

Department of Legislative Services
 Maryland General Assembly
 2020 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 762
 Judiciary

(Delegate Williams)

Task Force to Study Impaired Driving and New Technologies

This bill establishes a Task Force to Study Impaired Driving and New Technologies. The Governor’s Office of Crime Control and Prevention (GOCCP) must provide staff for the task force. At the request of the task force chair, other units of State government must provide assistance to the task force, as specified. A member of the task force may not receive compensation but is entitled to reimbursement for expenses under the standard State travel regulations, as provided in the State budget. The task force must report its findings and recommendations to the Governor and the General Assembly by December 1, 2021. **The bill takes effect July 1, 2020, and terminates June 30, 2022.**

Fiscal Summary

State Effect: General fund expenditures increase by \$26,500 in FY 2021. Future year expenditures reflect the elimination of the contractual position and subsequent termination of the task force in FY 2022. Revenues are not affected.

(in dollars)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	26,500	13,200	0	0	0
Net Effect	(\$26,500)	(\$13,200)	\$0	\$0	\$0

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

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The task force must:

- review achievements in combating driving while under the influence of drugs and alcohol over the past 20 years;
- identify and assess current efforts in Maryland and other states to address driving while under the influence of drugs and alcohol;
- identify national best practices;
- determine if there are gaps between national best practices and State efforts;
- study and review new technologies, including specified technologies;
- identify the most effective and practical technologies to implement in the State;
- recommend technologies that should be implemented in the State;
- recommend necessary actions to implement national best practices;
- recommend new State initiatives to address all impaired-driving populations;
- recommend actions to sustain and enhance public awareness of drunk driving; and
- recommend strategies to improve coordination of management, funding, and resources at the State and local levels.

Current Law/Background: A person may not drive or attempt to drive any vehicle while:

- under the influence of alcohol or under the influence of alcohol *per se*;
- impaired by alcohol;
- impaired by a drug, any combination of drugs, or any combination of drugs and alcohol; or
- impaired by a controlled dangerous substance (CDS).

A violator is subject to a range of penalties involving fines and imprisonment, as well as suspension or revocation of the driver's license by the Motor Vehicle Administration. Chapter 20 of 2019 increased maximum penalties for certain subsequent drunk and drugged driving offenses, homicide by motor vehicle or vessel while impaired by drugs, and specified alcohol- and/or drug-related driving offenses while transporting a minor.

Exhibit 1 shows the number of violations brought in the District Court and circuit courts for specified offenses in fiscal 2019. Additionally, in fiscal 2019, there were 4,495 guilty dispositions for alcohol- and/or drug-related driving offenses in the District Court and 1,806 in the circuit courts.

Exhibit 1
Violations for Specified Offenses in the District Court and Circuit Courts
Fiscal 2019

<u>Offense</u>	<u>District Court</u>	<u>Circuit Court</u>
Driving Under the Influence of Alcohol	18,671	3,543
Driving Under the Influence of Alcohol <i>Per Se</i>	10,534	1,859
Driving Under the Influence of Alcohol/Transporting Minor	294	81
Driving While Impaired by Alcohol	18,755	3,615
Driving While Impaired by Alcohol/Transporting Minor	303	80
Driving While Impaired by Drugs or Drugs and Alcohol	5,787	1,258
Driving While Impaired by Drugs or Drugs and Alcohol/Transporting Minor	115	34
Driving While Impaired by a CDS	3,257	702
Driving While Impaired by a CDS/Transporting Minor	64	15
Homicide by Vehicle/Vessel – Under the Influence of Alcohol or Under the Influence <i>Per Se</i>	13	61
Homicide by Vehicle/Vessel – Impaired (by Alcohol, Drugs, or a CDS)	16	41
Life-threatening Injury by Vehicle/Vessel (Under the Influence of Alcohol, Under the Influence <i>Per Se</i> , or Impaired by Alcohol, Drugs, or a CDS)	8	38

CDS: controlled dangerous substance

Note: Circuit court violations include jury trials and appeals from cases that originated in the District Court. Therefore, there may be some overlap between the number of District Court and circuit court violations.

Source: Judiciary (Administrative Office of the Courts)

State Expenditures: General fund expenditures for GOCCP increase by \$26,452 in fiscal 2021, which assumes a 90-day start-up delay and that the task force will not likely convene before October. This estimate reflects the cost of hiring one half-time (50%) contractual employee to staff the task force. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Contractual Position	0.5
Salary and Fringe Benefits	\$21,323
One-time Start-up costs	4,890
Operating Expenses	<u>239</u>
Total FY 2021 State Expenditures	\$26,452

This estimate does not include any health insurance costs that could be incurred for specified contractual employees under the State's implementation of the federal Patient Protection and Affordable Care Act.

Future year expenditures reflect elimination of the contractual position on December 31, 2021, after the report is due, and subsequent termination of the task force.

Any expense reimbursements for task force members are assumed to be minimal and absorbable within existing budgeted resources. Agencies can provide any requested assistance to the task force with existing resources.

Additional Information

Prior Introductions: HB 310 of 2019 and HB 1204 of 2018 received unfavorable reports from the House Judiciary Committee.

Designated Cross File: None.

Information Source(s): Governor's Office of Crime Control and Prevention; Maryland Department of Transportation; Judiciary (Administrative Office of the Courts); Department of Legislative Services

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