

HOUSE BILL 388

R3, R4
HB 1406/24 – JUD

5lr2386

By: **Delegates Roberson and Crutchfield**
Introduced and read first time: January 16, 2025
Assigned to: Judiciary

Committee Report: Favorable
House action: Adopted
Read second time: February 18, 2025

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Drunk and Drugged Driving – Points Assessments**

3 FOR the purpose of imposing certain points assessments for certain subsequent drunk and
4 drugged driving violations; and generally relating to points assessments for drunk
5 and drugged driving violations.

6 BY adding to

7 Article – Transportation

8 Section 16–402(a)(47) and (48)

9 Annotated Code of Maryland

10 (2020 Replacement Volume and 2024 Supplement)

11 BY repealing and reenacting, without amendments,

12 Article – Transportation

13 Section 21–902(h) and (i)

14 Annotated Code of Maryland

15 (2020 Replacement Volume and 2024 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

18 **Article – Transportation**

19 16–402.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(a) After the conviction of an individual for a violation of Title 2, Subtitle 5, § 2–209, § 3–211, or § 10–110 of the Criminal Law Article, or of the vehicle laws or regulations of this State or of any local authority, points shall be assessed against the individual as of the date of violation and as follows:

(47) A VIOLATION OF § 21–902(H) OF THIS ARTICLE.....12 POINTS

(48) A VIOLATION OF § 21–902(I) OF THIS ARTICLE.....12 POINTS

21–902.

(h) (1) A person may not violate subsection (a), (b), (c), or (d) of this section if the person previously has been convicted of two violations of any provision of subsection (a), (b), (c), or (d) of this section or § 8–738 of the Natural Resources Article.

(2) For purposes of this subsection, a conviction for a crime under the laws of the United States that would be a crime included in paragraph (1) of this subsection if committed in this State shall be considered a prior conviction under this subsection.

(3) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both.

(i) (1) A person may not violate subsection (a), (b), (c), or (d) of this section if the person previously has been convicted of:

(i) Three or more violations of any provision of subsection (a), (b), (c), or (d) of this section or § 8–738 of the Natural Resources Article; or

(ii) A violation of § 2–209, § 2–503, § 2–504, § 2–505, § 2–506, or § 3–211 of the Criminal Law Article.

(2) For purposes of this subsection, a conviction for a crime under the laws of the United States that would be a crime included in paragraph (1) of this subsection if committed in this State shall be considered a prior conviction under this subsection.

(3) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$10,000 or both.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2025.