

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 1417 (Delegate Marriott) (Baltimore City Administration)
Commerce and Government Matters

**Unpaid Parking or Red Light Traffic Citation - Suspension or Revocation of
Driver's License**

This bill authorizes the Motor Vehicle Administration (MVA) to suspend, revoke, or refuse to issue or renew a driver's license if notified by a political subdivision or authorized State agency that the licensee has failed to pay the fine or filed a notice of intent to stand trial for parking or red light traffic violations captured by camera. The MVA may also suspend, revoke, or refuse to renew a driver's license if notified by the District Court that the licensee has failed to appear for trial or by the U.S. District Court that a person cited for a federal parking violation has failed to pay the fine, failed to file notice of intent to stand trial, or failed to appear for trial.

The MVA must adopt procedures by which local governments, State agencies, the District Court, and the U.S. District Court must notify the MVA regarding a person's failure to appear.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) revenues and expenditures could increase significantly. While the exact impact cannot be quantified at this time, under one scenario, revenues could increase by \$8.3 million from the fees assessed for license suspension or revocation and expenditures could increase by approximately \$416,000 for personnel, contractual services, and operating costs.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The MVA must notify a person who has failed to comply with traffic violation citation requirements that the person's license will be suspended unless, by the end of the fifteenth day after the notice is mailed, the licensee has paid the fine or posted a bond or a penalty deposit and requested a new trial date. It does not suspend licenses for red light camera or parking violations. An administrative hearing is not required unless a license is suspended for emergency reasons, e.g., the MVA considers the driver to be unfit or reckless.

The MVA may not register or transfer the registration of any vehicle if it is notified that the vehicle was involved in a local, State, or federal parking violation and the violator has failed to pay the fine, failed to file a notice of intent to stand trial, or failed to appear; or the vehicle owner did not pay the penalty for failure to obey a red light.

The MVA advises the following jurisdictions participate in this notification or "flagging" procedure: Howard, Prince George's, Montgomery, and Baltimore counties, Baltimore City, Bel Air, Morningside, Cheverly, Cottage City, Laurel, Greenbelt, and Riverdale.

The civil penalty for failing to obey a red light that was recorded by a red light camera cannot exceed \$100.

State Fiscal Effect: The MVA advises that 551,684 vehicles are currently flagged for parking or red light violations. However, this number is cumulative and not necessarily the number of vehicles that are flagged in one year. It reflects only vehicles in the four counties and eight municipalities that participate in the flagging program. The agency does not track the annual number of flagged vehicles. The MVA advises that if it suspended licenses for all the violations specified by the bill, TTF revenues could increase by \$8.3 million in fiscal 2003 and \$11 million annually, based on a \$20 fee paid by 551,684 vehicle owners to remove their suspension. Fiscal 2003 expenditures would be \$416,000 for personnel, mailing, computer and contractual costs.

The MVA is basing its assumption for personnel requirements on its Failure to Appear program for other traffic violations, as some of the duties are similar to the one proposed by the bill, such as mailing notices, updating suspension records, and handling customer inquiries. In 2001, two customer agents handled 143,227 referrals for this program.

The Department of Legislative Services (DLS) advises that the bill authorizes the MVA to suspend or revoke a person's driver's license, but does not require it to do so. The MVA may elect to suspend a smaller number of licenses, based on criteria developed in the regulations that it promulgates. Further, the number of licenses that would be suspended or revoked annually may be less or more than the cumulative vehicles flagged

by the MVA in 2001. For example, the cumulative number may include vehicles that were flagged in 2000 but do not require registration renewal until 2002 and are therefore still in the system. DLS notes that MVA customer service operations could be adversely affected by license suspensions of drivers not involved in the violations.

DLS also advises that the MVA estimates that \$40,000 will be needed for computer reprogramming, based on 400 hours of contractual work. As other legislation enacted in 2002 may also affect the licensing system, economies of scale may be realized and the cost of this program could be reduced accordingly.

The District Court advises that notifying the MVA manually for each failure to appear for a red light camera will consume more clerical time, but will not have a significant impact.

Additional Information

Prior Introductions: None.

Cross File: SB 851 (Senator McFadden)– Rules.

Information Source(s): Department of Transportation (Motor Vehicle Administration),
Department of Legislative Services

Fiscal Note History: First Reader - March 15, 2002
mam/jr

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