

Department of Legislative Services
 Maryland General Assembly
 2020 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 1186
 Judiciary

(Delegate Szeliga, *et al.*)

Reckless and Negligent Driving - Death of Another - Must-Appear Violation

This bill specifies that a person charged with a reckless or negligent driving offense that contributes to an accident resulting in the death of another must appear in court and may not prepay the fine.

Fiscal Summary

State Effect: General fund expenditures for the Judiciary increase by \$193,400 in FY 2021 only. Enforcement can otherwise be handled with existing resources. Revenues are not materially affected.

(in dollars)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	193,400	0	0	0	0
Net Effect	(\$193,400)	\$0	\$0	\$0	\$0

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

Local Effect: Enforcement can be handled with existing resources. Local revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: A person is guilty of reckless driving if a motor vehicle is driven in wanton or willful disregard for the safety of persons or property or in a manner that indicates a wanton or willful disregard for the safety of persons or property. A violation is a misdemeanor, subject to a maximum fine of \$1,000. The Motor Vehicle Administration

(MVA) is also required to assess six points against the driver's license upon conviction for this offense. The District Court prepayment penalty, including court costs, is \$510 for this offense.

A person is guilty of negligent driving if the motor vehicle is driven in a careless or imprudent manner that endangers any property or the life or safety of any individual. This violation is a misdemeanor, subject to a maximum fine of \$500. Upon conviction, MVA must assess one point against the driver's license, or three points if the offense contributes to an accident. The District Court assesses a prepayment penalty of \$140 for this offense or \$180 if the offense contributes to an accident.

Background: The District Court advises that, in fiscal 2019, there were 14,364 citations issued for reckless driving violations, 5 of which contributed to an accident that resulted in death. Another 28,027 citations were issued for negligent driving violations, 23 of which contributed to an accident that resulted in death.

State Expenditures: General fund expenditures for the Judiciary increase by \$193,439 in fiscal 2021 for one-time programming changes to the Judicial Information System to reflect the bill's changes. The District Court can otherwise handle additional must-appear offenses with existing resources.

Additional Information

Prior Introductions: HB 1414 of 2016, a similar bill, received a hearing in the House Judiciary Committee, but no further action was taken.

Designated Cross File: None.

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

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