

# SENATE BILL 1044

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By: **Senators Carter and Hayes**

Introduced and read first time: March 4, 2019

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Motor Vehicle Repair and Career Certification**  
3 **Program for Ex–Offenders**

4 FOR the purpose of establishing the Motor Vehicle Repair and Career Certification  
5 Program for Ex–Offenders in the Division of Workforce Development and Adult  
6 Learning; providing for the purposes of the Program; requiring the Department of  
7 Labor, Licensing, and Regulation to administer the Program and provide grants on  
8 a competitive basis to certain employers who are located in Baltimore City or  
9 Baltimore County, donate motor vehicles serviced under the Program to low–income  
10 families, and employ certain ex–offender apprentices; requiring that grants awarded  
11 under the Program be based on the number of eligible apprentices employed by each  
12 employer; requiring the Department on or before a certain date each year to study  
13 the impact of the Program by comparing certain characteristics of certain  
14 ex–offenders and certain low–income families; requiring each recipient of a grant  
15 under the Program to report to the Department on or before a certain date each year  
16 the number of apprentices employed and the number of low–income families who  
17 receive a motor vehicle under the Program during a certain period; requiring the  
18 Department to report certain information to the Governor and the General Assembly  
19 on or before a certain date each year; requiring the Governor to include in the annual  
20 budget bill certain appropriations for the Program in certain fiscal years; requiring  
21 that certain funds be used to supplement, but not supplant, funds otherwise  
22 available to the Department; authorizing the Department to adopt certain  
23 regulations; defining certain terms; and generally relating to the Motor Vehicle  
24 Repair and Career Certification Program for Ex–Offenders.

25 BY adding to

26 Article – Labor and Employment

27 Section 11–603

28 Annotated Code of Maryland

29 (2016 Replacement Volume and 2018 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
2 That the Laws of Maryland read as follows:

3 **Article – Labor and Employment**

4 **11-603.**

5 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
6 INDICATED.

7 (2) “ASE” MEANS THE NATIONAL INSTITUTE FOR AUTOMOTIVE  
8 SERVICE EXCELLENCE.

9 (3) “EX-OFFENDER” MEANS AN INDIVIDUAL WHO HAS BEEN  
10 CONVICTED OF A CRIME AND HAS COMPLETED ANY COURT-ORDERED SENTENCE OF  
11 IMPRISONMENT FOR THE CONVICTION.

12 (4) “PROGRAM” MEANS THE MOTOR VEHICLE REPAIR AND CAREER  
13 CERTIFICATION FOR EX-OFFENDERS PROGRAM.

14 (B) (1) THERE IS A MOTOR VEHICLE REPAIR AND CAREER  
15 CERTIFICATION FOR EX-OFFENDERS PROGRAM IN THE DIVISION.

16 (2) THE PURPOSES OF THE PROGRAM ARE TO:

17 (I) PROVIDE APPRENTICESHIPS TO EX-OFFENDERS IN MOTOR  
18 VEHICLE REPAIR, MAINTENANCE, AND SERVICING;

19 (II) ENCOURAGE THE REHABILITATION OF EX-OFFENDERS  
20 THROUGH ENGAGEMENT WITH THE WORKFORCE;

21 (III) PROVIDE EX-OFFENDERS WITH THE TRAINING AND SKILLS  
22 NECESSARY TO ACHIEVE CERTIFICATIONS FROM ASE; AND

23 (IV) PRODUCE WORKING MOTOR VEHICLES FOR DONATION TO  
24 LOW-INCOME FAMILIES.

25 (C) (1) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM AND  
26 PROVIDE GRANTS ON A COMPETITIVE BASIS TO EMPLOYERS THAT MEET THE  
27 REQUIREMENTS SPECIFIED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

28 (2) AN EMPLOYER IS ELIGIBLE TO RECEIVE A GRANT IF THE  
29 EMPLOYER:

1 (I) IS LOCATED IN BALTIMORE CITY OR BALTIMORE COUNTY;

2 (II) DONATES MOTOR VEHICLES SERVICED UNDER THE  
3 PROGRAM TO LOW-INCOME FAMILIES; AND

4 (III) EMPLOYS AT LEAST ONE EX-OFFENDER APPRENTICE WHO:

5 1. HAS BEEN EMPLOYED BY THE EMPLOYER FOR AT  
6 LEAST 7 MONTHS;

7 2. IS ENGAGED IN MOTOR VEHICLE REPAIR,  
8 MAINTENANCE, OR SERVICING THAT WILL MEET THE EXPERIENTIAL REQUIREMENT  
9 FOR AT LEAST ONE CERTIFICATION FROM ASE; AND

10 3. IS ENROLLED IN THE FIRST YEAR OF AN  
11 APPRENTICESHIP PROGRAM REGISTERED WITH THE MARYLAND APPRENTICESHIP  
12 AND TRAINING COUNCIL UNDER § 11-405(B) OF THIS TITLE.

13 (3) GRANTS AWARDED UNDER THIS SUBSECTION SHALL BE BASED ON  
14 THE NUMBER OF ELIGIBLE APPRENTICES EMPLOYED BY EACH EMPLOYER.

15 (D) ON OR BEFORE SEPTEMBER 1, 2021, AND EACH SEPTEMBER 1  
16 THEREAFTER, THE DEPARTMENT SHALL STUDY THE IMPACT OF THE PROGRAM BY  
17 COMPARING:

18 (1) EX-OFFENDERS WHO RECEIVED APPRENTICESHIPS UNDER THE  
19 PROGRAM WITH SIMILARLY SITUATED EX-OFFENDERS WHO DID NOT PARTICIPATE  
20 IN THE PROGRAM WITH REGARD TO THE FOLLOWING CHARACTERISTICS:

21 (I) RECIDIVISM RATE;

22 (II) WAGE EARNINGS;

23 (III) ACHIEVEMENT OF AN INDUSTRY-RECOGNIZED  
24 OCCUPATIONAL CERTIFICATION; AND

25 (IV) JOB RETENTION RATE; AND

26 (2) LOW-INCOME FAMILIES WHO RECEIVED A MOTOR VEHICLE  
27 UNDER THE PROGRAM WITH SIMILARLY SITUATED LOW-INCOME FAMILIES WHO DID  
28 NOT PARTICIPATE IN THE PROGRAM WITH REGARD TO:

29 (I) CAREER CHARACTERISTICS, INCLUDING THE EMPLOYMENT

1 RATE OF WORKING-AGE FAMILY MEMBERS; AND

2 (II) EDUCATION CHARACTERISTICS, INCLUDING THE SCHOOL  
3 ATTENDANCE RATE OF ANY FAMILY MEMBERS ENROLLED IN SCHOOL.

4 (E) ON OR BEFORE JULY 1, 2021, AND EACH JULY 1 THEREAFTER, EACH  
5 RECIPIENT OF A GRANT UNDER THE PROGRAM SHALL REPORT TO THE  
6 DEPARTMENT THE NUMBER OF APPRENTICES EMPLOYED BY THE PROGRAM  
7 DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR AND THE NUMBER OF  
8 MOTOR VEHICLES DONATED TO LOW-INCOME FAMILIES DURING THE IMMEDIATELY  
9 PRECEDING CALENDAR YEAR.

10 (F) ON OR BEFORE SEPTEMBER 1, 2021, AND EACH SEPTEMBER 1  
11 THEREAFTER, THE DEPARTMENT SHALL REPORT THE RESULTS OF THE STUDY  
12 CONDUCTED UNDER SUBSECTION (D) OF THIS SECTION AND THE INFORMATION  
13 SUBMITTED UNDER SUBSECTION (E) OF THIS SECTION TO THE GOVERNOR AND, IN  
14 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL  
15 ASSEMBLY.

16 (G) (1) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL  
17 AN APPROPRIATION FOR THE PROGRAM EQUAL TO:

18 (I) \$2,500,000 FOR FISCAL YEAR 2021; AND

19 (II) \$1,500,000 FOR FISCAL YEAR 2022 AND FOR EACH FISCAL  
20 YEAR THEREAFTER.

21 (2) THE FUNDING PROVIDED UNDER THIS SECTION SHALL BE USED  
22 TO SUPPLEMENT, BUT NOT SUPPLANT, ANY FUNDS THAT WOULD OTHERWISE BE  
23 PROVIDED TO THE DEPARTMENT.

24 (H) THE DEPARTMENT MAY ADOPT REGULATIONS NECESSARY TO CARRY  
25 OUT THIS SECTION.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2019.