

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

Senate Bill 527 (Senator Dyson, *et al.*)
Judicial Proceedings

**Vehicle Laws - License Restriction for a Minor - Prohibition Against Minors as
Passengers**

This bill prohibits a licensed driver under the age of 18 from driving with a passenger under the age of 18 (except specified relatives) for 180 days after the driver's license is issued. A police officer may only enforce this provision as a secondary violation (i.e., it cannot be the primary cause for stopping a motorist). The bill provides that a violation of the restriction is a moving violation for which an individual may be assessed one point upon conviction.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures would increase by \$86,900 in FY 2003 for supplies and contractual personnel. Out-year expenditures reflect annualization and inflation. Potential minimal increase in general fund revenues due to the penalty provision applicable to this offense under the Maryland Vehicle Law (maximum \$500 fine).

(in dollars)	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
GF Revenue	-	-	-	-	-
SF Expenditure	86,900	117,000	118,200	119,400	120,600
Net Effect	(\$86,900)	(\$117,000)	(\$118,200)	(\$119,400)	(\$120,600)

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

Local Effect: None. Enforcement could be handled with existing resources.

Small Business Effect: None.

Analysis

Current Law: There are no restrictions on the number of passengers in a vehicle except in cases where the passengers obstruct the view of the driver or interfere with the control of the driver over the vehicle.

The Motor Vehicle Administration (MVA) may not issue a driver's license to any individual who has not reached the age of 17 years, 7 months; exemptions are allowed for drivers of Class B (for hire), Class C (commercial), or M (multipurpose) vehicles. An applicant is entitled to receive a provisional license if the applicant meets the minimum age required (16 years and 1 month) and satisfies the learner's instructional permit requirements. The applicant must also pass a driver skills or driver road examination, surrender any learner's permit, and pay the fee.

Under the graduated licensing system, a provisional licensee may not drive unsupervised between 12 midnight and 5:00 a.m. unless accompanied and supervised by a licensed driver who is at least 21 years old or is driving to or from: (1) employment; (2) a school class or official school activity; (3) an organized volunteer activity; or (4) an athletic event or related training session.

Background: Chapter 483 of 1998 (HB 527) established the provisional drivers' licensing system. The program became effective July 1, 1999. According to the National Traffic Safety Administration (NTSA), 15 states impose some kind of passenger restriction. Restrictions vary from allowing no passengers without the supervision of a 21-year-old driver for the first 90 days that the license is issued (Indiana) to allowing no more than 3 passengers younger than 19 (West Virginia). The NTSA rates Maryland's licensing system for young drivers as acceptable.

State Revenues: Potential minimal increase in general fund revenues due to the penalty provision applicable to this offense under the Maryland Vehicle Law (maximum \$500 fine). Because the violation can only be enforced as a secondary violation and the number of drivers under 18 is a small percentage of the driving population, any such increase is assumed to be minimal.

State Expenditures: TTF expenditures would increase by \$86,906 in fiscal 2003 to pay for supplies (\$60,656) and contractual assistance (\$26,250) to process license restriction removals for eligible drivers. Annual contractual costs would be \$35,000 and annual supply costs would be \$80,874.

The MVA advises that there are currently 57,775 licensed minors. It anticipates that most of the eligible licensees would request that the restriction be removed. The MVA

estimates that it needs five full-time positions, including a supervisor and four customer agents, to process the restriction removal, at a cost of \$158,021 in fiscal 2003. Further, it advises that it would cost \$78,540 to modify the computer system and \$30,4000 to update the Maryland Driver's Handbook. It did not address the cost of supplies associated with a new license, but the Department of Legislative Services (DLS) advises that based on previous estimates, it would cost \$1.45 per license.

DLS concurs that most licensees will request a new license after the restriction is no longer effective and that additional customer assistance will likely be necessary. However, it disagrees that the MVA will require five full-time positions or funding for the driver's handbook, which will require updating regardless of any legislation that may be enacted, and could be handled with existing resources. DLS observes that for an identical bill introduced in 2000 and 2001, the MVA requested approximately \$35,000 to \$38,000 for overtime contractual costs to handle the additional workload imposed by the bill. Its 1999 estimate called for \$71,300 in contractual costs.

This would reduce the costs associated with this bill and other legislation affecting the MVA system. DLS advises that the level of assistance will vary at each branch. The use of on-call reserve assistance will allow the MVA flexibility to respond to the needs of each branch. It further advises that if other legislation is passed requiring computer reprogramming and driver handbook changes, economies of scale could be realized.

Additional Information

Prior Introductions: An identical bill was introduced as SB 128 in the 2001 session, SB 404 in the 2000 session, and SB 597 in the 1999 session. All were given an unfavorable report by the Judicial Proceedings Committee.

Cross File: None.

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

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Analysis by: Ann Marie Maloney

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

