

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 448 (Chairman, Commerce and Government Matters Committee)
(Departmental - Transportation)

Commerce and Government Matters

Motor Vehicle Law - Violations - Fines for Certain Violations

This departmental bill gives a police officer the authority to take a commercial motor vehicle and its load into temporary custody if the driver fails or refuses to comply with the direction of the officer or a Commercial Vehicle Information Systems and Network (CVISN) transponder to submit a vehicle to measurement or weighing. The driver of such a vehicle is responsible for any additional costs incurred in weighing and measuring the vehicle and its load because of the driver's failure to comply with a police officer's or CVISN's direction to stop.

The bill also establishes penalties for a commercial motor vehicle's failure to obey signs to stop for a diesel emissions test. Further, it increases the commercial motor vehicle penalties for second and subsequent violations of transporting hazardous materials; failing to obey signs to stop for an inspection; driving an overweight vehicle; failing to display a permit to drive an overweight or oversized load; and other motor carrier safety provisions. Fines are also increased for vehicles that are more than 10,000 pounds overweight. The bill adds a fine of 20 cents for each additional pound of excess weight over 10,000 pounds up to 20,000 pounds; and 40 cents for each additional pound of excess weight over 20,000 pounds.

Fiscal Summary

State Effect: Minimal general fund revenue increase from the penalty provision applicable to this offense under the Maryland Vehicle Law. Enforcement could be handled with existing resources.

Local Effect: None.

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: The maximum penalty for transporting hazardous materials; failure to obey signs to stop for an inspection; driving an overweight vehicle; failure to display a permit to drive an overweight or oversized load; and other motor carrier safety provisions is a fine of \$1,000. The bill increases the penalties for second and subsequent violations to \$2,000 and \$3,000 respectively. Under current law, additional fines are levied for weight violations according to how much the load exceeds the statutory limit: \$50 or 5 cents for each pound of excess weight; and 12 cents for each additional pound of excess weight over 5,000 pounds.

Background: The Department of State Police reports that it is often less expensive for some commercial carriers to pay a fine than to properly divide the load or to submit to a test. Fines for size and weight violations have not been increased in 19 years.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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