

Department of Legislative Services
 Maryland General Assembly
 2008 Session

FISCAL AND POLICY NOTE

Senate Bill 460

(Senators Middleton and Dyson)

Judicial Proceedings

Environmental Matters

Vehicle Laws - Moving Violations by Minors - Notification of Parent or Guardian

This bill requires the Motor Vehicle Administration to notify the cosigner of a minor's driver's license application about every citation issued to the minor for a moving violation, instead of just a speeding violation of at least 20 miles per hour over the maximum speed. The notification must include identifying information and information about the violation as specified in the bill.

The bill has prospective application.

Fiscal Summary

State Effect: Transportation Trust Fund expenditures increase \$40,100 in FY 2009 for additional staff to process notices. Out-years reflect annualization and a stable caseload. The District Court should be able to meet the bill's requirements with existing resources.

(in dollars)	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	40,100	49,600	52,100	54,800	57,600
Net Effect	(\$40,100)	(\$49,600)	(\$52,100)	(\$54,800)	(\$57,600)

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

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: A “moving violation” is one that is designated as such in regulations adopted by MVA for the purpose of assessing points. It is also a violation of a substantially similar nature reported from another jurisdiction, other than a violation of the jurisdiction’s size, weight, load, equipment, or inspection provisions.

The Chief Judge of the District Court is required to establish uniform procedures for reporting traffic cases in conjunction with the Motor Vehicle Administrator, including procedures for promptly notifying MVA of each citation issued to a minor licensed in the State that charges the minor with driving at least 20 miles above the maximum lawful speed.

Upon receipt of notification from the District Court, MVA has to promptly notify the cosigner of the minor’s driver’s license application that a speeding citation was issued to the minor. The notification must contain identifying information and information about the violation, as specified. Evidence of the receipt or lack of receipt of the notice is not admissible in any criminal or civil action against a cosigner.

State Expenditures: TTF expenditures could increase by an estimated \$40,139 in fiscal 2009, which accounts for the bill’s October 1, 2008 effective. This estimate reflects the cost of hiring one customer agent to send out the additional notices required by the bill. MVA advises that in calendar 2007 one agent sent out 4,166 notices to license application cosigners about minors speeding in excess of 20 miles per hour over the posted limit. During the same period, 10,285 citations were issued to minors for all moving violations. Assuming a stable caseload, an additional 6,119 notices would have to be sent to cosigners. The estimate includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Positions	1
Salary and Fringe Benefits	\$34,625
Postage	1,432
Operating Expenses	<u>4,082</u>
Total FY 2009 State Expenditures	\$40,139

Future year expenditures reflect • a full salary with 4.4% annual increases and 3% employee turnover; and • 2% annual increases in ongoing operating expenses.

MVA advises that computer programming modifications would be needed to add violations, fines, and point assessments to meet the bill's requirements. The changes could result in a one-time TTF expenditure of \$22,500 in fiscal 2009 only. However, the Department of Legislative Services advises that, if other legislation is passed requiring computer programming changes, economies of scale could be realized. This would reduce computer programming costs associated with this bill and other legislation affecting the MVA system. Further, DLS advises that the increased computer expenditure is an estimate and that MVA may be able to handle the changes within existing resources.

The District Court should be able to work with MVA to develop notification procedures within existing resources.

Additional Information

Prior Introductions: None.

Cross File: HB 511 (Delegate Levy, *et al.*) – Environmental Matters.

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

Fiscal Note History: First Reader - February 17, 2008
mll/ljm

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