

Department of Legislative Services

Maryland General Assembly

2000 Session

FISCAL NOTE

House Bill 207 (Chairman. Commerce and Government Matters Committee)

(Departmental - Transportation)

Commerce and Government Matters

---

Commercial Driver's License Violations - Fines

---

This departmental bill increases the penalties for driving a commercial motor vehicle without a qualified license and for driving a commercial vehicle while ineligible (driving while underage or medically unfit; or driving while license was revoked, suspended, refused, or canceled).

---

Fiscal Summary

**State Effect:** Minimal increase in general fund revenues and expenditures due to the bill's penalty provisions.

**Local Effect:** Minimal increase in revenues and expenditures due to the bill's penalty provisions.

**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

**Bill Summary:** The bill establishes the penalties for driving a commercial motor vehicle while ineligible as follows: (1) a fine of up to \$1,000 and/or imprisonment of up to six months for the first offense; (2) a fine of up to \$2,000 and/or imprisonment of up to one year for the second offense; and (3) a fine of up to \$3,000 and/or imprisonment of up to two years for a third or subsequent offense.

The penalties for driving a commercial vehicle without a qualified license are: (1) a fine of

up to \$500 and/or imprisonment of up to two months for the first offense; (2) a fine of up to \$1,000 and/or imprisonment of up to six months for the second offense; and (3) a fine of up to \$2,000 and/or imprisonment of up to one year for the third or subsequent offense.

**Current Law:** The penalties for commercial driver's license violations include monetary fines set by the District Court (maximum of \$520) and point penalties established by statute (maximum of 12 points).

**Background:** In fiscal 1999, there were 454 violations of driving a commercial motor vehicle without a commercial driver's license or while ineligible. Fines range from \$30 to \$520. The Maryland Department of Transportation seeks to make the penalties for commercial driver's license violations commensurate with the strict requirements for obtaining a commercial driver's license.

**State Revenues:** General fund revenues could increase minimally as a result of the bill's monetary penalty provisions from cases heard in the District Court.

**State Expenditures:** General fund expenditures could increase minimally as a result of the bill's incarceration penalties due to more people being committed to Division of Correction (DOC) facilities and increased payments to counties for reimbursement of inmate costs. The number of people convicted of this proposed crime is expected to be minimal.

Persons serving a sentence longer than one year are incarcerated in DOC facilities. Currently, the average total cost per inmate, including overhead, is estimated at \$1,700 per month. This bill alone, however, should not create the need for additional beds, personnel, or facilities. The average variable cost of housing a new DOC inmate (food, medical care, etc.), excluding overhead, is \$260 per month.

Persons serving a sentence of one year or less in a jurisdiction other than Baltimore City are sentenced to local detention facilities. The State reimburses counties for part of their incarceration costs, on a per diem basis, after a person has served 90 days. State per diem reimbursements for fiscal 2001 are estimated to range from \$11 to \$54 per inmate depending upon the jurisdiction. Persons sentenced to such a term in Baltimore City are generally incarcerated in DOC facilities. The Baltimore City Detention Center, a State operated facility, is used primarily for pretrial detentions.

**Local Revenues:** Revenues could increase minimally as a result of the bill's monetary penalty provisions from cases heard in the circuit courts.

**Local Expenditures:** Expenditures could increase minimally as a result of the bill's

incarceration penalties. Counties pay the full cost of incarceration for people in their facilities for the first 90 days of the sentence, plus part of the per diem cost after 90 days. Per diem operating costs of local detention facilities are expected to range from \$22 to \$83 per inmate in fiscal 2001.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 7, 2000  
cm/jr

---

Analysis by: Jody J. Minnich

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