

# SENATE BILL 38

R5

(PRE-FILED)

6lr0147  
CF HB 286

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By: **Chair, Judicial Proceedings Committee (By Request – Departmental –  
Transportation)**

Requested: September 26, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Ignition Interlock System Program – Required Participation**

3 FOR the purpose of requiring an individual to be a participant in the Ignition Interlock  
4 System Program as a condition of modification of a suspension or revocation of a  
5 license or issuance of a restricted license if the individual violated certain alcohol  
6 restrictions; and generally relating to required participation in the Ignition Interlock  
7 System Program.

8 BY repealing and reenacting, without amendments,  
9 Article – Transportation  
10 Section 16–404.1(a) through (c)  
11 Annotated Code of Maryland  
12 (2020 Replacement Volume and 2025 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – Transportation  
15 Section 16–404.1(d)(2)  
16 Annotated Code of Maryland  
17 (2020 Replacement Volume and 2025 Supplement)

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

### Article – Transportation

20 16–404.1.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) "Approved service provider" means a person who is certified by:

2 (i) The Administration to service, install, monitor, calibrate, and  
3 provide information on ignition interlock systems; and

4 (ii) A manufacturer to be qualified to service, install, monitor,  
5 calibrate, and provide information on ignition interlock systems.

6 (3) "Manufacturer" means a person who manufactures ignition interlock  
7 systems and who certifies that approved service providers are qualified to service, install,  
8 monitor, calibrate, and provide information on ignition interlock systems.

9 (4) "Participant" means a participant in the Ignition Interlock System  
10 Program.

11 (5) "Program" means the Ignition Interlock System Program.

12 (b) (1) The Administration shall establish an Ignition Interlock System  
13 Program in accordance with this section.

14 (2) The Administration shall establish a protocol for the Program by  
15 regulations that require certain minimum standards for all service providers who service,  
16 install, monitor, calibrate, and provide information on ignition interlock systems and  
17 include requirements that:

18 (i) A service provider who applies to the Administration for  
19 certification as an approved service provider shall demonstrate that the service provider is  
20 able to competently service, install, monitor, calibrate, and provide information to the  
21 Administration at least every 30 days on individuals required to use ignition interlock  
22 systems;

23 (ii) A service provider who applies to the Administration for  
24 certification as an approved service provider shall be certified by a signed affidavit from  
25 the manufacturer that the service provider has been trained by an authorized  
26 manufacturer and that the service provider is competent to service, install, monitor,  
27 calibrate, and provide information on ignition interlock systems;

28 (iii) Approved service providers be deemed to be authorized  
29 representatives of a manufacturer; and

30 (iv) Any service of notice upon an approved service provider, who has  
31 violated any laws or regulations or whose ignition interlock system has violated any laws  
32 or regulations, be deemed as service upon the manufacturer who certified the approved  
33 service provider.

34 (c) An individual may be a participant if:

1           (1)     The individual's license is suspended or revoked under § 16–205 of this  
2 title for a violation of § 21–902(c) of this article or § 16–404 of this subtitle for an  
3 accumulation of points under § 16–402(a)(29) of this subtitle for driving while impaired by  
4 a drug, a combination of drugs, or a combination of one or more drugs and alcohol;

5           (2)     The individual's license has an alcohol restriction imposed under §  
6 16–113(g)(1) of this title; or

7           (3)     The Administration modifies a suspension or issues a restricted license  
8 to the individual under § 16–205.1 of this title.

9           (d)     (2)     (i)     Notwithstanding subsection (c) of this section, an individual  
10 shall be a participant as a condition of modification of a suspension or revocation of a license  
11 or issuance of a restricted license if the individual:

12                                 1.     Is required to be a participant by a court order under §  
13 21–902.2 of this article; [or]

14                                 2.     Was under the age of 21 years on the date of a violation by  
15 the individual of[.] **§ 21–902(C) OF THIS ARTICLE; OR**

16   **[A.] 3.     [An] VIOLATED AN** alcohol restriction imposed  
17 under [§ 16–113(b)(1) of] this title[; or

18   **B.     § 21–902(c) of this article].**

19                                 (ii)     If an individual is subject to this paragraph and the individual  
20 fails to participate in the Program or does not successfully complete the Program, the  
21 Administration shall suspend the individual's license for 1 year.

22                                 (iii)     Nothing contained in this paragraph limits the authority of the  
23 Administration to modify a suspension imposed under this paragraph to allow an  
24 individual to be a participant in accordance with subsection (e) or (o) of this section.

25                                 (iv)     The Administration shall issue a restricted license to an  
26 individual who is required to participate in the Program under this section and who is  
27 otherwise eligible.

28           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 October 1, 2026.