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By: **Delegate Giannetti**  
Introduced and read first time: February 10, 2000  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Drunk Driving - Ignition Interlock System Program Participants - License**  
3 **Suspension Modifications**

4 FOR the purpose of authorizing the Motor Vehicle Administration to modify a  
5 suspension or issue a restrictive license to a licensee convicted of certain  
6 alcohol-related driving offenses if the licensee is a participant in the Ignition  
7 Interlock System Program and meets certain conditions; and generally relating  
8 to license suspension modifications and restrictive licenses for participants in  
9 the Ignition Interlock System Program.

10 BY repealing and reenacting, with amendments,  
11 Article - Transportation  
12 Section 16-205  
13 Annotated Code of Maryland  
14 (1999 Replacement Volume and 1999 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Transportation**

18 16-205.

19 (a) The Administration may revoke the license of any person who:

20 (1) Is convicted under § 21-902(a) or (d) of this article of driving or  
21 attempting to drive a motor vehicle while intoxicated, while intoxicated per se, or  
22 while under the influence of a controlled dangerous substance; or

23 (2) Within a 3-year period, is convicted under § 21-902(b) or (c) of this  
24 article of driving or attempting to drive a motor vehicle while under the influence of  
25 alcohol or while so far under the influence of any drug, any combination of drugs, or  
26 a combination of one or more drugs and alcohol that the person cannot drive a vehicle  
27 safely and who was previously convicted of any combination of two or more violations  
28 under:

1 (i) § 21-902(a) of this article of driving or attempting to drive a  
2 motor vehicle while intoxicated or while intoxicated per se;

3 (ii) § 21-902(b) of this article of driving or attempting to drive a  
4 motor vehicle while under the influence of alcohol;

5 (iii) § 21-902(c) of this article of driving or attempting to drive a  
6 motor vehicle while so far under the influence of any drug, any combination of drugs,  
7 or a combination of one or more drugs and alcohol that the person cannot drive a  
8 vehicle safely; or

9 (iv) § 21-902(d) of this article of driving or attempting to drive a  
10 motor vehicle while under the influence of a controlled dangerous substance.

11 (b) The Administration may suspend for not more than 60 days the license of  
12 any person who is convicted under § 21-902(b) or (c) of this article of driving or  
13 attempting to drive a motor vehicle while under the influence of alcohol or while so far  
14 under the influence of any drug, any combination of drugs, or a combination of one or  
15 more drugs and alcohol that the person cannot drive a vehicle safely.

16 (c) The Administration may suspend for not more than 120 days the license of  
17 any person who, within a 3-year period, is convicted under § 21-902(b) or (c) of this  
18 article of driving or attempting to drive a motor vehicle while under the influence of  
19 alcohol or while so far under the influence of any drug, any combination of drugs, or  
20 a combination of one or more drugs and alcohol that the person cannot drive a motor  
21 vehicle safely and who was previously convicted of a violation under:

22 (1) § 21-902(a) of this article of driving or attempting to drive a motor  
23 vehicle while intoxicated or while intoxicated per se;

24 (2) § 21-902(b) of this article of driving or attempting to drive a motor  
25 vehicle while under the influence of alcohol;

26 (3) § 21-902(c) of this article of driving or attempting to drive a motor  
27 vehicle while so far under the influence of any drug, any combination of drugs, or a  
28 combination of one or more drugs and alcohol that the person cannot drive a motor  
29 vehicle safely; or

30 (4) § 21-902(d) of this article of driving or attempting to drive a motor  
31 vehicle while under the influence of a controlled dangerous substance.

32 (D) THE ADMINISTRATION MAY MODIFY A SUSPENSION UNDER THIS SECTION  
33 OR ISSUE A RESTRICTIVE LICENSE TO A LICENSEE WHO PARTICIPATES IN THE  
34 IGNITION INTERLOCK SYSTEM PROGRAM ESTABLISHED UNDER § 16-404.1 OF THIS  
35 TITLE IF:

36 (1) THE LICENSEE IS REQUIRED TO DRIVE A MOTOR VEHICLE IN THE  
37 COURSE OF EMPLOYMENT;

1           (2)       THE LICENSEE NEEDS THE LICENSE FOR THE PURPOSE OF  
2 ATTENDING AN ALCOHOLIC PREVENTION OR TREATMENT PROGRAM; OR

3           (3)       THE LICENSEE HAS NO ALTERNATIVE MEANS OF TRANSPORTATION  
4 AVAILABLE TO OR FROM THE LICENSEE'S PLACE OF EMPLOYMENT AND, WITHOUT  
5 THE LICENSE, THE LICENSEE'S ABILITY TO EARN A LIVING WOULD BE SEVERELY  
6 IMPAIRED.

7       [(d)]   (E)       When a suspension imposed under subsections (b) and (c) of this  
8 section expires, the Administration immediately shall return the license or reinstate  
9 the privilege of the driver, unless the license or privilege has been refused, revoked,  
10 suspended, or canceled under any other provisions of the Maryland Vehicle Law.

11       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2000.