

HOUSE BILL 32

R3

3lr0397

(PRE-FILED)

By: **Delegate Arora**

Requested: September 4, 2012

Introduced and read first time: January 9, 2013

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Drunk Driving – Transporting Minor – Ignition Interlock System Program**

3 FOR the purpose of requiring individuals who are convicted of certain alcohol-related
4 driving offenses involving transportation of a minor to successfully complete the
5 Ignition Interlock System Program; and generally relating to certain
6 alcohol-related driving offenses involving transportation of a minor and the
7 Ignition Interlock System Program.

8 BY repealing and reenacting, without amendments,
9 Article – Transportation
10 Section 16-404.1(a)(1), (4), and (5) and (d)(1)(ii) and 21-902(a)
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2012 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section 16-404.1(d)(1)(i)
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2012 Supplement)

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

20 **Article – Transportation**

21 16-404.1.

22 (a) (1) In this section the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) “Participant” means a participant in the Ignition Interlock System
2 Program.

3 (5) “Program” means the Ignition Interlock System Program.

4 (d) (1) (i) Notwithstanding subsection (c) of this section, an individual
5 shall be a participant if the individual is convicted of a violation of [§ 21–902(a)]:

6 1. § 21–902(A)(1) OR (2) of this article and had an
7 alcohol concentration at the time of testing of 0.15 or more; OR

8 2. § 21–902(A)(3) OF THIS ARTICLE.

9 (ii) If an individual is subject to this paragraph and fails to
10 participate in the Program or successfully complete the Program, the Administration
11 shall suspend, notwithstanding § 16–208 of this title, the individual’s license until the
12 individual successfully completes the Program.

13 21–902.

14 (a) (1) A person may not drive or attempt to drive any vehicle while under
15 the influence of alcohol.

16 (2) A person may not drive or attempt to drive any vehicle while the
17 person is under the influence of alcohol per se.

18 (3) A person may not violate paragraph (1) or (2) of this subsection
19 while transporting a minor.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2013.