

Department of Legislative Services
 Maryland General Assembly
 2022 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 25

(Senator Cassilly)

Judicial Proceedings

Judiciary

Reckless and Negligent Driving - Death of Another - Must-Appear Violation
(Sherry's and Christian's Law)

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 \$194,100 in FY 2023 only. Enforcement can otherwise be handled with existing resources. Revenues are not materially affected.

(in dollars)	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	194,100	0	0	0	0
Net Effect	(\$194,100)	\$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 \$240 for this offense or \$280 if the offense contributes to an accident.

State Expenditures: General fund expenditures for the Judiciary increase by \$194,100 in fiscal 2023 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. For context, the District Court advises that, in fiscal 2021, 7 citations were issued for reckless driving violations involving accidents resulting in death, and 29 citations were issued for negligent driving violations involving accidents resulting in death. Citations issued for such violations totaled 11 and 27, respectively, in fiscal 2020.

Additional Information

Prior Introductions: SB 495 of 2021 received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken. Its cross file, HB 668, received a hearing in the House Judiciary Committee, but no further action was taken. HB 1186 of 2020 received a hearing in the House Judiciary Committee, but no further action was taken. HB 1414 of 2016, a similar bill, received a hearing in the House Judiciary Committee, but no further action was taken.

Designated Cross File: HB 7 (Delegate Szeliga) - Judiciary.

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

Fiscal Note History: First Reader - January 13, 2022
km/aad Third Reader - March 29, 2022
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