

**Department of Legislative Services**  
 Maryland General Assembly  
 2014 Session

**FISCAL AND POLICY NOTE**

House Bill 529

(Delegate Malone)

Environmental Matters

Judicial Proceedings

**Motor Vehicle Administration - Drivers' Licenses and Identification Cards -  
 Organ Donor Designation**

This bill requires the Motor Vehicle Administration (MVA) to notify an applicant who selects designation as a donor that the designation remains effective until the applicant requests that the designation be removed. MVA must also notify the applicant that the designation may be removed by the applicant either by requesting a replacement document online or in person, or through the State donor registry. Unless removed, MVA must note an applicant's designation as a donor on all subsequently issued driver's licenses or identification cards. The bill also specifies that, when an applicant selects designation as a donor, MVA is required, rather than authorized, to make a notation of the designation on the driver's license or identification card.

**Fiscal Summary**

**State Effect:** Transportation Trust Fund expenditures increase by about \$13,800 in FY 2015 only for external programming of the MVA driver's licensing system. Revenues are not affected.

(in dollars)	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	13,800	0	0	0	0
Net Effect	(\$13,800)	\$0	\$0	\$0	\$0

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** None.

## Analysis

**Current Law:** MVA must provide a method for a driver's license or identification card applicant to designate that he or she consents to the gift of all body organs or parts for the purposes of transplantation, therapy, or medical research and education. This donor designation is sufficient legal authority for the removal of a body organ or part on the death of the donor, and the designation may be removed only on written notice to MVA by the donor. If an applicant designates that he or she is a donor, MVA may make a notation on the card or license; MVA currently makes this notation for organ donors on application for a new or renewal driver's license or identification card. There is no fee for adding or removing an organ donor designation.

**Background:** According to the U.S. Department of Health and Human Services (HHS), more than 100 million people in the United States have signed up to be an organ donor and an average of 79 people receive an organ transplant each day. However, HHS reports that 18 people die each day while on the waiting list for an organ and that, as of January 29, 2014, 121,037 Americans are waiting for an organ donation.

According to the 2013 National Donor Designation Report Card from the organization Donate Life America, Maryland ranked twenty-eighth among states (including the District of Columbia) with a 52% donor designation share, which is the number of designated donors as a percentage of all state residents age 18 or older. According to MVA, more than 2,024,700 driver's license holders and 171,463 identification card holders had selected designation as an organ donor as of September 2013.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** SB 813 (Senator Raskin, *et al.*) – Judicial Proceedings.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Maryland Department of Transportation, U.S. Department of Health and Human Services, Donate Life America, Department of Legislative Services

**Fiscal Note History:** First Reader - February 7, 2014  
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Analysis by: Evan M. Isaacson

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510