

(PRE-FILED)

By: **Chairman, Environmental Matters Committee (By Request -
Departmental - Transportation)**

Requested: November 17, 2003

Introduced and read first time: January 14, 2004

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Administration - Miscellaneous Fees**

3 FOR the purpose of altering certain requirements for the level of miscellaneous fees
4 charged by the Motor Vehicle Administration; authorizing the Administration to
5 establish and charge a fee for a driver's license examination appointment not
6 kept by an applicant for a driver's license; and generally relating to
7 miscellaneous fees collected by the Motor Vehicle Administration.

8 BY repealing and reenacting, with amendments,
9 Article - Transportation
10 Section 12-120 and 16-111.2
11 Annotated Code of Maryland
12 (2002 Replacement Volume and 2003 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Transportation**

16 12-120.

17 (a) (1) In this section, "miscellaneous fees" means all fees collected by the
18 Administration under this article other than:

19 (i) The vehicle titling tax; and

20 (ii) Except as provided in paragraph (2) of this subsection, vehicle
21 registration fees under Part II of Title 13, Subtitle 9 of this article.

22 (2) "Miscellaneous fees" includes the portion of a motorcycle registration
23 fee collected under the provisions of § 13-915 of this article that is in excess of \$13.50.

1 (b) Except as provided in this section, the Administration may not alter the
2 miscellaneous fees that the Administration is authorized under this article to
3 establish.

4 (c) Subject to the limitations under subsection (d) of this section, before the
5 start of any fiscal year the Administration by regulation may alter, effective
6 beginning in the upcoming fiscal year, the levels of the miscellaneous fees that the
7 Administration is authorized under this article to establish.

8 (d) The Administration shall set the levels of miscellaneous fees so that the
9 total amount of projected revenues from all miscellaneous fees for the upcoming fiscal
10 year is at least 95 percent but does not exceed 100 percent of the sum of:

11 (1) The operating budget of the Administration for that fiscal year as
12 approved by the General Assembly in the annual State budget; [and]

13 (2) THE AVERAGE ANNUAL CAPITAL PROGRAM OF THE
14 ADMINISTRATION AS REPORTED IN THE 6-YEAR CONSOLIDATED TRANSPORTATION
15 PROGRAM DESCRIBED IN § 2-103.1 OF THIS ARTICLE; AND

16 [(2)] (3) The Administration's portion of the cost for that fiscal year of
17 the Department's data center operations, except for the cost of data center operations
18 attributable to other administrations' activities.

19 (e) (1) The Administration may not alter miscellaneous fees more than once
20 in any fiscal year.

21 (2) The Administration need not reduce fees for the upcoming fiscal year
22 if legislative budget modifications cause the projected cost recovery percentage to
23 exceed 100 percent.

24 (3) The level of a miscellaneous fee set by the Administration remains in
25 effect until again altered by the Administration as provided under this section.

26 16-111.2.

27 (a) (1) When an applicant applies for an initial driver's license or for a class
28 of driver's license other than that which the applicant currently holds, the applicant
29 shall pay the Administration a license fee established by the Administration. This fee
30 covers issuance of a learner's instructional permit and, if the applicant qualifies
31 before the learner's instructional permit expires, issuance of a driver's license or
32 provisional license.

33 (2) If a learner's instructional permit is not required, the applicant shall
34 pay the Administration, when the driver's license is issued, a license fee established
35 by the Administration.

36 (3) IF AN APPOINTMENT TO TAKE A DRIVER'S LICENSE EXAMINATION
37 MADE BY THE APPLICANT IS NOT KEPT, THE ADMINISTRATION MAY CHARGE THE
38 APPLICANT A MISSED APPOINTMENT FEE ESTABLISHED BY THE ADMINISTRATION.

1 (b) For the renewal of a noncommercial Class A, B, C, D, E, or M driver's
2 license, a licensee shall pay the Administration a renewal fee established by the
3 Administration.

4 (c) For issuance of a duplicate or corrected noncommercial Class A, B, C, D, E,
5 or M driver's license, a licensee shall pay the Administration a duplicate or corrected
6 driver's license fee established by the Administration.

7 (d) For conversion of a provisional license to a driver's license issued under §
8 16-111.1 of this subtitle, a licensee shall pay the Administration a fee established by
9 the Administration.

10 (e) A licensee shall pay a fee established by the Administration if:

11 (1) The license is issued or renewed under § 16-104.1 of this subtitle;
12 and

13 (2) The licensee presents proof to the Administration that immediately
14 before the conversion of the license under § 16-104 of this subtitle, the licensee was
15 qualified to operate vehicles of the same class.

16 (f) (1) Whenever an applicant or licensee pays a fee required under
17 subsection [(a)] (A)(1) OR (2) or (b) of this section, the Administration shall offer the
18 individual the option to make a voluntary contribution of \$1 to the Organ and Tissue
19 Donation Awareness Fund established under Title 13, Subtitle 9 of the Health -
20 General Article.

21 (2) All moneys collected under this subsection shall be paid to the
22 Comptroller of the State and deposited into the Organ and Tissue Donation
23 Awareness Fund established under Title 13, Subtitle 9 of the Health - General
24 Article.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
26 effect July 1, 2004.