

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 1052 (Delegates Minnick and Mandel)
Environmental Matters

Motor Vehicle Administration - Driver Instruction Over the Internet -
Restriction

This bill prohibits the Motor Vehicle Administration (MVA) from offering or authorizing any driver instruction program provided over the Internet by a driver education school that has not been licensed for at least two years, including driver education and improvement programs or point system conferences.

Fiscal Summary

State Effect: None. The bill would not substantially affect State procedures or finances.

Local Effect: None.

Small Business Effect: Potentially minimal. Small businesses that have not been licensed for two years would be unable to obtain a contract to provide the services described by the bill.

Analysis

Current Law: The MVA monitors and regulates driving schools and instructors. Driving schools and instructors must be licensed and the schools must provide a surety bond. It also prescribes the curriculum that must be used in the drivers' schools.

Chapter 350 of 2000 directs the MVA to consult with the Maryland State Department of Education in adopting and enforcing regulations for a standardized driver education program. The law stipulates that the regulations administered by the MVA include

student performance standards based on the standardized curriculum approved by the MVA. The standards include at least 30 hours of classroom instruction, 6 hours of highway driving instruction, and completion of a skills log book.

The MVA may require an individual to attend a driver improvement or alcohol education program as a condition of reinstatement of the individual's driver's license or if the individual fails to appear for a point system conference. A court may also order attendance at such programs. The individual must pay a reasonable program fee; the funds are credited to the Gasoline and Motor Vehicle Revenue Account. The MVA may waive attendance at a driver improvement program if the individual attends another approved program.

A point system conference is required for any driver who accumulates five points on his or her license within a two-year period (with exceptions for professional drivers). The MVA may waive attendance at a point system conference if the individual attends a conference held by an approved private provider.

Background: Two companies are approved to provide driver improvement courses and point system conferences using the Internet and contracts for two others are pending. The MVA advises that 122 driving schools operate at one or more locations throughout the State.

Legislation proposed in 2001 (HB 963) would have prohibited the MVA from offering or providing any driver instruction program over the Internet unless specifically authorized by law. The Governor vetoed the bill, citing that the decision to provide such instruction should be the MVA's and that the bill's policy conflicted with the Electronic Government Initiative enacted in 2000 (Chapter 5). That initiative requires all units of the Executive Branch to have 50% of their public information and services available over the Internet by 2002.

Additional Information

Prior Introductions: See "Background" section above.

Cross File: None.

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

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