

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

House Bill 194
Judiciary

(Delegate Rosenberg, *et al.*)

Juvenile Law - Motor Vehicle Theft and Unauthorized Use - Suspension of
Driving Privileges

This bill requires the Motor Vehicle Administration (MVA) to initiate an action to suspend the driving privilege of a child who has been adjudicated delinquent of the unlawful taking or unauthorized use of a motor vehicle. The suspension must be for up to one year for a first offense and up to two years for a subsequent offense. If the child does not have a driver's license on the date of the court order, then the suspension commences on the later of the date of the disposition or the child's sixteenth birthday.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) revenues increase minimally due to collection of additional driver's license renewal fees following suspensions imposed under the bill. TTF expenditures increase minimally as additional reimbursable payments are made to the Office of Administrative Hearings (OAH) for suspension hearings. MVA operations increase minimally to handle the administrative activities associated with suspending driving privileges under the bill but can likely be handled with existing budgeted resources.

Local Effect: The bill is not anticipated to materially affect local operations or finances.

Small Business Effect: None.

Analysis

Bill Summary: The bill applies specifically to three motor vehicle-related violations: (1) motor vehicle theft; (2) taking or driving a motor vehicle without the consent of the

owner, even without the intent to steal; and (3) taking a motor vehicle away from the premises, or out of the custody, of the owner without his or her permission.

Current Law: The clerk of a court must report to MVA on the adjudication of a child as delinquent for violating State vehicle laws, including unlawful taking or unauthorized use of a motor vehicle. On receiving this report, MVA must assess 12 points against the child.

Background: Highway safety officials cite the certainty of license suspension, along with the humiliation teenagers experience when they are unable to drive, among the factors contributing to safer driving and the dramatic reduction in teenage highway fatalities.

State Revenues: TTF revenues increase by a minimal amount in fiscal 2011 and subsequent years due to additional driver's license renewal fees being collected by MVA. A driver's license holder must pay MVA a \$30 license renewal fee following suspension of the license. Data on the number of times points were assessed by MVA against a child found delinquent of violations specified in the bill is not available from MVA or the Maryland Department of Juvenile Services at this time. In addition, Legislative Services is not able to estimate the revenues generated by the additional license suspensions as it is unknown how long each suspension period will be. Currently, if a license is revoked due to the accumulation of 12 points, the revocation period is six months for a first-time revocation. If a suspension issued under the bill is for six months or less, it is not clear whether the license holder would be required to pay a renewal fee in addition to the reinstatement fee.

State Expenditures: Reimbursable expenditures from OAH increase as a result of additional suspension hearings. Reimbursement for these expenditures comes from TTF. For each suspension case requested, MVA must pay \$125 to OAH. Historical data, as of 2009, indicate that 46% of suspension cases result in an appeal to OAH. However, as noted, data on the number of times points were assessed by MVA against a child found delinquent of violations specified in the bill is not available at this time; without this data Legislative Services is unable to estimate the number of suspension hearings that may occur under the bill.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of Transportation, National Highway Traffic Safety Administration, Department of Legislative Services

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mpc/ljm

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