

Department of Legislative Services
 Maryland General Assembly
 2003 Session

FISCAL AND POLICY NOTE

House Bill 252 (Delegate Petzold, *et al.*)
 Judiciary

Driver's License Alcohol Restriction - Violation by Licensee Under the Age of 21 - Appearance in Court

This bill provides that if a driver under age 21 is convicted of driving or attempting to drive a motor vehicle while having any alcohol in the blood, that individual may not comply with the citation by prepayment of a fine. The driver must appear in court in person and the court is authorized to issue a warrant for the driver's arrest if the driver fails to comply with an appearance notice.

Fiscal Summary

State Effect: One-time general fund expenditure of \$316,000 to reprint the Uniform Motor Vehicle Citation and to modify the District Court's automated traffic system.

(in dollars)	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	316,000	0	0	0	0
Net Effect	(\$316,000)	\$0	\$0	\$0	\$0

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

Local Effect: Enforcement of the bill's provisions could be handled with existing resources.

Small Business Effect: None.

Analysis

Current Law: The Motor Vehicle Administration (MVA) is required to place an alcohol restriction on the license of every driver under age 21. The restriction prohibits the driver

from driving or attempting to drive a motor vehicle while having alcohol in the blood. The restriction expires when the driver reaches the age of 21. This provision does not limit MVA authority or the application of any other law relating to consumption of alcoholic beverages by an individual under the age of 21.

Violation of an alcohol restriction ordered by a court is a misdemeanor punishable by maximum penalties of a fine of \$500 and/or imprisonment for two months.

A person is prohibited from driving a vehicle in any manner that violates any restriction imposed in a restricted or provisional license. A provisional license is issued to a driver who is under the age of 18. A violation is considered a misdemeanor and is punishable by a fine not exceeding \$500.

An individual under the age of 21 may not possess or have in his or her charge or control an alcoholic beverage, except as provided by statute. A person who violates this provision must be issued a citation by a police officer. The citation contains the fine that may be imposed and a notice stating that prepayment of the fine is not allowed. The citation also contains a notice that the person will receive a summons to appear for trial.

Background: The District Court advises that presently, all violations of a restricted license, including an alcohol restriction, are charged as either violation of a restricted license (18 and older) or violation of a provisional license (under 18). These violations carry a prepayable fine of \$50.

State Expenditures: General fund expenditures in the District Court could increase by \$316,000 in fiscal 2004 only to comply with the bill's requirements. Computer modifications worth \$156,000 would be necessary because the bill requires the listing of two violations: one violation for those 21 and above who violate alcohol restrictions placed on their licenses (those people 21 and over who are charged with violating an alcohol restriction have the option to prepay the fine), and another violation for those people 18 to 21 who violate the alcohol restriction that applies to any driver under the age of 21. The younger group of violators would not have the option to prepay the fine. The District Court advises that the need created by the bill to indicate a defendant's age group as either 18 to 21 or over 21 when charged with this offense would affect numerous automated systems and also require reprinting a revised edition of the Uniform Motor Vehicle Citation. Reprinting and distribution of this document would cost \$160,000.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - February 11, 2003
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Analysis by: Karen D. Morgan

Direct Inquiries to:
(410) 946-5510
(301) 970-5510