
By: **Senators Garagiola, Colburn, Conway, Dyson, Forehand, Giannetti, Hafer, Haines, Hogan, Hollinger, Hooper, Jacobs, Jimeno, Kittleman, Klausmeier, Kramer, Lawlah, McFadden, Middleton, Mooney, Munson, Ruben, Schrader, and Teitelbaum**

Introduced and read first time: February 3, 2006

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Driver Responsibility and Funding for First Responders Act**

3 FOR the purpose of establishing the State Police Helicopter Replacement Fund;
4 establishing that the purpose of the State Police Helicopter Fund is to procure
5 new helicopters and other related equipment; establishing the composition of
6 the State Police Helicopter Fund; limiting the uses of the State Police Helicopter
7 Fund; providing for investment of money in the State Police Helicopter Fund;
8 establishing the First Responders Fund (Fund); establishing that the purpose of
9 the Fund is to provide grants to political subdivisions to pay for equipment and
10 personnel for fire, rescue, and emergency medical services entities and local law
11 enforcement agencies; requiring the Director of the Maryland Emergency
12 Management Agency to administer the Fund; establishing the composition of
13 the Fund; limiting the uses of the Fund; providing for investment of money in
14 the Fund; establishing a certain intent of the Fund; authorizing the Director to
15 make grants from the Fund to political subdivisions to be used for fire, rescue,
16 and emergency medical services entities and local law enforcement agencies in
17 the political subdivision; establishing that grants from the Fund may be used for
18 certain purposes; requiring the Director to establish certain procedures and
19 guidelines; establishing that grants are for a certain duration and require
20 certain matching funds; prohibiting a political subdivision from reducing money
21 to fire, rescue, and emergency medical services entities or local law enforcement
22 agencies because of money provided from the Fund; requiring a political
23 subdivision that receives a grant to use the grant in accordance with certain
24 terms and comply with certain requirements; authorizing the Secretary of
25 Budget and Management to authorize the Motor Vehicle Administration to enter
26 into certain contracts for the procurement of billing and collection services for
27 certain fees imposed under this Act; requiring a certain percentage of revenues
28 from certain fees to be deposited in the First Responders Fund, the Senator
29 William H. Amoss Fund, and the Volunteer Company Assistance Fund, and the
30 balance to be deposited in the Transportation Trust Fund; altering a certain
31 definition to establish that certain fees collected under this Act may not be
32 altered by the Administration; requiring an individual holding a driver's license

1 to pay a certain fee annually for each point over a certain number of points that
2 is assessed against the individual's driving record; requiring the Administration
3 to send a notice to an individual subject to a fee under this Act a certain number
4 of days after a certain event; requiring the suspension of an individual's driver's
5 license unless the individual pays a fee under this Act except under certain
6 circumstances; authorizing an individual to request a certain hearing; limiting
7 the issue that can be considered at a certain hearing; authorizing the
8 Administration to establish a certain schedule for payment of fees charged
9 under this Act; prohibiting the Administration from suspending and requiring
10 the Administration to renew an individual's driver's license under certain
11 circumstances; authorizing a licensee to prepay a certain fee; authorizing the
12 Administration to adopt certain regulations; altering the penalties for a certain
13 lapse of security on a vehicle during a registration year; altering the distribution
14 of funds that are collected from a certain penalty; defining certain terms;
15 providing for the termination of certain provisions of this Act; providing for the
16 effective dates of this Act; and generally relating to the assessment of fees
17 against certain drivers and funding for first responders.

18 BY adding to

19 Article - Public Safety
20 Section 2-801 to be under the new subtitle "Subtitle 8. State Police Helicopter
21 Replacement Fund"; and 4-401 through 4-403, inclusive, to be under the
22 new subtitle "Subtitle 4. First Responders Fund"
23 Annotated Code of Maryland
24 (2003 Volume and 2005 Supplement)

25 BY repealing and reenacting, without amendments,

26 Article - Public Safety
27 Section 7-101(b)
28 Annotated Code of Maryland
29 (2003 Volume and 2004 Supplement)

30 BY repealing and reenacting, with amendments,

31 Article - State Finance and Procurement
32 Section 3-302
33 Annotated Code of Maryland
34 (2001 Replacement Volume and 2005 Supplement)

35 BY repealing and reenacting, with amendments,

36 Article - Transportation
37 Section 12-120(a) and 17-106(e)
38 Annotated Code of Maryland
39 (2002 Replacement Volume and 2005 Supplement)

40 BY adding to

1 Article - Transportation
2 Section 16-1001 to be under the new subtitle "Subtitle 10. Assessment of Fees"
3 Annotated Code of Maryland
4 (2002 Replacement Volume and 2005 Supplement)

5 BY repealing and reenacting, with amendments,
6 Article - Transportation
7 Section 17-106(e)
8 Annotated Code of Maryland
9 (2002 Replacement Volume and 2005 Supplement)
10 (As enacted by Section 2 of this Act)

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

13 **Article - Public Safety**

14 **SUBTITLE 8. STATE POLICE HELICOPTER REPLACEMENT FUND.**

15 2-801.

16 (A) IN THIS SECTION, "FUND" MEANS THE STATE POLICE HELICOPTER
17 REPLACEMENT FUND.

18 (B) THERE IS A STATE POLICE HELICOPTER REPLACEMENT FUND.

19 (C) (1) THE FUND IS A CONTINUING, NONLAPSING SPECIAL FUND THAT IS
20 NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

21 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY AND
22 THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

23 (D) THE FUND CONSISTS OF:

24 (1) REVENUE DISTRIBUTED TO THE FUND UNDER § 17-106(E)(2)(I) OF
25 THE TRANSPORTATION ARTICLE;

26 (2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

27 (3) ANY INVESTMENT EARNINGS OF THE FUND; AND

28 (4) MONEY RECEIVED BY THE FUND FROM ANY OTHER SOURCE.

29 (E) (1) THE STATE TREASURER SHALL INVEST AND REINVEST THE FUND IN
30 THE SAME MANNER AS OTHER STATE FUNDS.

31 (2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE SEPARATELY
32 ACCOUNTED FOR AND CREDITED TO THE FUND AND SHALL NOT BE SUBJECT TO §
33 6-226(A) OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

1 (F) THE MONEY IN THE FUND MAY BE USED ONLY FOR THE PROCUREMENT
2 OF NEW HELICOPTERS AND AUXILIARY EQUIPMENT, GROUND SUPPORT EQUIPMENT,
3 AND OTHER CAPITAL EQUIPMENT RELATED TO HELICOPTERS.

4 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
5 read as follows:

6 **Article - Transportation**

7 17-106.

8 (e) (1) (i) In addition to any other penalty provided for in the Maryland
9 Vehicle Law, if the required security for a vehicle terminates or otherwise lapses
10 during its registration year, the Administration may assess the owner of the vehicle
11 with [a penalty of \$150 for each vehicle without the required security for a period of
12 1 to 30 days. If a fine is assessed, beginning on the 31st day the fine shall increase by
13 a rate of \$7 for each day.] THE FOLLOWING PENALTIES:

14 1. FOR EACH VEHICLE WITHOUT THE REQUIRED SECURITY
15 FOR A PERIOD OF 1 TO 15 DAYS, \$100;

16 2. FOR EACH VEHICLE WITHOUT THE REQUIRED SECURITY
17 FOR A PERIOD OF 16 TO 30 DAYS, AN ADDITIONAL \$200; AND

18 3. FOR EACH VEHICLE WITHOUT THE REQUIRED SECURITY
19 FOR MORE THAN 30 DAYS, AN ADDITIONAL PENALTY OF \$9 EACH DAY FOR THE 31ST
20 DAY AND EACH DAY THEREAFTER.

21 (ii) Each period during which the required security for a vehicle
22 terminates or otherwise lapses shall constitute a separate violation.

23 (iii) The penalty imposed under this subsection may not exceed
24 [\$2,500] \$3,000 for each violation in a 12-month period.

25 (2) (i) [A penalty] PENALTIES assessed under this subsection shall be
26 [paid] CREDITED as follows:

27 1. THE FIRST \$8,000,000 ANNUALLY SHALL BE CREDITED TO
28 THE STATE POLICE HELICOPTER REPLACEMENT FUND, TO BE USED IN ACCORDANCE
29 WITH THE PROVISIONS OF § 2-108 OF THE PUBLIC SAFETY ARTICLE;

30 2. THE NEXT \$6,000,000 ANNUALLY SHALL BE CREDITED AS
31 FOLLOWS:

32 A. 20% TO THE FIRST RESPONDERS FUND ESTABLISHED
33 UNDER TITLE 4, SUBTITLE 4 OF THE PUBLIC SAFETY ARTICLE;

34 B. 5% TO THE SENATOR WILLIAM H. AMOSS FUND
35 ESTABLISHED UNDER TITLE 8, SUBTITLE 1 OF THE PUBLIC SAFETY ARTICLE;

1 C. 5% TO THE VOLUNTEER COMPANY ASSISTANCE FUND
2 ESTABLISHED UNDER TITLE 8, SUBTITLE 2 OF THE PUBLIC SAFETY ARTICLE; AND

3 D. 70% TO THE TRANSPORTATION TRUST FUND; AND

4 3. OF THE REMAINDER:

5 A. 70% [to] SHALL be allocated as provided in
6 [subparagraphs (ii) through (iv)] SUBPARAGRAPH (II) of this paragraph; and

7 [2.] B. 30% SHALL BE ALLOCATED to the Administration,
8 which may be used by the Administration, subject to subsection (f) of this section, to
9 provide funding for contracts with independent agents to assist in the recovery of
10 evidences of registration as authorized in subsection (d)(3) of this section.

11 [(ii) For the fiscal year beginning July 1, 2001, the percentage of the
12 penalties specified under subparagraph (i)1 of this paragraph shall be allocated
13 among the Vehicle Theft Prevention Fund, the Motor Vehicle Registration
14 Enforcement Fund, the School Bus Safety Enforcement Fund, the Transportation
15 Trust Fund, and the General Fund as follows:

16 1. \$400,000 to the Motor Vehicle Registration Enforcement
17 Fund;

18 2. \$600,000 to the School Bus Safety Enforcement Fund;

19 3. \$2,000,000 to the Vehicle Theft Prevention Fund;

20 4. \$9,600,000 to the Transportation Trust Fund; and

21 5. The balance to the General Fund.

22 [(iii) For the fiscal year beginning July 1, 2002, the percentage of the
23 penalties specified under subparagraph (i)1 of this paragraph shall be allocated
24 among the Vehicle Theft Prevention Fund, the Maryland Automobile Insurance Fund,
25 the Motor Vehicle Registration Enforcement Fund, the School Bus Safety
26 Enforcement Fund, and the General Fund as follows:

27 1. \$400,000 to the Motor Vehicle Registration Enforcement
28 Fund;

29 2. \$600,000 to the School Bus Safety Enforcement Fund;

30 3. \$2,000,000 to the Vehicle Theft Prevention Fund;

31 4. \$2,000,000 to the Maryland Automobile Insurance Fund;

32 and

33 5. The balance to the General Fund.

1 (iv)] (II) For each fiscal year beginning on or after July 1, 2003, the
2 percentage of the penalties specified under subparagraph [(i)1] (I)3A of this
3 paragraph shall be allocated among the School Bus Safety Enforcement Fund, the
4 Vehicle Theft Prevention Fund, the Maryland Automobile Insurance Fund, and the
5 General Fund as follows:

6 1. \$600,000 to the School Bus Safety Enforcement Fund;

7 2. \$2,000,000 to the Vehicle Theft Prevention Fund;

8 3. The amount distributed to the Maryland Automobile
9 Insurance Fund in the prior fiscal year under the provisions of this paragraph
10 adjusted by the change for the calendar year preceding the fiscal year in the
11 Consumer Price Index - All Urban Consumers - Medical Care as published by the
12 United States Bureau of Labor Statistics to the Maryland Automobile Insurance
13 Fund; and

14 4. The balance to the General Fund.

15 (3) If the Administration assesses a vehicle owner or co-owner with a
16 penalty under this subsection, the Administration may not take any of the following
17 actions until the penalty is paid:

18 (i) Reinstatement a registration suspended under this subsection;

19 (ii) Issue a new registration for any vehicle that is owned or
20 co-owned by that person and is titled after the violation date; or

21 (iii) Renew a registration for a vehicle that is owned or co-owned by
22 that person and is titled after the violation date.

23 (4) (i) In this paragraph, "family member" means any individual
24 whose relationship to the vehicle owner is one of those listed under § 13-810(b)(1) of
25 this article as being exempt from paying the excise tax imposed on the transfer of a
26 vehicle.

27 (ii) The monetary penalties provided in this subsection may not be
28 avoided by transferring title to the vehicle.

29 (iii) Regardless of whether money or other valuable consideration is
30 involved in the transfer, if title to a vehicle is transferred by an individual who has
31 violated this subtitle to a family member, any suspension of the vehicle's registration
32 that occurred before the transfer shall continue as if no transfer had occurred and a
33 new registration may not be issued until the penalty fee is paid.

34 (5) An amount equal to the monetary penalties paid to the
35 Administration under paragraph (2) of this subsection may be used by the
36 Administration only for the enforcement of this subtitle.

1 **Article - Public Safety**

2 SUBTITLE 4. FIRST RESPONDERS FUND.

3 4-401.

4 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
5 INDICATED.6 (B) "DIRECTOR" MEANS THE DIRECTOR OF THE MARYLAND EMERGENCY
7 MANAGEMENT AGENCY.8 (C) "FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY" HAS THE
9 MEANING STATED IN § 7-101 OF THIS ARTICLE.

10 (D) "FUND" MEANS THE FIRST RESPONDERS FUND.

11 (E) "LOCAL LAW ENFORCEMENT AGENCY" MEANS THE POLICE DEPARTMENT
12 OF A COUNTY OR MUNICIPAL CORPORATION IN THE STATE.13 (F) "POLITICAL SUBDIVISION" MEANS A COUNTY OR MUNICIPAL
14 CORPORATION OF THE STATE.

15 4-402.

16 (A) THERE IS A FIRST RESPONDERS FUND.

17 (B) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO POLITICAL
18 SUBDIVISIONS TO PAY FOR EQUIPMENT AND PERSONNEL FOR FIRE, RESCUE, OR
19 EMERGENCY MEDICAL SERVICES ENTITIES AND LOCAL LAW ENFORCEMENT
20 AGENCIES.

21 (C) THE DIRECTOR SHALL ADMINISTER THE FUND.

22 (D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT
23 TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.24 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY AND
25 THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

26 (E) THE FUND CONSISTS OF:

27 (1) REVENUE DISTRIBUTED TO THE FUND UNDER THE
28 TRANSPORTATION ARTICLE;

29 (2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

30 (3) ANY INVESTMENT EARNINGS OF THE FUND; AND

31 (4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE
32 BENEFIT OF THE FUND.

1 (F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE
2 FUND MAY BE USED ONLY TO PAY FOR GRANTS TO POLITICAL SUBDIVISIONS MADE
3 UNDER THIS SUBTITLE.

4 (2) THE MARYLAND EMERGENCY MANAGEMENT AGENCY MAY USE AN
5 AMOUNT NOT TO EXCEED \$100,000 IN A FISCAL YEAR TO ADMINISTER THE FUND.

6 (G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN
7 THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

8 (2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE PAID INTO
9 THE FUND.

10 (H) MONEY EXPENDED FROM THE FUND FOR EXPENSES OF FIRE, RESCUE, OR
11 EMERGENCY MEDICAL SERVICES ENTITIES AND LOCAL LAW ENFORCEMENT
12 AGENCIES IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF
13 FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR EXPENSES OF THE
14 POLITICAL SUBDIVISIONS.

15 4-403.

16 (A) THE DIRECTOR MAY MAKE GRANTS FROM THE FUND TO POLITICAL
17 SUBDIVISIONS TO BE USED FOR FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES
18 ENTITIES AND LOCAL LAW ENFORCEMENT AGENCIES IN THE POLITICAL
19 SUBDIVISION.

20 (B) (1) GRANTS FROM THE FUND MAY BE USED:

21 (I) TO PURCHASE, REPLACE, OR IMPROVE EQUIPMENT OR
22 FACILITIES FOR FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITIES AND
23 LOCAL LAW ENFORCEMENT AGENCIES; OR

24 (II) TO HIRE ADDITIONAL PERSONNEL FOR FIRE, RESCUE, OR
25 EMERGENCY MEDICAL SERVICES ENTITIES AND LOCAL LAW ENFORCEMENT
26 AGENCIES.

27 (2) GRANTS FROM THE FUND MAY NOT BE USED TO PAY THE SALARIES
28 OF EXISTING PERSONNEL.

29 (C) THE DIRECTOR SHALL ESTABLISH:

30 (1) PROCEDURES FOR POLITICAL SUBDIVISIONS TO APPLY FOR GRANTS
31 FROM THE FUND ON BEHALF OF FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES
32 ENTITIES AND LOCAL LAW ENFORCEMENT AGENCIES; AND

33 (2) GUIDELINES FOR THE USE OF MONEY RECEIVED FROM THE FUND
34 CONSISTENT WITH THIS SUBTITLE.

35 (D) (1) (I) THIS PARAGRAPH APPLIES TO GRANTS MADE UNDER
36 SUBSECTION (B)(1)(I) OF THIS SECTION.

1 (II) A POLITICAL SUBDIVISION MAY RECEIVE MONEY FROM THE
2 FUND IN THE FORM OF A 1-YEAR GRANT.

3 (III) A POLITICAL SUBDIVISION RECEIVING MONEY FROM THE FUND
4 SHALL PROVIDE MATCHING FUNDS IN AN AMOUNT EQUAL TO AT LEAST 50% OF THE
5 AMOUNT OF THE GRANT.

6 (2) (I) THIS PARAGRAPH APPLIES TO GRANTS MADE UNDER
7 SUBSECTION (B)(1)(II) OF THIS SECTION.

8 (II) A POLITICAL SUBDIVISION MAY RECEIVE MONEY FROM THE
9 FUND IN THE FORM OF A 3-YEAR GRANT.

10 (III) A POLITICAL SUBDIVISION RECEIVING MONEY FROM THE FUND
11 SHALL PROVIDE:

12 1. IN THE FIRST YEAR, MATCHING FUNDS IN AN AMOUNT
13 EQUAL TO AT LEAST 25% OF THE AMOUNT OF THE GRANT;

14 2. IN THE SECOND YEAR, MATCHING FUNDS IN AN AMOUNT
15 EQUAL TO AT LEAST 50% OF THE AMOUNT OF THE GRANT; AND

16 3. IN THE THIRD YEAR, MATCHING FUNDS IN AN AMOUNT
17 EQUAL TO AT LEAST 75% OF THE AMOUNT OF THE GRANT.

18 (3) A POLITICAL SUBDIVISION MAY NOT REDUCE THE AMOUNT OF
19 MONEY THAT A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY OR A
20 LOCAL LAW ENFORCEMENT AGENCY WOULD OTHERWISE BE ENTITLED TO RECEIVE
21 FROM THE POLITICAL SUBDIVISION BECAUSE OF MONEY PROVIDED FROM THE
22 FUND.

23 (E) A POLITICAL SUBDIVISION THAT RECEIVES A GRANT UNDER THIS
24 SUBTITLE:

25 (1) MAY USE THE GRANT ONLY IN ACCORDANCE WITH THE TERMS OF
26 THE GRANT ESTABLISHED BY THE DIRECTOR; AND

27 (2) SHALL COMPLY WITH ANY REQUIREMENTS, INCLUDING REPORTING
28 REQUIREMENTS, ESTABLISHED BY THE DIRECTOR.

29 7-101.

30 (b) "Fire, rescue, or emergency medical services entity" means:

31 (1) a governmental subdivision, by its appropriate designated authority;

32 (2) a board or fire commission of a fire department or governmental
33 subdivision;

34 (3) a fire department;

- 1 (4) a fire company;
- 2 (5) a rescue squad; or
- 3 (6) an emergency medical services unit, including an entity that provides
4 emergency medical services at any level.

5 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
6 read as follows:

7 **Article - State Finance and Procurement**

8 3-302.

9 (a) (1) Except as otherwise provided in [subsection (b)] SUBSECTIONS (B)
10 AND (D) of this section or in other law, the Central Collection Unit is responsible for
11 the collection of each delinquent account or other debt that is owed to the State or any
12 of its officials or units.

13 (2) [An] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, AN
14 official or unit of the State government shall refer to the Central Collection Unit each
15 debt for which the Central Collection Unit has collection responsibility under this
16 subsection and may not settle the debt.

17 (3) For the purposes of this subtitle, a community college or board of
18 trustees for a community college established or operating under Title 16 of the
19 Education Article is a unit of the State.

20 (b) Unless, with the approval of the Secretary, a unit of the State government
21 assigns the claim to the Central Collection Unit, the Central Collection Unit is not
22 responsible for and may not collect:

- 23 (1) any taxes;
- 24 (2) any child support payment that is owed under Article 88A, § 48 of the
25 Code;
- 26 (3) any unemployment insurance contribution or overpayment;
- 27 (4) any fine;
- 28 (5) any court costs;
- 29 (6) any forfeiture on bond;
- 30 (7) any money that is owed as a result of a default on a loan that the
31 Department of Business and Economic Development or the Department of Housing
32 and Community Development has made or insured; or
- 33 (8) any money that is owed under Title 9, Subtitles 2, 3, and 4 and Title
34 20 of the Insurance Article.

1 (c) The Central Collection Unit shall be responsible for the collection of each
2 delinquent account or other debt that is owed to a community college established or
3 operating under Title 16 of the Education Article if the board of trustees for the
4 community college:

5 (1) adopts a resolution appointing the Central Collection Unit as the
6 collector of delinquent accounts or other debt; and

7 (2) submits the resolution to the Central Collection Unit.

8 (D) (1) THIS SUBSECTION APPLIES TO FEES IMPOSED UNDER § 16-1001 OF
9 THE TRANSPORTATION ARTICLE.

10 (2) (I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
11 THE SECRETARY MAY AUTHORIZE THE MOTOR VEHICLE ADMINISTRATION TO ENTER
12 INTO A CONTRACT FOR THE PROCUREMENT OF BILLING AND COLLECTION SERVICES,
13 INCLUDING THE AUTHORITY TO SETTLE DEBTS OWED TO THE MOTOR VEHICLE
14 ADMINISTRATION.

15 (II) AS PROVIDED IN THE CONTRACT BETWEEN THE CONTRACTOR
16 AND THE STATE, THE VENDOR MAY RETAIN A SPECIFIC PORTION OF THE FEES
17 COLLECTED UNDER § 16-1001 OF THE TRANSPORTATION ARTICLE TO COVER THE
18 COSTS OF THE COLLECTION OF THE FEES.

19 (3) A PROCUREMENT CONTRACT ENTERED INTO UNDER THIS
20 SUBSECTION SHALL MEET THE REQUIREMENTS OF THIS ARTICLE.

21 **Article - Transportation**

22 12-120.

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

25 (1) The vehicle titling tax; [and]

26 (2) Vehicle registration fees under Part II of Title 13, Subtitle 9 of this
27 article; AND

28 (3) FEES COLLECTED UNDER § 16-1001 OF THIS ARTICLE.

29 SUBTITLE 10. ASSESSMENT OF FEES.

30 16-1001.

31 (A) IF A LICENSEE HOLDING A NONCOMMERCIAL CLASS A, B, C, D, E, OR M
32 DRIVER'S LICENSE HAS ACCUMULATED MORE THAN 2 POINTS ON THE LICENSEE'S
33 DRIVING RECORD, THE ADMINISTRATION SHALL ASSESS, FOR EACH POINT THAT THE
34 LICENSEE ACCUMULATES OVER 2 POINTS, A FEE OF \$50 ANNUALLY FOR A PERIOD OF
35 3 YEARS FROM THE DATE THAT THE POINT WAS ASSESSED.

1 (B) (1) THE ADMINISTRATION SHALL SEND NOTICE TO AN INDIVIDUAL OF
2 THE IMPOSITION OF A FEE NO MORE THAN 30 DAYS AFTER A CONVICTION IS POSTED
3 TO THE DRIVER'S RECORD THAT SUBJECTS THE INDIVIDUAL TO A FEE UNDER
4 SUBSECTION (A) OF THIS SECTION.

5 (2) (I) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE
6 ADMINISTRATION SHALL SUSPEND THE DRIVER'S LICENSE OF AN INDIVIDUAL
7 UNLESS ALL FEES REQUIRED UNDER SUBSECTION (A) OF THIS SECTION ARE PAID
8 WITHIN A TIME PERIOD ESTABLISHED BY THE ADMINISTRATION.

9 (II) AN INDIVIDUAL MAY REQUEST A HEARING CONCERNING A
10 PROPOSED DECISION OF THE ADMINISTRATION TO SUSPEND THE INDIVIDUAL'S
11 DRIVER'S LICENSE OR PRIVILEGE TO DRIVE UNDER THIS PARAGRAPH.

12 (III) AT A HEARING UNDER THIS PARAGRAPH, THE ISSUE SHALL BE
13 LIMITED TO WHETHER THE ADMINISTRATION HAD MISTAKEN THE IDENTITY OF THE
14 INDIVIDUAL WHOSE DRIVER'S LICENSE OR PRIVILEGE TO DRIVE HAS BEEN
15 SUSPENDED.

16 (3) (I) THE ADMINISTRATION MAY ESTABLISH A SCHEDULE FOR
17 PAYMENT OF FEES IMPOSED UNDER SUBSECTION (A) OF THIS SECTION.

18 (II) IF THE PAYMENT SCHEDULE ESTABLISHED UNDER THIS
19 PARAGRAPH IS FOLLOWED, THE ADMINISTRATION:

20 1. MAY NOT SUSPEND AN INDIVIDUAL'S LICENSE FOR
21 NONPAYMENT OF THE FEES IMPOSED UNDER SUBSECTION (A) OF THIS SECTION;
22 AND

23 2. SHALL REINSTATE A LICENSE THAT WAS SUSPENDED FOR
24 FAILURE TO PAY THE FEES IMPOSED UNDER SUBSECTION (A) OF THIS SECTION.

25 (III) A LICENSEE MAY PREPAY AT ANY TIME THE TOTAL AMOUNT OF
26 FEES THAT WILL BE DUE OVER THE 3-YEAR PERIOD SPECIFIED IN SUBSECTION (A)
27 OF THIS SECTION.

28 (C) OF THE REVENUES DERIVED FROM FEES IMPOSED UNDER SUBSECTION
29 (A) OF THIS SECTION, THE ADMINISTRATION SHALL RETAIN AN AMOUNT SUFFICIENT
30 TO COVER THE COSTS NEEDED TO ADMINISTER THE PROVISIONS OF THIS SUBTITLE,
31 AND THE BALANCE SHALL BE DISTRIBUTED AS FOLLOWS:

32 (1) 20% TO THE FIRST RESPONDERS FUND ESTABLISHED UNDER TITLE 4,
33 SUBTITLE 4 OF THE PUBLIC SAFETY ARTICLE;

34 (2) 5% TO THE SENATOR WILLIAM H. AMOSS FUND ESTABLISHED UNDER
35 TITLE 8, SUBTITLE 1 OF THE PUBLIC SAFETY ARTICLE;

36 (3) 5% TO THE VOLUNTEER COMPANY ASSISTANCE FUND ESTABLISHED
37 UNDER TITLE 8, SUBTITLE 2 OF THE PUBLIC SAFETY ARTICLE; AND

1 (4) THE BALANCE TO THE TRANSPORTATION TRUST FUND TO BE USED
2 AS FOLLOWS:

3 (I) 20% SHALL BE USED TO MEET TRANSPORTATION NEEDS OF
4 RURAL COUNTIES IN MARYLAND; AND

5 (II) THE REMAINDER SHALL BE EQUITABLY DISTRIBUTED FOR
6 TRANSIT NEEDS TO:

7 1. THE WASHINGTON METROPOLITAN AREA; AND

8 2. THE BALTIMORE METROPOLITAN AREA.

9 (D) THE ADMINISTRATION MAY ADOPT REGULATIONS TO CARRY OUT THE
10 PROVISIONS OF THIS SECTION.

11 SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland
12 read as follows:

13 **Article - Transportation**

14 17-106.

15 (e) (1) (i) In addition to any other penalty provided for in the Maryland
16 Vehicle Law, if the required security for a vehicle terminates or otherwise lapses
17 during its registration year, the Administration may assess the owner of the vehicle
18 with the following penalties:

19 1. For each vehicle without the required security for a period
20 of 1 to 15 days, \$100;

21 2. For each vehicle without the required security for a period
22 of 16 to 30 days, an additional \$200; and

23 3. For each vehicle without the required security for more
24 than 30 days, an additional penalty of \$9 each day for the 31st day and each day
25 thereafter.

26 (ii) Each period during which the required security for a vehicle
27 terminates or otherwise lapses shall constitute a separate violation.

28 (iii) The penalty imposed under this subsection may not exceed
29 \$3,000 for each violation in a 12-month period.

30 (2) (i) Penalties assessed under this subsection shall be credited as
31 follows:

32 1. The first [\$8,000,000 annually shall be credited to the
33 State Police Helicopter Replacement Fund, to be used in accordance with the
34 provisions of § 2-108 of the Public Safety Article;

1 2. The next \$6,000,000] \$14,000,000 annually shall be
 2 credited as follows:

3 A. 20% to the First Responders Fund established under Title
 4 4, Subtitle 4 of the Public Safety Article;

5 B. 5% to the Senator William H. Amoss Fund established
 6 under Title 8, Subtitle 1 of the Public Safety Article;

7 C. 5% to the Volunteer Company Assistance Fund established
 8 under Title 8, Subtitle 2 of the Public Safety Article; and

9 D. 70% to the Transportation Trust Fund; and

10 [3.] 2. Of the remainder:

11 A. 70% shall be allocated as provided in subparagraph (ii) of
 12 this paragraph; and

13 B. 30% shall be allocated to the Administration, which may
 14 be used by the Administration, subject to subsection (f) of this section, to provide
 15 funding for contracts with independent agents to assist in the recovery of evidences of
 16 registration as authorized in subsection (d)(3) of this section.

17 (ii) For each fiscal year beginning on or after July 1, 2003, the
 18 percentage of the penalties specified under subparagraph [(i)3A] (I)2A of this
 19 paragraph shall be allocated among the School Bus Safety Enforcement Fund, the
 20 Vehicle Theft Prevention Fund, the Maryland Automobile Insurance Fund, and the
 21 General Fund as follows:

22 1. \$600,000 to the School Bus Safety Enforcement Fund;

23 2. \$2,000,000 to the Vehicle Theft Prevention Fund;

24 3. The amount distributed to the Maryland Automobile
 25 Insurance Fund in the prior fiscal year under the provisions of this paragraph
 26 adjusted by the change for the calendar year preceding the fiscal year in the
 27 Consumer Price Index - All Urban Consumers - Medical Care as published by the
 28 United States Bureau of Labor Statistics to the Maryland Automobile Insurance
 29 Fund; and

30 4. The balance to the General Fund.

31 (3) If the Administration assesses a vehicle owner or co-owner with a
 32 penalty under this subsection, the Administration may not take any of the following
 33 actions until the penalty is paid:

34 (i) Reinstatement a registration suspended under this subsection;

35 (ii) Issue a new registration for any vehicle that is owned or
 36 co-owned by that person and is titled after the violation date; or

1 (iii) Renew a registration for a vehicle that is owned or co-owned by
2 that person and is titled after the violation date.

3 (4) (i) In this paragraph, "family member" means any individual
4 whose relationship to the vehicle owner is one of those listed under § 13-810(b)(1) of
5 this article as being exempt from paying the excise tax imposed on the transfer of a
6 vehicle.

7 (ii) The monetary penalties provided in this subsection may not be
8 avoided by transferring title to the vehicle.

9 (iii) Regardless of whether money or other valuable consideration is
10 involved in the transfer, if title to a vehicle is transferred by an individual who has
11 violated this subtitle to a family member, any suspension of the vehicle's registration
12 that occurred before the transfer shall continue as if no transfer had occurred and a
13 new registration may not be issued until the penalty fee is paid.

14 (5) An amount equal to the monetary penalties paid to the
15 Administration under paragraph (2) of this subsection may be used by the
16 Administration only for the enforcement of this subtitle.

17 SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
18 take effect July 1, 2006. It shall remain effective for a period of 15 years and, at the
19 end of June 30, 2021, with no further action required by the General Assembly,
20 Section 1 of this Act shall be abrogated and of no further force and effect.

21 SECTION 6. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall
22 take effect October 1, 2007.

23 SECTION 7. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall
24 take effect on the taking effect of the termination provision specified in Section 5 of
25 this Act and may not be interpreted to have any effect on that termination provision.

26 SECTION 8. AND BE IT FURTHER ENACTED, That, subject to the provisions
27 of Sections 6 and 7 of this Act, this Act shall take effect July 1, 2006.