

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

House Bill 565
Judiciary

(Delegate Glenn, *et al.*)

Vehicle Laws - Baltimore City - Prohibition on Sale of Unlawful Vehicles

This bill prohibits, in Baltimore City, the sale, or offering for sale, of any vehicle that may not be used in the city under any State or local law. A violator is guilty of a misdemeanor and is subject to maximum penalties of 60 days imprisonment and/or a \$2,000 fine.

Fiscal Summary

State Effect: General fund revenues and expenditures may increase minimally due to the bill's penalty provision. The bill can be enforced with existing resources.

Local Effect: Baltimore City can enforce the bill with existing resources.

Small Business Effect: Potential meaningful.

Analysis

Current Law/Background: Under the Baltimore City Code, a person is prohibited from driving or riding any dirt bike or any unregistered motorcycle or similar vehicle on any public or private property. In addition, no service station in Baltimore City may sell, transfer, or dispense motor fuel for delivery into any dirt bike or any unregistered motorcycle or similar vehicle.

Under the Baltimore City Code, a "dirt bike" is defined as any motorcycle or similar vehicle that is not registered under the Maryland Vehicle Law. This includes minibikes, all-terrain vehicles with three or four wheels, and any other similar vehicle that is not required to be registered under the Maryland Vehicle Law. Mopeds, motor scooters, tractors, snowblowers, lawn mowers, wheelchairs, or golf carts and any vehicle owned by a federal, State, or local jurisdiction are exempt.

Chapters 114 and 115 of 2010 (SB 1006/HB 1025) prohibit a person from dispensing motor fuel into a dirt bike from a retail pump at a service station in Baltimore City and require these service stations to post a conspicuous sign stating that prohibition as well as a similar prohibition in the Baltimore City Code.

State Revenues: General fund revenues may increase minimally as a result of the bill's monetary penalty provision from cases heard in the District Court.

State Expenditures: General fund expenditures may increase minimally as a result of the bill's incarceration penalty due to more people being committed to State correctional facilities for convictions in Baltimore City. The number of people convicted of this proposed crime is expected to be minimal.

Generally, persons serving a sentence of one year or less in a jurisdiction other than Baltimore City are sentenced to a local detention facility. The Baltimore City Detention Center, a State-operated facility, is used primarily for pretrial detentions.

Small Business Effect: The bill may have a meaningful adverse impact to the extent any vehicle dealer in Baltimore City derives a significant share of profits from the sale of any vehicle that is prohibited under the bill. It is unclear how many small business dealers, if any, are affected by the bill's prohibition. However, according to the U.S. Census, there were seven recreational vehicle dealers in the Baltimore-Towson metropolitan area in 2010, all of which had fewer than 50 employees; Baltimore City is just one jurisdiction within this metropolitan area.

Additional Information

Prior Introductions: HB 552 of 2008 was referred to the House Environmental Matters Committee but was subsequently withdrawn without a hearing.

Cross File: None.

Information Source(s): Baltimore City, Judiciary (Administrative Office of the Courts), U.S. Census Bureau, Department of Legislative Services

Fiscal Note History: First Reader - March 20, 2013
ncs/ljm

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