

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 550

(Delegate Dembrow)

Judiciary

Vehicle Laws - Fleeing or Eluding a Police Officer - Penalties

This bill eliminates the need for resulting bodily injury to have occurred and increases the maximum imprisonment penalty, from three years to five years, for a person convicted of “fleeing or eluding police” by willfully failing to stop the driver’s vehicle after a visual or audible signal to stop when the officer is in uniform and prominently displaying a badge or other insignia of office, or when the officer, whether or not in uniform, is in a vehicle appropriately marked as an official police vehicle.

The bill also adds bodily injury to the circumstances under which a person convicted of a fleeing or eluding violation is subject to maximum penalties of a fine of \$5,000 and/or imprisonment for ten years.

Fiscal Summary

State Effect: Minimal increase in general fund expenditures due to the bill’s changes to penalty provisions applicable to fleeing or eluding police. Revenues would not be affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: A person who is convicted of fleeing or eluding police under circumstances that result in bodily injury to another person is subject to maximum

penalties of a fine of \$5,000 and/or imprisonment for three years. A person who is convicted of fleeing and eluding that results in a death of another person is subject to maximum penalties of a fine of \$5,000 and/or imprisonment for ten years.

State Expenditures: In fiscal 2000, the Division of Correction (DOC) had an intake of 73 persons involving an attempt to flee police. It is not known how many of those convictions involved the circumstances covered under this bill.

In any case, general fund expenditures could increase minimally as a result of the bill's increased incarceration penalty due to people being committed to DOC facilities for longer periods of time. The number of people convicted of fleeing or eluding police under these circumstances is expected to remain relatively constant.

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. Excluding overhead, the average cost of housing a new DOC inmate (including medical care and variable costs) is \$288 per month.

Additional Information

Prior Introductions: In 2000, SB 666 would have made it a felony for the driver of a vehicle to elude a police officer that results in bodily injury to or death of another person, and increased the penalties for eluding a police officer that results in bodily injury or death. That bill received an unfavorable report from the Judicial Proceedings Committee.

Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services (Division of Correction), Department of State Police, Department of Legislative Services

Fiscal Note History: First Reader – March 12, 2001
ncs/cer

Analysis by: Guy G. Cherry

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