

Department of Legislative Services

Maryland General Assembly

2001 Session

FISCAL NOTE

House Bill 1136

Delegate Shank)

Judiciary

Vehicle Laws - Suspension of Driver's License - Theft of Motor Fuel

This bill provides that a person who is convicted of a theft offense that involves a failure to pay for motor fuel after dispensing it into a vehicle is subject to a driver's license suspension. For a first conviction, the MVA may suspend a person's driver's license for up to 30 days; for a second or subsequent conviction, the MVA shall suspend a person's driver's license for 30 days. The Chief Judge of the District Court and the Administrative Office of the Courts in conjunction with the Motor Vehicle Administration (MVA), shall establish procedures for reporting these convictions.

Fiscal Summary

State Effect: Transportation Trust Fund expenditures could increase minimally as a result of increased driver's license suspensions. General fund expenditures would increase by \$3,750 in FY 2002 only for programming changes to the District Court computer system.

(in dollars)	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	3,750	0	0	0	0
SF Expenditure	-	-	-	-	-
Net Effect	(\$3,750)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: Theft occurs when a person willfully or knowingly obtains unauthorized control over property with the intent of depriving the owner use of the property. A person guilty of theft of items valued at less than \$300 must make restitution and is subject to a fine of not more than \$500 or imprisonment of not more than 18 months, or both.

The MVA does not impose any penalties for the crime referenced in the bill.

Background: The offense referenced in the bill, commonly called a “drive-off,” has become more common throughout the country, especially as fuel prices have increased. According to the National Association of Convenience Stores, drive-offs cost individual stores approximately \$3,200 a year, based on a \$1.40 per gallon gas price. Most states, including Maryland, prosecute this crime as a misdemeanor, but there are seldom any prosecutions or convictions.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): National Association of Convenience Stores, Department of Transportation (Motor Vehicle Administration), Department of Legislative Services

Fiscal Note History: First Reader – March 13, 2001
cm/jr

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