Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 788   (Delegate Holmes)

Environmental Matters

Motor Vehicle Laws - Unattended Vehicles - Penalty

This bill establishes that a driver or other person in charge of a motor vehicle may be fined $250 for leaving that vehicle unattended without stopping the engine, locking the ignition, removing the key, and setting the brake. The Comptroller is required to pay $200 of each fine collected to the Vehicle Theft Prevention Fund.

Fiscal Summary

State Effect: Minimal increase in general fund revenues due to the bill's penalty provision. Minimal increase in special fund revenues allocated to the Vehicle Theft Prevention Fund. No effect on expenditures.

Local Effect: The bill's provisions could be enforced with existing resources. Local governments could receive additional grants due to enhanced funding for the Vehicle Theft Prevention Fund.

Small Business Effect: None.

Analysis

Current Law: A person driving or in charge of a motor vehicle may not leave the vehicle unattended unless the engine is stopped, the ignition locked, the key removed, and the brake effectively set. A person driving or in charge of a motor vehicle may not leave a vehicle unattended if it is on a grade, unless the front wheels are turned to the curb or side of the highway.

The prohibition against leaving a vehicle unattended without turning off and securing it does not apply to a law enforcement officer or animal control officer if a cat or dog is left unattended in the officer's vehicle.

A person who violates these provisions is guilty of a misdemeanor and is subject to a maximum fine of $500 and the assessment of one point against the driver's license. The District Court currently charges $60 for violating these provisions.

Background: The Vehicle Theft Prevention Fund is a special, nonlapsing fund that is managed by the Vehicle Theft Prevention Council in the Department of State Police. The council makes grants from the fund to State and local law enforcement agencies, local prosecutors, judicial agencies, neighborhood, community, and business organizations to help reduce the incidences of motor vehicle theft in Maryland. The grants finance vehicle theft enforcement and prevention teams, enhanced prosecution of vehicle theft crimes, educational programs, and other programs intended to reduce or deter damage to vehicles and reduce recidivism by juveniles. The fund comprises money received from lapsed vehicle security penalties, investment earnings, and other funds received from any other source. The Comptroller advises that the calendar 2005 year-end balance in the Vehicle Theft Prevention Fund was $4,411,143.

State Revenues: General fund revenues could increase minimally under the bill's monetary penalty provisions for those cases heard in the District Court. According to the District Court and the Motor Vehicle Administration, there were 706 convictions for leaving a motor vehicle unattended in fiscal 2005. *By way of illustration,* if 706 convictions for leaving a vehicle unattended occurred under this bill, the fines would total $176,500 and the Comptroller would be required to allocate $141,200 of that total to the Vehicle Theft Prevention Fund and the remaining $35,300 would go to the State general fund.

State Expenditures: It is expected that any additional trial and clerical time required to assess the fine required by this bill could be accomplished within existing resources.

Additional Information

Prior Introductions: This bill is similar to HB 1426 of 2005, which was referred to the House Rules and Executive Nominations Committee but received no further action.

Cross File: None.

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