

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

Senate Bill 45 (Chairman, Judicial Proceedings Committee)
(Departmental - Transportation)

Judicial Proceedings

**Motor Vehicle Law - Commercial Vehicle Information Systems and Network
Transponders**

This departmental bill prohibits an individual from knowingly removing a Commercial Vehicle Information Systems and Network (CVISN) transponder from a commercial vehicle to which it is registered and placing it in another vehicle. The registered owner of the motor vehicle which carries the unregistered transponder is liable for the violation 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 are subject to a fine of up to \$500 or imprisonment of up to six months and are disqualified from driving a commercial vehicle. The Motor Vehicle Administration 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: The criminal penalty provisions of this bill are not expected to significantly affect State finances or operations.

Local Effect: The criminal penalty provisions of this bill are not expected to significantly 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.

Analysis

Current Law: A person is prohibited from possessing, using, distributing, possessing with an intent to distribute, manufacturing, selling, or possessing with intent to manufacture a CVISN transponder that has been altered without the State's consent. Offenders are subject to a fine of up to \$500 or imprisonment of up to six months and are disqualified from driving a commercial vehicle. The Motor Vehicle Administration may not register or transfer the registration of any vehicle involved in such a violation until final disposition of the offense.

Background: The CVISN is a component of the national Intelligent Transportation System program designed to manage commercial vehicle operations. It is a system that allows motor carriers to bypass a weigh/inspection station by using a pre-programmed transponder that electronically transmits specified information to the monitoring entity at the station. It is designed to reduce the delay of motor carriers and to avoid repeated inspections. Maryland was chosen by the Federal Highway Administration (FHWA) to be one of two states to develop and test CVISN technologies and identify planning and implementation issues. The Maryland Department of Transportation expects to have the first station operational by March 2000. The FHWA's goal is to have CVISN deployed nationwide by 2005.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - January 12, 2000
nncsjr

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