

Department of Legislative Services
 Maryland General Assembly
 2003 Session

FISCAL AND POLICY NOTE
Revised

House Bill 67

(Delegate Conway, *et al.*)

Environmental Matters

Judicial Proceedings

**Vehicle Laws - Firefighters and Other Emergency Services Personnel - Exemption
 from Driver Licensing Requirements**

This bill exempts firefighters and other emergency services personnel from obtaining a Maryland noncommercial Class A or B driver's license or learner's permit under specified circumstances. A member or employee of a fire department, rescue squad, emergency medical services unit, or volunteer fire company is exempt while driving an emergency vehicle if: (1) the driver holds a valid commercial Class C license; (2) has been authorized by the political subdivision to operate the type of emergency vehicle being driven; and (3) is driving the emergency vehicle while performing official duties in or out of Maryland. The bill also requires the Motor Vehicle Administration (MVA), in consultation with specified firefighter's associations, to adopt regulations that establish training and testing requirements that political subdivisions must implement before exempting emergency services personnel from licensing requirements.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) revenues would decrease by \$24,800 in FY 2004. The revenue loss in future years reflects no anticipated change in the exam fee or in the number of emergency personnel qualifying for the license exam exemption.

(in dollars)	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
SF Revenue	(\$24,800)	(\$24,800)	(\$24,800)	(\$24,800)	(\$24,800)
Expenditure	\$0	\$0	\$0	\$0	\$0
Net Effect	(\$24,800)	(\$24,800)	(\$24,800)	(\$24,800)	(\$24,800)

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

Local Effect: The bill's requirements could be met with existing resources.

Small Business Effect: None.

Analysis

Current Law: A noncommercial Class A driver's license authorizes the licensee to drive combinations of tractor (Class F) and trailer (Class G) vehicles and any vehicle authorized by a Class B driver's license except commercial motor vehicles and motorcycles. A noncommercial Class B driver's license authorizes the licensee to drive any single vehicle or combinations of vehicles with a gross vehicle weight or gross combination weight of 26,001 pounds or more. A noncommercial Class B license holder is authorized to drive any vehicle authorized by a noncommercial Class C license except commercial motor vehicles, motorcycles, and combinations of tractor (Class F) and trailer (Class G) vehicles. A commercial Class C license authorizes the licensee to drive buses, specified commercial vehicles up to 25,000 pounds, and passenger vehicles up to 26,000 pounds, excluding motorcycles. A noncommercial Class C license is held by most drivers of passenger vehicles. It authorizes the licensee to drive any vehicle or vehicle combination up to 26,000 pounds except commercial motor vehicles and motorcycles.

A holder of a noncommercial Class A or B license may not drive or attempt to drive a motor vehicle on any highway in the State unless the license authorizes the individual to drive the class of vehicle that the individual is driving or attempting to drive. A person who attempts to drive vehicles not authorized by a noncommercial Class A or B license is guilty of a misdemeanor and is subject to a penalty not to exceed \$500. Two points must also be assessed against the driving record.

An individual may not drive or attempt to drive a motor vehicle on any highway in Maryland unless the individual holds a Maryland driver's license, the individual is expressly exempt from licensing requirements, or the individual is specifically authorized to drive vehicles of the class that the individual was driving or attempting to drive. The requirement to hold a Maryland driver's license does not apply to the following individuals as long as the individuals meet other conditions specified in the law:

- an officer or employee of the United States on official business, who is driving a noncommercial motor vehicle owned or operated by the United States;
- except for members elected from this State, a member of the U.S. Congress who resides in Maryland during a term of office;

- an individual who is temporarily driving a road machine, farm tractor, or farm equipment on a State highway, or an individual driving dock equipment, which does not require registration, at Dundalk or Locust Point marine terminals;
- a nonresident student enrolled in an accredited school, college, or university of Maryland or a bordering state, or an individual serving a medical internship in Maryland, under certain circumstances;
- a new resident of Maryland during the first 60 days of residency under certain circumstances;
- a member of the U.S. armed forces or the U.S. Public Health Service who is on active duty and any dependent of the member under certain circumstances;
- for not more than 30 days after returning to the United States, a member of the U.S. armed forces who is returning from active duty outside the United States and any dependent, under certain circumstances;
- a nonresident of this State, under specified circumstances;
- a nonresident of the United States, under specified circumstances; and
- a member of the National Guard, under specified circumstances.

An individual who drives while not licensed in Maryland is guilty of a misdemeanor and is subject to a fine not exceeding \$500 and an assessment of five points against the driving record. A person who receives an exemption from a driver's license requirement but does not comply with other specified conditions to retain the exemption is guilty of a misdemeanor and is subject to a fine not exceeding \$500 and an assessment of one point against the driving record.

Background: Firefighters and other emergency services personnel who drive motorized, heavy-duty equipment are currently required to hold a noncommercial Class A or B driver's license or learner's permit. To obtain a Class A or B license from the MVA, the applicant submits to a pre-trip inspection of the vehicle, a maneuvering test, and a public road driving test. The MVA advises, however, that in the process of preparing emergency services personnel for their duties, local governments impose very rigorous training and certification requirements, including the driving of heavy-duty motorized equipment. The certification process is substantially more rigorous than the noncommercial Class A or B driver's test currently required by the MVA.

State Revenues: Transportation Trust Fund revenues could decrease by \$24,750 in fiscal 2004 and future years. According to the Maryland Firemen's Association, there are approximately 20,000 firefighters, emergency medical technicians, and emergency medical services personnel statewide. Of the total personnel, about 10,000 to 12,000 drive vehicles related to providing emergency services and currently need a Class A or B

license. The MVA charges \$45 for a noncommercial Class A or B license exam. The \$45 license exam fee is charged one time. The emergency personnel would still pay for a noncommercial Class C driver's license, which costs \$30 and must be renewed every five years.

This fiscal estimate assumes that 11,000 personnel drive these heavy-duty vehicles and that due to staff turnover, about 5%, or 550 personnel annually, would be exempt from paying the \$45 MVA license exam fee.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Prince George's County, Caroline County, Calvert County, Howard County, Department of Transportation, Baltimore City, Department of Legislative Services

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Analysis by: Karen D. Morgan

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