

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1303 (Delegate Mautz, *et al.*)
Environment and Transportation

Motor Vehicles - Emergency Commercial Driver's Licenses - Establishment

This bill requires the Motor Vehicle Administration (MVA) to establish a program to authorize a former holder of a commercial driver's license (CDL) to obtain an emergency CDL under certain circumstances related to declared states of emergency. MVA is authorized to adopt regulations to implement the bill.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures increase by \$96,800 in FY 2023 only for reprogramming. TTF revenues increase minimally to the extent emergency CDLs are issued.

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: Under the program, MVA may issue emergency CDLs only:

- during a state of emergency declared by the Governor and for six months following the termination;
- if the Governor determines that there is a shortage of CDL holders in the State; and
- if the Governor determines that the shortage of CDL holders significantly inhibits the transportation of goods and transportation services in the State during or immediately after the state of emergency.

MVA may issue an emergency CDL only to an individual who (1) has held a CDL within the past five years; (2) is otherwise qualified to operate a commercial motor vehicle; (3) has the required medical certifications for interstate travel under a CDL; (4) has passed the appropriate vision screening tests; and (5) has the documentation required by federal law on file with MVA. Additionally, the emergency CDL must be in the same class and with the same endorsements as was the case for the individual's previously held CDL.

MVA must waive the required skills test for program participants.

An individual driving under the authority of an emergency CDL may only travel intrastate.

An emergency CDL expires on the earlier of six months after (1) the termination of the state of emergency or (2) issuance. However, MVA may renew an emergency CDL at its discretion within the period between the beginning of the state of emergency and six months after its termination. If appropriate, an emergency CDL must be renewed electronically.

Current Law: The issuance of CDLs is governed by a combination of federal and State law. In general, the Maryland Vehicle Law prohibits the issuance of a CDL until the individual has passed the knowledge and skill tests for driving a commercial motor vehicle that comply with the federal Commercial Motor Vehicle Safety Act of 1986.

State Fiscal Effect: MVA advises that reprogramming is necessary in order to implement the bill's changes. In fiscal 2023 only, TTF expenditures increase by \$96,750. Although additional training is also needed for employees, this can be done with existing resources.

While the exact duration of a CDL issued under the new program depends on the criteria established under the bill, MVA anticipates prorating such licenses based on the cost of an eight-year CDL, which is \$68. Assuming each issuance is treated as if it were one year, even though an emergency CDL is valid for at most six months, the cost is expected to total \$8.50 per license. The exact number of individuals who may apply for the emergency CDL is unknown. However, the number of individuals who are expected to meet the criteria established by the bill is expected to be minimal. *For illustrative purposes only*, if 1,000 emergency CDLs were issued for six months and all were renewed for an additional six-month period, TTF revenues would increase by approximately \$17,000 each year they were able to be issued. TTF expenditures also increase minimally for printing costs in that scenario.

Small Business Effect: Small businesses that employ commercial drivers may benefit from the greater flexibility for CDL holders established by the bill.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

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

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