

February 5, 2025

The Honorable Luke Clippinger
Chair, Judiciary Committee
100 Taylor House Office Building
Annapolis, MD 21401

RE: Letter of Support – House Bill 388 – Vehicle Laws - Drunk and Drugged Driving - Points Assessments

Dear Chair Clippinger and Committee Members:

The Maryland Department of Transportation (MDOT) supports House Bill 388 as it provides appropriate administrative action against license holders convicted of certain enhanced penalties related to impaired driving.

HB 388 would require that 12 points be assessed against the driving record of an individual convicted of a violation of Transportation Article § 21-902(h) or 21-902(i).¹ Currently, no points are assigned for a conviction under Transportation Article § 21-902(h) or 21-902(i); as such, if an offender is convicted of only those charges, the Maryland Motor Vehicle Administration (MVA) is unable to take administrative action against the offender's license for that conviction. The MVA discovered this issue in 2023 and worked with the State's Attorney's Association to issue a memorandum to the District Court and the State's Attorneys to advise that the offenses under Transportation Article § 21-902(h) or 21-902(i) are enhanced penalties only, and that they should take action on the underlying impaired driving offense as well.

HB 388 ensures that if an offender is only convicted of the (h) or (i) offense, without the underlying impaired driving offense, MVA will be able to take administrative action against the license of the offender. The MVA will propose revocation of the offender's license through the assignment of 12 points to the offender's record.

For these reasons, the Maryland Department of Transportation respectfully requests that the Committee grant House Bill 388 a favorable report.

Respectfully submitted,

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¹ These two provisions of law were added in 2019 to provide enhanced penalties for offenders who have received at least three driving impaired convictions.