

Department of Legislative Services  
Maryland General Assembly  
2000 Session

FISCAL NOTE  
Revised

House Bill 1259 (Delegates Minnick and Marriott) (Baltimore County  
Administration and Baltimore City Administration)  
Commerce and Government Matters

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**Vehicle Laws - Licenses and Registration - Outstanding Arrest Warrants**

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This bill requires the Motor Vehicle Administration (MVA), upon notice by a law enforcement agency, to refuse to register or transfer the registration of a vehicle if the owner is named in an outstanding arrest warrant. The MVA is also required to suspend the driver's license of an individual who is named in an outstanding arrest warrant.

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**Fiscal Summary**

**State Effect:** Potentially significant increase in Transportation Trust Fund (TTF) expenditures for administrative and security personnel, administrative hearings, and computer programming. TTF revenues would increase from the assessment of fees.

**Local Effect:** Potential increase in personnel expenditures.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** The MVA must notify the individuals named in arrest warrants of proposed license suspensions and refusals to register. An individual may appeal the MVA's action if the MVA has mistaken the identity of the individual named in the warrant. The MVA must continue the refusal to register a vehicle or continue the license suspension until: (1) the court orders the MVA to reregister the vehicle or to reinstate the license; or (2) a law enforcement agency notifies the MVA that the individual named in the warrant has been arrested or if the outstanding warrant has been otherwise satisfied. In consultation with law

enforcement officers of the State, the MVA must adopt regulations governing the notification process prescribed by the bill.

The bill requires an individual whose registration was refused due to an outstanding warrant to pay a fee set by the MVA. The MVA must assess the fee before renewal of the registration.

The MVA, in consultation with participating law enforcement officers, must report to the General Assembly by October 1 of each year on the bill's effectiveness in reducing the number of outstanding arrest warrants, beginning in calendar 2002. It is the intent of the General Assembly that the MVA provide for the full implementation of the bill at the earliest date practicable, but not later than December 1, 2001.

**Current Law:** The MVA has the authority to suspend a driver's license or to refuse to register or transfer the registration of a vehicle for a variety of specified circumstances. For example, the MVA must refuse to register or transfer the registration of a vehicle that is owned by an individual for which a warrant for a motor vehicle violation has been issued but not yet served.

**State Expenditures:** The impact on the TTF would depend upon the extent to which law enforcement agencies elect to participate in the program established by the bill. Based on current levels of workload, it is estimated that for every 40,000 notifications of outstanding warrants, MVA would require one customer service representative to process license suspensions and one customer service representative to process refusals to register. The average annual cost for two employees would be approximately \$95,000. If the MVA receives more than 40,000 outstanding warrant notifications per year, MVA's need for additional staff would increase. As a point of reference, there are an estimated 50,000 outstanding arrest warrants in Baltimore City and 20,000 outstanding arrest warrants in Baltimore County.

Due to MVA's concern about dealing with potentially dangerous individuals, it advises that it would require security personnel in 16 of its branch offices. The remaining offices are currently staffed with security personnel. The cost of the additional security would be approximately \$600,000 per year.

Those subject to MVA action are entitled to an administrative hearing under the bill's provisions. It costs the MVA approximately \$92 in reimbursable funds to the Office of Administrative Hearings for each MVA hearing. To the extent that administrative hearings are requested to contest license suspensions and refusals to register, TTF expenditures could increase.

The MVA advises that computer programming expenditures could increase by an estimated \$2 million to modify the computer programs to establish an outstanding warrant database.

The Department of Legislative Services (DLS) advises that if other legislation is passed requiring computer reprogramming changes, economies of scale could be realized. This would reduce computer programming costs associated with this bill and other legislation affecting the MVA system. Further, DLS advises that the increased computer expenditure is simply an estimate and the MVA may be able to handle the changes either with less money than it estimates or with existing resources.

**State Revenues:** The bill establishes a fee, set by the MVA, on those individuals whose registrations have been refused due to an outstanding warrant. The MVA currently charges a \$20 fee to release flags from suspended or refused registrations. It is assumed that the fee established by the bill would be set at a similar level. TTF revenues would increase based on the level of participation in the outstanding warrant program.

**Local Expenditures:** The impact on local expenditures would depend upon the extent to which local law enforcement agencies elect to participate in the program established by the bill. It is estimated that an additional clerk would be required for each local law enforcement agency that notifies the MVA on each outstanding warrant that meets the criteria established by the bill. However, if a local agency notifies the MVA on a more sporadic basis, the additional duties could be handled within existing resources.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of Transportation (Motor Vehicle Administration); Judiciary (The District Court); Carroll, Harford, Prince George's, and Queen Anne's counties, Department of Legislative Services

**Fiscal Note History:** First Reader - March 13, 2000  
mld/jr Revised - House Third Reader - March 31, 2000  
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