

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

Senate Bill 612 (Senator Van Hollen)
Judicial Proceedings

**Vehicle Laws - Leaving the Scene of an Accident Involving Bodily Injury or
Death – Penalties**

This bill increases the penalties for a driver who is involved in, and leaves the scene of, an accident that results in a bodily injury or death. A driver who leaves the scene of an accident that causes a bodily injury is guilty of a felony and subject to maximum penalties of two years in prison and/or a \$6,000 fine. A driver who leaves the scene of an accident that causes a death is guilty of a felony and subject to maximum penalties of ten years in prison and/or a \$10,000 fine.

Fiscal Summary

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

Local Effect: Potential minimal increase in revenues due to the bill's monetary penalty provisions. Expenditures should not be affected.

Small Business Effect: None.

Analysis

Current Law: The driver of a vehicle involved in a accident that results in a bodily injury or death must stop as close to the scene as possible without obstructing traffic more than necessary.

A driver who leaves the scene of an accident that causes a bodily injury is subject to maximum penalties of one year in prison and/or a \$3,000 fine. A driver who leaves the scene of an accident that causes a death is subject to maximum penalties of five years in prison and/or a \$5,000 fine.

Background: The Department of Public Safety and Correctional Services advises that 14 people were imprisoned in fiscal 2000 as a result of having violated an offense referenced in the bill.

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

State Expenditures: General fund expenditures could increase minimally as a result of the bill's incarceration penalty due to more people being committed to DOC facilities and increased payments to counties for reimbursement of inmate costs. The number of people convicted of these crimes 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. Excluding overhead, the average cost of housing a new DOC inmate (including medical care and variable costs) is \$288 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 2002 are estimated to range from \$9 to \$52 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.

Additional Information

Prior Introductions: None.

Cross File: HB 749 (Delegate Bronrott, *et al.*) – Judiciary.

Information Source(s): Department of Public Safety and Corrections, Department of Transportation (Motor Vehicle Administration), Department of Legislative Services

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