

SENATE BILL 395

R3

5lr1200

By: **Senators Raskin, Benson, Feldman, King, Lee, Madaleno, Manno, McFadden, Nathan–Pulliam, Peters, Pinsky, Pugh, Rosapepe, Young, and Zirkin**
Introduced and read first time: February 6, 2015
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Drunk Driving Reduction Act of 2015**

3 FOR the purpose of requiring an individual who is convicted of a certain alcohol offense to
4 participate in the Ignition Interlock System Program for certain periods of time and
5 to successfully complete the Program; requiring the Administration to suspend for
6 an indefinite period, rather than revoke, the license of an individual who is convicted
7 of a certain alcohol offense and who fails to participate in or successfully complete
8 the Program; and generally relating to expanding participation in the Ignition
9 Interlock System Program.

10 BY repealing and reenacting, without amendments,
11 Article – Transportation
12 Section 16–404.1(a)(1), (4), and (5) and (d)(1)(ii) and (3)
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2014 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Transportation
17 Section 16–404.1(d)(1)(i)
18 Annotated Code of Maryland
19 (2012 Replacement Volume and 2014 Supplement)

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

22 **Article – Transportation**

23 16–404.1.

24 (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:

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

8 2. § 21–902(a)(3) or (b)(2) of this article and the minor who
9 was transported was under the age of 16 years.

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

14 (3) An individual who is subject to this subsection shall participate in the
15 Program for:

16 (i) 6 months the first time the individual is required under this
17 subsection to participate in the Program;

18 (ii) 1 year the second time the individual is required under this
19 subsection to participate in the Program; and

20 (iii) 3 years the third or any subsequent time the individual is
21 required under this subsection to participate in the Program.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2015.