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March 10, 2022

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

**Re: Letter of Information – House Bill 1296 – 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 1296 but offers the following information for the Committee's consideration.

House Bill 1296 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 Maryland Department of Transportation Motor Vehicle Administration's (MDOT MVA) assessment of points and any subsequent license action that is imposed, the bill does present several ancillary safety-related consequences connected to MDOT MVA administrative enforcement that should be taken into consideration.

The administrative actions specified in 16-303 (a)-(g) are imposed predominately due to violations stemming from driver behavior 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 monitoring fee.

Currently, the violation of operating a motor vehicle without insurance specified in 17-107 holds the possible penalty of incarceration and maximum fine of \$1,000. With this proposed legislation, violators would now only face a maximum 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.

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The Maryland Department of Transportation respectfully requests that the Committee consider this information when deliberating House Bill 1296.

Respectfully submitted,

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