

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 1240
Judiciary

(Delegate DeCarlo)

Driver Improvement and Alcohol Education Programs and Point System
Conferences - Private Providers

This bill allows the Motor Vehicle Administration (MVA) to refuse to approve or withdraw approval of private providers of point system conferences or alcohol education or driver improvement programs if the MVA determines that the provider is in serious violation of its approved contract. The MVA must first give the provider notice and an opportunity for a hearing. The bill also authorizes the provider to set a reasonable fee for individuals who participate in the conferences or programs.

Fiscal Summary

State Effect: The bill's requirements could be handled with existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The MVA may conduct a driver improvement program, an alcohol education program and point system conferences to provide driver rehabilitation. The MVA must determine the content of the programs and conferences and set a reasonable fee based on the costs of operating the programs and conferences that participants must pay in advance. The funds collected from this fee may not be credited to the Gasoline and Motor Vehicle Revenue Account.

The MVA may waive attendance at an alcohol education program, driver improvement program, or point system conference that it conducts if an individual attends an approved program or conference conducted by a private provider or a political subdivision. The MVA must establish criteria for private and local government providers. Upon application for approval to provide the programs and conferences, a private provider must pay an application fee established by the MVA.

If the Maryland Vehicle Law or a rule or regulation of the MVA provides that an applicant or licensee may request a hearing on refusal, suspension, or revocation of a license or privilege, the MVA must give the applicant or licensee written notice of the refusal, suspension, or revocation and the right of the applicant or licensee to request a hearing. Except as otherwise provided in the Maryland Vehicle Law, the applicant or licensee may request a hearing within 15 days from the date that the notice required by this section is mailed. The hearing must be held within 30 days of the date of the request. The MVA must render a decision within 30 days of a hearing.

State Expenditures: The MVA advises that it would cost approximately \$900 annually to conduct the additional hearings required under the bill. The agency terminates about ten providers annually; according to the MVA, most of them are terminated for issuing certificates of completion to individuals who did not participate in the required program or conference. The Department of Legislative Services advises that these costs could be absorbed within the agency's existing resources.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Office of Administrative Hearings, Department of Transportation, Department of Legislative Services

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