

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 618

(Senator Smith, *et al.*)

Judicial Proceedings

Environment and Transportation

**Vehicle Laws - Licenses, Identification Cards, and Moped Operator's Permits -
Notation of Nonapparent Disability (Eric's ID Law)**

This bill requires an initial and renewal application for a license, identification card, or moped operator's permit to allow an applicant to choose to indicate on the document that the applicant has a "nonapparent disability," which includes (1) developmental disabilities and (2) intellectual disabilities. The Motor Vehicle Administration (MVA) must ensure that the relevant credential of an applicant who has indicated a nonapparent disability on an application includes a notation on the bottom of the credential. MVA must also conduct certain public outreach efforts on the availability of the notation (including notifying specified individuals the notation may be removed). The bill prohibits MVA from charging a fee for the notation – including for the issuance of a corrected document if no other corrections are made. The bill also prohibits MVA from making certain disclosures related to the notation. The Maryland Police Training and Standards Commission (MPTSC), in consultation with the Department of State Police and other interested stakeholders, must implement training concerning interactions with individuals who have a nonapparent disability notation on their credential.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures increase, potentially significantly, beginning in FY 2026, due to one-time vendor costs and credential changes, as discussed below. MPTSC can conduct the required training with existing resources. Revenues are not affected.

Local Effect: Local law enforcement activities are not anticipated to be materially affected.

Small Business Effect: None.

Analysis

Bill Summary: MVA must consult with developmental disability and intellectual disability advocacy groups with respect to the design of the nonapparent disability notation. Moreover, MVA must establish public outreach efforts to educate the general public on the availability of the nonapparent disability notation. MVA must also notify an individual with a nonapparent disability notation who turns 18 years of age that the individual may request that the notation be removed. Furthermore, MVA must delete any record of an individual's nonapparent disability notation upon request by the individual at any time.

MVA is prohibited from:

- requiring an applicant for the credential to provide proof of the applicant's nonapparent disability;
- denying an application for a credential because the nonapparent disability selected does not match the nonapparent disability indicated on another document associated with the applicant;
- disclosing, for any use without a court order, information related to an applicant's indication of a nonapparent disability or request to remove an indication, except as noted below; or
- using information disclosed by a person as a basis for referring the person to the Medical Advisory Board.

MVA *may* make information available to (1) a court; (2) a criminal justice agency; (3) a driver licensing authority; (4) the applicant; (5) the applicant's attorney; (6) any third party designated by the applicant; or (7) the Child Support Administration within the Department of Human Services.

Current Law: MVA issues driver's licenses and identification cards to eligible applicants. Licenses and identification cards may include certain designations on them, such as specifying whether a person is an organ donor or a veteran.

State Expenditures: TTF expenditures increase by \$75,000 for one-time vendor costs in fiscal 2026 to redesign and update credential templates, as required by the bill. The estimated cost per credential change (*i.e.*, to produce and distribute the relevant credential) is \$1.39 in fiscal 2026.

The exact number of individuals who may request the nonapparent disability notation is unknown, but MVA advises that several hundred thousand individuals may qualify and seek the notation. While the Department of Legislative Services (DLS) agrees that the number of eligible individuals may be significant, DLS notes an exact estimate cannot be

determined without experience under the bill. A significant portion of eligible individuals may choose to have the designation added immediately once the bill takes effect, while a smaller portion may request the notation upon renewal in later years or may choose not to obtain a notation. *For illustrative purposes only*, for every 50,000 credential holders who request the notation, TTF expenditures increase by \$69,500; this amount may be higher in later years due to expected growth in production/distribution costs.

Additional Comments: MPTSC advises that all law enforcement officers receive training in police academies and mandatory in-service training on interacting with people who have a nonapparent disability, including identifying indicators of intellectual and developmental disabilities, how to deescalate and resolve situations involving such individuals, and how to exercise ethical leadership when encountering people with such disabilities.

In addition, individuals with developmental disabilities may obtain a Voluntary Developmental Disability Disclosure Card from MVA. The card was designed to facilitate more effective communication between law enforcement officers and individuals with developmental disabilities. The card is blue – for easy recognition – and the size of a driver’s license. It includes space for an individual to provide details on their particular developmental disability as well as a message to law enforcement officers on how best to interact with the individual. The card is available, upon request, at the information desk of any of MVA’s 24 branches statewide – to customers, parents or guardians, and organizations for distribution. MVA does not ask for any explanation or proof of disability to obtain the card.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 1096 and HB 1456 of 2024.

Designated Cross File: HB 707 (Delegate Wilkins, *et al.*) - Environment and Transportation.

Information Source(s): Maryland Municipal League; Maryland Department of Disabilities; Maryland Department of Health; Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Maryland Insurance Administration; Department of Legislative Services

Fiscal Note History:
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