

Department of Legislative Services
 Maryland General Assembly
 2004 Session

FISCAL AND POLICY NOTE

Senate Bill 91 (Senator Mooney)
 Judicial Proceedings

State Police - Vehicle Theft - Publicly Available Database

This bill requires the Department of State Police (DSP) to create, and make publicly available, a reasonably current database containing the registration number of each vehicle reported as stolen to DSP and which remains unrecovered. DSP may only make public the registration number of each such vehicle and may not provide to the public the identity of the vehicle's owner.

DSP may publish the database on the Internet in a searchable format and may make the information in the database available to the public on a toll-free automated phone line. The Secretary of State Police is required to adopt implementary regulations.

Fiscal Summary

State Effect: General fund expenditure increase of \$507,000 in FY 2005. Out-year costs reflect annualization and inflation. Revenues would not be affected.

(in dollars)	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	507,000	195,500	204,100	213,200	222,800
Net Effect	(\$507,000)	(\$195,500)	(\$204,100)	(\$213,200)	(\$222,800)

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

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: If a police officer receives reliable information that a vehicle has been stolen, the police officer must immediately report the theft to the Motor Vehicle Administration (MVA) and DSP, unless the police officer has received reliable information of the recovery of the vehicle. An alleged theft of a rental vehicle is a reportable theft of a vehicle for purposes of these provisions.

If a police officer receives reliable information that a vehicle which the officer previously reported stolen has been recovered, the officer must immediately report the recovery to the MVA and DSP.

If a vehicle titled or registered in the State has been stolen, the owner or secured party may notify the MVA of the theft. Every person who has given such notice must notify the MVA of a recovery of the vehicle.

The MVA is required to maintain and appropriately index cumulative public records of stolen vehicles reported to it and may suspend the registration of such a reported vehicle. Until the MVA learns of the recovery of the vehicle or that the report of its theft was erroneous, it may not issue a certificate of title for the vehicle.

Background: From 1984 to 1994, vehicle theft in Maryland increased by 143%. To counter that trend, in 1994 the General Assembly created the Vehicle Theft Prevention Council, within the Maryland State Police, as a statewide planning and dedicated funding resource. The council's statewide strategy is one that includes a public awareness program through a grant award process. According to the council, since 1994, overall vehicle theft rates in Maryland have been reduced by over 36% for an estimated economic savings of \$70,000,000.

The Maryland Vehicle Theft Prevention Council has the following duties and responsibilities in carrying out its mission:

- to make grants and awards from the fund for motor vehicle theft intervention programs;
- to solicit and accept funds for deposit to the fund to be used to carry out the purposes of the council;
- to establish or assist in the establishment of programs designed to reduce the incidence of vehicle theft and related crimes;
- to identify priorities for theft prevention strategies in the State and criteria for the council's evaluation of recipients receiving assistance from the council; and

- to study and propose laws that will further prevent and deter vehicle thefts and related crime.

For fiscal 2005, the Maryland Vehicle Theft Prevention Council has a budget allowance of \$1,361,149.

Florida maintains a public access database on stolen vehicles. This database contains Florida stolen vehicle information as reported to the Florida Department of Law Enforcement (FDLE) by law enforcement agencies throughout the state and authorized for release to the public. However, FDLE and the reporting agencies strongly recommend that no citizen take any individual action based on this information because the identification number assigned to a particular vehicle by the manufacturer and/or owner may not be unique and some identification numbers may be used on more than one vehicle. FDLE also cannot represent that this information is current, active, or complete. The Florida system allows an Internet search by vehicle identification number, license plate number, or owner applied number. Information regarding the cost of maintaining this database is not readily available.

State Expenditures: The requirements of this bill could less expensively be met by extracting data from the National Crime Information Center (NCIC) database, rather than build a new database operation in-house. The NCIC database in Maryland is operated by the Department of Public Safety and Correctional Services. It is a closed system and is not a public access database. Access to that database, as required by the FBI, is limited to individuals who have received FBI clearance. This would necessitate that the hiring of a civilian computer specialist under this bill would have to be a person who already has or can get that clearance.

In order to extract and maintain information from NCIC, DSP would have to develop a server, purchase software, and maintain the information in a program compatible with current equipment. The State Police would also have to enter into a maintenance contract to keep the system running and would have to create and build “firewalls” to keep the data from being corrupted by outside sources.

Under the bill, DSP would query the NCIC database and select from the database only those vehicles reported stolen to DSP. In order to make the database available to the public, the information would have to be extracted and sent to a server set up and maintained by DSP. Through the development of a web site, DSP would then make available to the public, via the Internet, that information outlined in the bill.

In addition, a telephone operator could be made available during normal weekly office hours to look up vehicle information for callers without access to the Internet. To that

end, two toll-free 800 lines could be maintained. Such a methodology would be far less expensive than an Integrated Voice Recognition System with first-year costs in excess of \$300,000 and ongoing costs estimated at over \$50,000.

Accordingly, general fund expenditures could increase by an estimated \$507,000 in fiscal 2005, which accounts for the bill's October 1, 2004 effective date. This estimate reflects the cost of hiring one computer network specialist and one telephone operator. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses, including web service and consulting fees. The information and assumptions used in calculating the estimate are stated below:

- the bill's requirement that the database be "reasonably current" could be met with weekly updates to the web page; and
- the State Police would extract vehicle theft data required under the bill from NCIC.

Salaries and Fringe Benefits	\$67,366
One-time Web Site Development Costs	167,000
One-time Equipment Costs	174,390
Other Operating Costs	<u>98,228</u>
Total FY 2005 State Expenditures	\$506,984

Future year expenditures reflect: (1) full salaries with 4.6% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses, including over \$95,000 per year in web service contract fees and consulting services from Oracle.

Additional Comments: DSP believes that the requirements of this bill could best be met with Internet access, a toll-free automated phone line with an Integrated Voice Recognition system, and two computer network specialists for first-year costs above \$837,000, and ongoing costs of over \$275,000 per year. Such a system could be kept current on a daily basis.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of State Police, Department of Legislative Services

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