

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 847

(Senator Benson)

Judicial Proceedings

Department of Transportation – Vehicle Litter Reporting Program

This bill establishes the Vehicle Litter Reporting Program in the Maryland Department of Transportation (MDOT). The stated purpose of the program is to deter littering from motor vehicles.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures may increase to implement the program and related hotline, as discussed below. Total costs depend on the volume of calls received by MDOT, which cannot be reliably predicted. Revenues are not anticipated to be affected.

Local Effect: The bill does not directly affect local government operations or finances.

Small Business Effect: Minimal or none.

Analysis

Bill Summary: The program must (1) establish and operate a toll-free hotline to receive complaints of littering from motor vehicles and (2) send a letter to the registered owner of each motor vehicle about which a complaint of littering is received that:

- states that an alleged act of littering was reported against a driver or passenger of the owner's vehicle;
- describes the negative effects of littering;

- includes information about the costs associated with littered highways and the effects of those costs on taxpayers;
- states that littering is a crime punishable by incarceration, fines, and other penalties; and
- states that the letter itself is not a citation.

Current Law: Under § 10-110 of the Criminal Law Article, a person may not (1) dispose of litter on a highway or perform an act that violates the Maryland Vehicle Law regarding disposal of litter, glass, and other prohibited substances on highways or (2) dispose or cause or allow the disposal of litter on public or private property unless the property meets specified designation requirements and the person is authorized by the proper public authority to use the property or the litter is placed into a litter receptacle or container installed on the property.

If two or more individuals are occupying a motor vehicle, boat, airplane, or other conveyance from which litter is disposed and it cannot be determined which occupant is the violator, the owner is presumed to be responsible for the violation if he/she is present. If the owner of the conveyance is not present, the operator is presumed to be responsible for the violation.

An individual who violates § 10-110 is guilty of a misdemeanor and subject to various monetary and incarceration penalties, depending on the weight or volume of the disposed litter. In addition to those penalties, the court may order the violator to perform relevant community service, reimburse the appropriate governmental entity for specified costs incurred, or perform specified reparative tasks.

State Expenditures: MDOT's responsibilities to operate and maintain the State's transportation systems are carried out through business units (such as the State Highway Administration (SHA) and the Motor Vehicle Administration (MVA)) that are organized by mode of transportation. Since SHA is responsible for maintaining the State's highways and roadways and already has multiple reporting lines in place for the general public to file complaints and reports, this analysis assumes that the hotline required by the bill is administered by SHA.

Any increase in TTF expenditures for SHA to implement the Vehicle Litter Reporting Program depends on the volume of calls SHA receives through the program once it is operational, which cannot be predicted. If the volume of calls is high, there are likely to be additional costs for SHA to establish a new phone line, hire one or multiple additional staff to answer calls, and send the required letters. In such a case, costs could exceed \$100,000 annually. If the volume of calls is low, however, SHA can likely implement the program by using one of its existing phone lines, expanding the responsibilities of existing staff who receive reports from the general public, and with minimal additional mailing costs.

MVA can provide license-plate related contact information to SHA as necessary and appropriate using existing budgeted resources.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland Department of Transportation; Department of Legislative Services

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