

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 1325
Judiciary

(Delegates Burns and Vallario)

Alcohol Restriction - Violation - Penalties

This bill increases the criminal penalty for violating an alcohol restriction imposed by the Motor Vehicle Administration (MVA). A person convicted of the offense of violation of an alcohol restriction imposed by the MVA is subject to a maximum fine of \$500, imprisonment for not more than two months, or both.

Fiscal Summary

State Effect: The bill is not expected to have a material effect on State finances or operations.

Local Effect: Potential minimal increase in expenditures due to the bill's incarceration penalty provision.

Small Business Effect: None.

Analysis

Current Law: In addition to vision and other restrictions, the MVA may impose an alcohol restriction on a driver's license for good cause. The restriction prohibits the licensee from driving or attempting to drive a motor vehicle with any alcohol in the blood. An individual with a restricted license is prohibited from driving in any manner that violates a restriction imposed by the MVA. In addition to any administrative penalty, a person who violates a driver's license restriction imposed by the MVA is subject to a maximum fine of \$500, or is subject to the same penalties as are provided for violation of the statute that authorizes the imposition of the restriction, if those penalties

are greater. An individual is specifically prohibited from driving a motor vehicle in any manner that violates a provisional license.

An individual is also prohibited from driving or attempting to drive a motor vehicle with alcohol in the blood in violation of a court-imposed restriction. A violation of a court-imposed alcohol driving restriction is generally subject to a maximum fine of \$500, imprisonment for up to two months, or both.

Local Expenditures: Expenditures could increase as a result of the bill's incarceration penalties. Counties pay the full cost of incarceration up to the first 90 days of the sentence. Per diem operating costs of local detention facilities are expected to range from \$20 to \$84 per inmate in fiscal 2003.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Legislative Services

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Analysis by: Karen D. Morgan

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