

Department of Legislative Services
 Maryland General Assembly
 2017 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 563 (Delegate Kramer, *et al.*)
 Environment and Transportation

Vehicle Laws - Provisional Drivers' Licenses - Issuance

This bill requires the Motor Vehicle Administration (MVA) to forward a provisional driver’s license issued to an applicant younger than age 18 to the District Court that has jurisdiction where the applicant resides. The District Court must then schedule a formal ceremony at which a judge must present the provisional license to the applicant and explain the responsibilities associated with driving a motor vehicle. The court must provide the applicant with written notice of the date, time, and location of the ceremony at least 15 days before the ceremony. The court may mail or otherwise deliver the license to the applicant without a formal ceremony if the applicant is unable to attend for good cause. MVA and the District Court must jointly adopt procedures to carry out the bill’s requirements. The bill does not apply to the issuance of a duplicate provisional license.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures increase by \$163,200 in FY 2018 in order for MVA to contract with an outside vendor for reprogramming changes; ongoing expenditures have not been quantified but reflect postage to forward provisional licenses to the appropriate District Court. Likewise, the bill results in increased general fund expenditures for the District Court, which have not been quantified, as well as significant operational impacts, as discussed below. Revenues are not affected.

(in dollars)	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	-	-	-	-	-
SF Expenditure	163,200	-	-	-	-
Net Effect	(\$163,200)	(-)	(-)	(-)	(-)

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

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: An individual is entitled to receive a provisional license if the applicant (1) meets minimum age requirements; (2) satisfies learner's instructional permit requirements; (3) passes a driver skills or driver road examination; (4) surrenders any learner's instructional permit issued to the applicant; and (5) pays the appropriate fee.

State Expenditures: TTF expenditures increase in fiscal 2018 in order for MVA to contract with an external vendor to make reprogramming changes to its licensing system. MVA advises that the reprogramming must, among other things, enable its licensing system to link zip codes to a District Court address to which provisional licenses will be mailed. The Department of Legislative Services advises that MVA also incurs minimal costs for postage to mail all provisional licenses to the appropriate District Court.

The Judiciary advises that District Court operations are significantly affected under the bill, as the legislation creates a ceremonial proceeding for which the District Court is responsible. For example, clerk's offices must establish a recordkeeping protocol and area to store and safeguard provisional licenses until presented or delivered to the applicant. The courts must create a verification process for receipt and relay of information back to MVA on issuance of a provisional license – in addition to developing policies and procedures for drivers who do not attend without providing good cause.

The Judiciary further advises that it anticipates challenges in scheduling formal ceremonies that will not interfere with an applicant's school schedule. (The clerical offices of the District Court are only required to be open to the public from 8:30 am to 4:30 pm, Monday through Friday of each week.) Under the bill, the courts will generally need to conduct licensing ceremonies in the late afternoon so that they do not interfere with school schedules.

Although the Judiciary does not have statistics on the number of individuals younger than age 18 who are issued provisional licenses, or specific local data on potential applicants, it advises that, in more densely populated areas, the court would have to accommodate a much larger number of participants compared to more rural areas. This could impact the number of ceremonies that are able to be conducted in a particular court. In some jurisdictions, courts may see a negative impact on case time standards, as some courts already have crowded dockets.

Although not quantified, these operational impacts on the District Court also increase general fund expenditures.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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