

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

Senate Bill 465

(Senator Carter)

Judicial Proceedings

Environment and Transportation

Vehicle Laws - Licenses and Permits - Prohibited Acts

This bill repeals a catch-all prohibition relating to licenses to drive and moped operator permits. Instead, the bill prohibits a person from engaging in any fraudulent or dishonest conduct in the examination or testing process for the issuance or renewal of a driver's license or moped operator's permit (including for the driver skills examination, the driver knowledge test, or any required vision or medical examinations). Under the bill, a person convicted of such a violation is subject to imprisonment for up to two months and/or a fine of up to \$500. In addition, the person must appear in court and may not prepay the fine. Further, if convicted, 12 points are assessed against the individual's driver's license.

Fiscal Summary

State Effect: State operations and finances are not materially affected, as discussed below.

Local Effect: Local government expenditures are not materially affected, as discussed below. Revenues are not affected.

Small Business Effect: Potential minimal.

Analysis

Current Law: A person is prohibited from doing any forbidden act or failing to perform any act required under Title 16 of the Transportation Article (*i.e.*, Drivers' Licenses). A person convicted of this violation is subject to imprisonment for up to two months and/or a fine of up to \$500. In addition, the person must appear in court and may not prepay the fine. Further, if convicted, 12 points are assessed against the individual's driver's license.

State/Local Fiscal Effect: The Judiciary advises that, in fiscal 2021, there were 1,882 violations of the repealed provision, with only 1 guilty disposition. Further, the Motor Vehicle Administration advises that, over the 45-year period from 1977 through 2021, there are only 112 convictions on record. Accordingly, fine revenue is not materially affected due to its repeal. Moreover, although unknown, the number of people imprisoned for the violation repealed by the bill is negligible.

The new prohibition related to fraudulent or dishonest conduct in the examination or testing process for the issuance or renewal of a driver's license or moped operator's permit is likely already encompassed in the catch-all prohibition that is being repealed. Accordingly, the related criminal penalties are not expected to have a material impact on State or local finances. Moreover, any revenue loss or cost savings due to the repealed prohibition may be offset from penalties assessed against persons convicted of violating the new prohibition.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 206 (Delegate Moon) - Environment and Transportation.

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

Fiscal Note History: First Reader - February 1, 2022
rh/ljm Third Reader - March 19, 2022
Enrolled - May 9, 2022
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