
February 11, 2021

The Honorable Kumar P. Barve
Chairman, House Environment & Transportation Committee
251 House Office Building
Annapolis MD 21401

Re: Letter of Information – House Bill 699 – Motor Vehicles - Driver's License and Insurance Offenses – Penalties

Dear Chairman Barve and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on House Bill 699 but offers the following information for the Committee's consideration.

House Bill 699 replaces the incarcerable penalties for violations of MD Code Ann. Trans. II § 16-303 (a)-(g) (2012) and 17-07 with a \$50 fine. It appears to be a payable fine that does not require a traffic court appearance.

Although the bill does not alter the Motor Vehicle Administration's (MVA) assessment of points and any subsequent license action that is imposed, the bill does present several ancillary safety related consequences related to MDOT MVA administrative enforcement that should be taken into consideration.

The administrative actions that are specified in 16-303 (a)-(g), are imposed predominately due to violations stemming from driver behavior that are related to safety concerns. These suspensions include items such as accumulation of points, drunk and drugged driving offenses, fraudulent activities, and medical disqualifications of driving. The MDOT MVA is concerned that decreasing the penalty to only \$50 for driving while suspended for these items could lead to individuals ignoring the suspension/revocation of their license and continuing to drive. The incentive to modify the individual's driving behavior is lessened and could have a negative impact on our state's highway safety.

This fine reduction may also impact enrollment in the State's Ignition Interlock Program. The ignition interlock program is a tool that allows individuals to continue driving while addressing their alcohol use and ensuring the safety of highways and roadways by stopping an automobile's ignition start when certain levels of alcohol are detected. The program has a monthly monitoring fee, and the individual may, as a result of this bill, determine that the \$50 penalty is cheaper than the monthly monitor fee.

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Currently, the violation of operating a motor vehicle without insurance specified in 17-107 holds the possible penalty of incarceration and max fine of \$1000. With this proposed legislation, violators would now only face a max fine of \$50, without incarceration periods or the must-appear requirement. This action could lead to more motorists operating while uninsured. The \$50 fine amount, if caught, is most likely less than the average liability monthly insurance rate.

The Maryland Department of Transportation respectfully requests that the Committee consider this information as it deliberates House Bill 699.

Respectfully submitted,

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