

Department of Legislative Services  
Maryland General Assembly  
2007 Session

FISCAL AND POLICY NOTE

House Bill 728 (Delegate Weir)  
Environmental Matters

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**Motor Vehicle Administration - Driver Improvement Program/Point System  
Conferences (DIP/PSC) Pilot Program**

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This bill temporarily prohibits the Motor Vehicle Administration (MVA) from offering or authorizing the driver improvement program/point system conferences (DIP/PSC) pilot program or the program currently provided over the Internet, unless specifically authorized by law.

The bill takes effect October 1, 2007, and terminates September 30, 2009.

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**Fiscal Summary**

**State Effect:** None. Any minimal expenditures to terminate the program could be handled with existing resources.

**Local Effect:** None.

**Small Business Effect:** Small businesses that offer the program over the Internet would have decreased revenues from students taking the program.

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**Analysis**

**Current Law/Background:** Points assessed against an individual's driving record for Maryland Vehicle Law violations are retained for two years after the date the points were assessed. Points for conviction range from 1 to 12 points.

If an individual accumulates three points within a two-year period, the MVA must send the individual a warning letter. If an individual accumulates five points, the MVA must require attendance at a PSC unless the individual has a class A, B, or C license and can prove to the MVA that the individual is a professional driver who may not be called in until eight points accumulate. If an individual accumulates eight points, the MVA must suspend the individual's license, unless it would adversely affect the individual's employment.

A PSC is a two-hour program intended to acquaint drivers with Maryland law regarding the point system and the possible suspension or revocation of driving privilege due to accumulated points. DIP is a six- to eight-hour class, intended to provide driver rehabilitation. An individual may be required to attend DIP by a court, or by the MVA after failing a PSC or as a condition of reinstating a driving privilege.

The MVA does not administer DIP or PSC itself; instead, it provides individuals with a referral letter indicating a date by which the course must be completed. A list of providers can be obtained from the MVA at a full-service branch office; its web site; or via email, fax, or phone. An attendee must take the referral letter to DIP/PSC, and the provider informs the MVA once the individual has attended the conference.

The MVA advises that the pilot program for DIP/PSC is an Internet program which began in approximately 2001. The MVA web site lists three providers for the pilot program; the providers estimate that 20% to 25% of individuals required to attend DIP or PSC choose to do so over the Internet as part of the pilot program rather than by attending a class as otherwise would be required.

In the 2001 session, HB 963 would have temporarily prohibited the MVA from offering or providing any driver instruction program over the Internet unless specifically authorized by law. The General Assembly passed the bill, but the Governor vetoed it citing that the decision to provide such instruction should be the MVA's and that the bill's policy conflicted with the Electronic Government Initiative enacted in 2000 (Chapter 5). That initiative required all units of the Executive Branch to have 50% of their public information and services available over the Internet by 2002.

**State Fiscal Effect:** The MVA advises that ending the pilot program (which is the Internet program) would not affect any contracts; the MVA would simply contact the providers to inform them that the Internet option would no longer be accepted, update the web site accordingly, and revise the referral letters. In addition, the start-up costs for the pilot program were provided by the vendors. It is assumed that the vendors would pay for any costs associated with restarting the program after the prohibition ended or if the program were authorized by law.

**Small Business Effect:** The three Internet providers that offered DIP/PSC over the Internet would have decreased customers for their service; as such their revenues would be negatively impacted. Of the three providers in the pilot program, one is solely an Internet provider and would have to cease offering DIP/PSC at all. Further, if the pilot program were to be restarted, vendors could have increased start-up costs again; however, these could be minimized if the same computer systems and materials were reused.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 524 (Senator Brochin) – Judicial Proceedings.

**Information Source(s):** Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - March 7, 2007  
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