

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 211

(Delegate McClenahan, *et al.*)

Commerce and Government Matters

Judicial Proceedings

Motor Vehicle Administration - Digital Photographic Images - Private Detective Agencies

This bill authorizes the Motor Vehicle Administration (MVA) to make digital photographic images of individuals available to private detective agencies licensed by the State Police.

Fiscal Summary

State Effect: Potential increase in Transportation Trust Fund (TTF) revenues and expenditures, depending on the level of demand for digital images, which cannot be reliably estimated at this time. Under one scenario, TTF expenditures could increase by \$48,700 and TTF revenues could increase by as much as \$49,800 in FY 2003. Out-year costs and revenues would reflect annualization and inflation.

Local Effect: None.

Small Business Effect: Minimal. Private detective agencies that are small businesses would benefit from the availability of the images.

Analysis

Current Law: The MVA may make digital photographic images and signatures available to: (1) the courts; (2) criminal justice agencies; (3) driver license authorities; (4) the licensed individual; (5) the individual's attorney; (6) third parties designated by the individual; and (7) the Child Support Enforcement Administration. It may not

otherwise permit public inspection of digital photographic images or signatures or the actual data stored thereof.

Background: The MVA receives approximately 24,000 requests for digital images and signatures annually. The State Police license 150 private detective agencies in Maryland which would be eligible under the bill to purchase digital images.

State Revenues: The MVA charges a \$7 fee for each image retrieval. To the extent that demand for digital information increases, TTF revenues would also increase. Under one scenario, if the MVA receives one request per agency per week (7,800 per year), annual revenues would increase by \$40,950 in fiscal 2003 and \$54,600 annually thereafter.

State Expenditures: The MVA advises that it frequently receives requests from private investigators for images but it cannot estimate how many requests it would receive if the agencies were eligible to receive them. Assuming that it receives one request per week from each agency, MVA would receive 7,800 additional requests annually. The Department of Legislative Services advises that one additional workstation and supplies (\$23,200 in fiscal 2003) may be necessary if there is a significant increase in demand, as well as one customer service agent (\$25,500 in fiscal 2003).

Additional Information

Prior Introductions: A substantially similar bill was introduced as HB 164 in the 2001 session and HB 1261 in the 2000 session. HB 164 passed the House but was given an unfavorable report by the Judicial Proceedings Committee. HB 1261 received an unfavorable report by the Commerce and Government Matters Committee. Unlike HB 211, both HB 164 and 1261 allowed the MVA to make digital signatures available to detective agencies, in addition to digital images.

Cross File: None.

Information Source(s): Department of State Police, Department of Transportation, Department of Legislative Services

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