

Department of Legislative Services
 Maryland General Assembly
 2020 Session

FISCAL AND POLICY NOTE
 First Reader

Senate Bill 885 (Senator Zucker, *et al.*)
 Judicial Proceedings

Motor Vehicle Administration - Records - Voluntary Disclosure of
 Developmental Disability

This bill authorizes an individual who is at least 18 years of age to voluntarily disclose a developmental disability to the Motor Vehicle Administration (MVA). MVA must keep these disclosure records separate from other records and may only share the information with a law enforcement agency or court. MVA may not use the disclosed information as a basis for referring a person to the Medical Advisory Board.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures increase by about \$35,000 in FY 2020 only for programming changes. Revenues are not affected.

(in dollars)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	35,000	0	0	0	0
Net Effect	(\$35,000)	\$0	\$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

Current Law/Background: Subject to certain exceptions, MVA records are public records and open to public inspection during office hours. Records that may not be disclosed to the public and records that MVA may classify as not open to public inspection

include records and record entries dating back more than three or five years, as specified. However, regardless of how old it is, a record or record entry must be made available to an authorized representative of a federal, State, or local government agency. MVA may only make available a digital photographic image or signature of an individual to certain entities.

Appointed by the Motor Vehicle Administrator, the Medical Advisory Board consists of qualified physicians of various specialties who advise the administrator on medical aspects of driver licensing. The Medical Advisory Board currently lists 16 disorders that require further medical review before board approval may be granted to license or reinstate an applicant.

State Expenditures: TTF expenditures increase by an estimated \$35,000 in fiscal 2021, which reflects the cost for MVA to contract with an outside vendor for one-time-only programming costs to allow individuals to voluntarily disclosure information and to maintain the records as specified by the bill. Additional internal computer programming is also required but can be handled within existing budgeted resources.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 1118 (Delegate Fraser-Hidalgo) - Environment and Transportation.

Information Source(s): Maryland Department of Transportation; Judiciary (Administrative Office of the Courts); Department of State Police; Department of Legislative Services

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rh/ljm

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