The School Bus Safety Enforcement Fund will be administered by the State Police, which will receive a portion of the total revenue credited to the fund each year to offset costs not to exceed \$50,000. The fund will consist of: (1) \$600,000 annually from administrative penalties collected from vehicle owners without the proper security coverage; (2) any earnings from investments by the fund; and (3) any money accepted for the benefit of the fund from any governmental or private source. No one county may receive more than \$35,000 in grants in a single year.

The bill also increases the points to be assessed on a driver's license for failure to stop for a school vehicle with activated flashing lights from two to three points.

The Secretary of the State Police must report to the Governor and to the General Assembly by March 1, 2002 and by March 1 each year thereafter on the progress of the fund. This bill is effective July 1, 2000, and remains effective for five years until June 30, 2005. Any balance remaining in the fund at the termination date will be transferred to the general fund.

Current Law: A driver may not pass, from either direction, a school bus that has stopped on an undivided roadway and is operating flashing red lights. Enforcement is handled through standard policing policies. There is no fund to specifically address this problem.

Those convicted of illegally passing a school vehicle are subject to a fine and an assessment of two points on their driving records.

State Revenues: The increased enforcement effort may lead to additional citations for the illegal passing of school vehicles. The violation carries a monetary penalty of \$270. In fiscal 1999, there were 1,150 violations. Any increase in the number of citations will increase general fund revenues.

The Motor Vehicle Administration (MVA) may assess an administrative penalty of at least \$150 for improperly insured vehicles. Currently, these revenues are collected by the MVA and allocated each year as follows: 30% to the MVA; approximately \$3.3 million to the Maryland Automobile Insurance Fund; \$2 million to the Vehicle Theft Prevention Fund; \$400,000 to the Motor Vehicle Registration Enforcement Fund; and the remainder to the general fund. The bill requires that \$600,000 of the administrative penalty revenues be allocated to the School Bus Safety Enforcement Fund each year until fiscal 2005. Therefore, the bill could reduce general fund revenues by \$600,000 each year until fiscal 2005.

The State Police will receive a portion of the amount collected by the newly created fund each year for cost recovery. However, the State Police may not receive more than \$50,000 annually.

State Expenditures: Each year of the program, \$600,000 in special funds will be expended

on grants to law enforcement agencies and for administrative expenditures of the State Police. The State Police will require one fiscal specialist to administer the program. From the amount available to the fund, approximately \$43,000 will be spent in fiscal 2001 for the additional employee. Future year expenditures reflect: (1) full salaries with 3.5% annual increases and 3% employee turnover; and (2) 1% annual increase in ongoing operating expenses until the sunset date. However, administrative costs are expected to reach the cap of \$50,000 in fiscal 2002.

Expenditures may only be made by the fund pursuant to an annual budget appropriation or by the budget amendment procedures subject to specified requirements.

The Motor Vehicle Administration could handle the increase in the assessment of points with existing resources.

Local Revenues: Local law enforcement agencies may apply for grants from the School Bus Safety Enforcement Fund to combat the problem of drivers illegally passing school vehicles. Grant amounts awarded will vary based on the extent of the problem in each area; however, no one county may be awarded more than \$35,000 in a given fiscal year.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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