

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 658

(Delegate Mandel, *et al.*)

Environmental Matters

Vehicle Laws - License Restrictions for a Minor - Restrictions 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 for six months after the driver's license is issued. From six months after the driver's license is issued until the driver turns 18, the driver is prohibited from driving with more than one passenger under the age of 18 in the vehicle. This prohibition does not apply if the driver is accompanied by and under the immediate supervision of an individual who is at least 21, has been a licensed driver for at least three years, and is seated beside the driver in the front passenger seat. 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: Potential minimal increase in general fund revenues due to the penalty provision applicable to this offense under the Maryland Vehicle Law (maximum \$500 fine). Transportation Trust Fund expenditures would not be affected.

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 license to any individual who has not reached the age of 17 years, 7 months; exemptions are allowed for the issuance of noncommercial Class B, Class C, or Class M licenses. An applicant is entitled to receive a provisional license if the applicant meets the minimum age required (16 years and 1 month) and has held a learner's instructional permit for four months after original issue or after commission of a traffic violation. 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 established the provisional drivers' licensing system. The program became effective July 1, 1999. According to the Insurance Institute for Highway Safety (IIHS), 22 states and the District of Columbia impose some kind of passenger restriction on licensed minors. 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 three passengers younger than 19 (West Virginia). IIHS evaluates state licensing systems for younger drivers and provides assessments of good, acceptable, fair, marginal, or poor. IIHS 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).

State Expenditures: The MVA advises that as of the end of fiscal 2002, there are 59,320 licensed minors. Further, it advises that it would cost \$31,500 to update the *Maryland Driver's Handbook* and related documents. 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 disagrees that the MVA will require funding for the driver's handbook and other brochures, which would require updating regardless of any legislation that may be enacted, and could be handled with existing resources. DLS further advises that if other legislation is passed requiring driver handbook changes, economies of scale could be realized.

Additional Information

Prior Introductions: A similar bill was introduced as SB 527 in the 2002 session, SB 128 in the 2001 session, SB 404 in the 2000 session, SB 597 of the 1999 session, SB 151 of the 1998 session and SB 365 of the 1997 session. All these bills were referred to the Judicial Proceedings Committee and all received an unfavorable report.

Cross File: None.

Information Source(s): Maryland Department of Transportation, Insurance Institute for Highway Safety, National Highway Traffic Safety Administration, Department of Legislative Services

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lc/jr

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