

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

Senate Bill 108

(Senator Green)

Judicial Proceedings

Judiciary

Motor Vehicle Law - Driving without Authorization - Penalties

This bill increases the penalty for driving a motor vehicle without authorization by establishing a term of imprisonment. A violator is guilty of a misdemeanor and subject to imprisonment not exceeding two months, a maximum fine of \$500, or both. A person charged with this crime must personally appear in court for trial. This offense is different from simply driving without an issued license, which is a misdemeanor offense with a fine of \$35 and no points.

Fiscal Summary

State Effect: It is expected that the Judiciary and the Motor Vehicle Administration could handle the bill's requirements using existing budgeted resources.

Local Effect: Potential minimal increase in expenditures due to the bill's penalty provision.

Small Business Effect: None.

Analysis

Current Law: An individual is prohibited from driving, or attempting to drive a motor vehicle on any highway in this State unless the individual holds a driver's license, the individual is expressly exempt from licensing requirements, or the individual is otherwise specifically authorized to drive vehicles of the class that the individual is driving or attempting to drive. An individual who violates this provision is guilty of a misdemeanor and is subject to a maximum fine of \$500. The penalty currently imposed by the District

Court is \$315 and may be prepaid. A violation requires the assessment of five points against the driver's license.

Local Expenditures: Expenditures could increase minimally as a result of the bill's incarceration penalty. Counties pay the full cost of incarceration for the first 90 days of the sentence, plus part of the per diem cost after 90 days. Per diem operating costs of local detention facilities are expected to range from \$29 to \$97 per inmate in fiscal 2005.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - January 26, 2004
n/jr

Analysis by: Karen D. Morgan

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