

**Department of Legislative Services**  
Maryland General Assembly  
2015 Session

**FISCAL AND POLICY NOTE**

House Bill 632 (Prince George's County Delegation)  
Environment and Transportation

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**Prince George's County - Off-Highway Recreational Vehicles - Penalty for  
Highway Use  
PG 312-15**

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This bill establishes a \$500 penalty for a person convicted of operating an off-highway recreational vehicle (OHRV) on a highway in Prince George's County.

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**Fiscal Summary**

**State Effect:** General fund revenues increase, likely minimally, beginning in FY 2016 from the collection by the District Court of the bill's enhanced penalty. Expenditures are not affected.

**Local Effect:** Prince George's County law enforcement workloads may decrease to the extent that the bill's enhanced penalty results in fewer violations involving the operation of an OHRV on a highway. Revenues are not affected.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** An unregistered vehicle may not be driven on a highway in the State. An OHRV is not required to be registered (and is, by definition, not intended to be driven on a highway). If a person is convicted of driving an OHRV on a highway, the District Court must notify the Motor Vehicle Administration (MVA) of the violation. An OHRV is defined in the Maryland Vehicle Law to include snowmobiles, vehicles commonly known as all-terrain vehicles, and dirt bikes.

A violation of the Maryland Vehicle Law is a misdemeanor that carries a *maximum* penalty of \$500, unless otherwise specified by a separate penalty. Additionally, the District Court has established a fine schedule for various Maryland Vehicle Law infractions, including driving an unregistered vehicle on a highway, that applies when a violator prepays a fine rather than contesting the violation in court. The prepaid fine (including court costs) for operating an unregistered vehicle on a highway is \$290. The District Court is required to notify MVA of a violation involving the use of an OHRV.

**State Revenues:** General fund revenues increase, likely minimally, beginning in fiscal 2016 from the collection by the District Court of the bill's enhanced penalties. According to fiscal 2014 data from the District Court, there were only two reported violations of the prohibition against driving an unregistered vehicle on highways in Prince George's County involving OHRVs; however, due to the potential for miscoding of violations by law enforcement officers, the actual number of such violations may be slightly higher.

It should be noted that the number of reported violations resulting from the issuance of a citation is not necessarily indicative of the prevalence of such infractions, as certain Maryland Vehicle Law provisions are very difficult to enforce through roadside enforcement.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of State Police, Prince George's County, Maryland Department of Transportation, Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - March 13, 2015  
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