

# 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:

20 **Article – Transportation**

21 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.



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

(i) The Administration to service, install, monitor, calibrate, and maintain ignition interlock systems; and

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

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

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

(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.

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;

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

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

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

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

18 B. § 21–902(c) of this article].

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.