

**Department of Legislative Services**  
Maryland General Assembly  
2008 Session

**FISCAL AND POLICY NOTE**

House Bill 12 (Delegate Benson)  
Environmental Matters

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**Vehicle Laws - Required Use of Safety Restraints - Penalty for Violation**

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This bill increases the maximum fine for not wearing a seat belt while in a motor vehicle from \$25 to \$50. The bill also repeals a duplicative provision mandating that motor vehicle occupants younger than 16 be restrained by either a seat belt or a child safety seat.

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**Fiscal Summary**

**State Effect:** Significant increase in general fund revenues due to the bill's penalty provision. Minimal increase in general fund expenditures for the District Court to the extent that additional trials are required due to the penalty increase.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** "Motor vehicle" means a vehicle that is registered or capable of being registered in this State as a passenger vehicle, a truck, tractor, multipurpose, or passenger bus vehicle and that is required to have seat belts under federal motor vehicle safety standards. Historic vehicles are not subject to the mandatory seat belt requirement.

A person may not operate a motor vehicle unless the person and each occupant younger than 16 are restrained by a seat belt or a child safety seat. A person who is at least 16 may not be a passenger in the outboard front seat of a motor vehicle unless restrained by

a seat belt. A person who violates these provisions is subject to a maximum fine of \$25, including court costs.

**State Revenues:** General fund revenues could increase significantly under the bill's monetary penalty provision for those cases processed by the District Court. The District Court reports that in fiscal 2007, 125,043 seat belt violations were processed and 107,280 of those were prepaid. For the 107,280 prepaid violations in fiscal 2007, the District Court received \$2,682,000 in revenues. The number of prepaid seat belt violations varies from year to year and is unpredictable. For example, in fiscal 2004 the number of prepaid violations was 140,100; in fiscal 2005 it was 113,292; and in fiscal 2006 it was 111,806. The average number of prepaid violations covering fiscal 2004 through 2007 is 118,120. The average annual general fund revenues attained over the four-year period was \$2,953,000, with the fine at \$25.

*For illustrative purposes,* if the number of prepaid violations equaled the four-year average and remained constant in future years, an increase in the fine from \$25 to \$50 could bring in \$5,906,000, an increase of \$2,953,000. In fiscal 2009 the increased fine could generate an additional \$2,214,750, given the October 1 effective date. This estimate does not account for any deterrent effect that could arise from the fine increase.

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### **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 28, 2008  
ncs/ljm

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