

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 1211

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “increasing the period of time required before which an individual may file an application with the Motor Vehicle Administration for the reinstatement of a driver’s license or privilege revoked a certain number of times;”; in the same line, strike “Motor Vehicle”; and in line 6, after “drive;” insert “altering certain requirements that the Administration investigate the habits and driving ability of certain persons under certain circumstances; clarifying language; defining a certain term;”.

AMENDMENT NO. 2

On page 1, in line 20, after “(2)” insert “(I)”; in line 23, strike “On” and substitute:

“(II) EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS SUBSECTION, ON”;

in line 24, strike “, but not before”; in line 26, strike “not before”; and in line 28, after “(3)” insert “(I)”.

On page 2, in line 1, strike “On” and substitute:

“(II) EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS SUBSECTION, ON”;

in line 3, after “(4)” insert “(I)”; in the same line, strike “or subsequent”; and in line 7, strike “On” and substitute:

“(II) EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS SUBSECTION, ON”.

(Over)

AMENDMENT NO. 3

On page 2, after line 8, insert:

“(5) (I) IF IT IS THE INDIVIDUAL’S FOURTH OR SUBSEQUENT REVOCATION, THE INDIVIDUAL MAY FILE A REINSTATEMENT APPLICATION AT ANY TIME AFTER 2 YEARS FROM THE DAY THE REVOKED LICENSE IS SURRENDERED TO AND RECEIVED BY THE ADMINISTRATION OR, IN THE CASE OF AN INDIVIDUAL WHO DOES NOT HAVE A LICENSE ISSUED UNDER THIS TITLE, AFTER 2 YEARS FROM THE EFFECTIVE DATE OF REVOCATION.

(II) EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS SUBSECTION, ON RECEIPT OF THE APPLICATION, THE ADMINISTRATION MAY REINSTATE THE LICENSE OR PRIVILEGE.

(6) (I) THE ADMINISTRATION MAY NOT REINSTATE A LICENSE OR PRIVILEGE TO DRIVE UNDER THIS SUBSECTION IF THE LICENSE OR PRIVILEGE HAS BEEN REFUSED, REVOKED, SUSPENDED, OR CANCELED UNDER ANY OTHER PROVISION OF THE MARYLAND VEHICLE LAW.

(II) 1. IN THIS SUBPARAGRAPH, “ALCOHOL-RELATED OR DRUG-RELATED DRIVING INCIDENT” MEANS A:

A. CONVICTION OR PROBATION BEFORE JUDGMENT FOR A VIOLATION OF § 21-902(A), (B), (C), OR (D) OF THIS ARTICLE OR A SUBSTANTIALLY SIMILAR LAW OF ANOTHER JURISDICTION;

B. REFUSAL TO SUBMIT TO A TEST UNDER § 16-205.1 OF THIS TITLE OR A SUBSTANTIALLY SIMILAR LAW OF ANOTHER JURISDICTION; OR

C. TEST RESULT THAT INDICATES AN ALCOHOL CONCENTRATION OF 0.10 OR MORE AT THE TIME OF TESTING UNDER § 16-205.1 OF THIS TITLE OR A SUBSTANTIALLY SIMILAR LAW OF ANOTHER JURISDICTION.

2. ALCOHOL-RELATED OR DRUG-RELATED DRIVING INCIDENTS COMMITTED AT THE SAME TIME OR ARISING OUT OF THE SAME CIRCUMSTANCES MAY NOT BE CONSIDERED SEPARATE ALCOHOL-RELATED OR DRUG-RELATED DRIVING INCIDENTS FOR THE PURPOSE OF THIS SUBPARAGRAPH.

3. NOTWITHSTANDING PARAGRAPHS (1) THROUGH (5) OF THIS SUBSECTION, THE ADMINISTRATION MAY REINSTATE A LICENSE OR PRIVILEGE TO DRIVE ONLY IF, AFTER AN INVESTIGATION OF AN INDIVIDUAL'S HABITS AND DRIVING ABILITY, THE ADMINISTRATION IS SATISFIED IT WILL BE SAFE TO REINSTATE THE LICENSE OR PRIVILEGE OF AN INDIVIDUAL WHO HAS BEEN:

A. INVOLVED IN ANY COMBINATION OF THREE OR MORE SEPARATE ALCOHOL-RELATED OR DRUG-RELATED DRIVING INCIDENTS;

B. INVOLVED IN A VEHICULAR ACCIDENT RESULTING IN THE DEATH OF ANOTHER PERSON; OR

C. CONVICTED OF A VIOLATION FOR FAILING TO STOP AFTER A VEHICULAR ACCIDENT RESULTING IN BODILY INJURY OR DEATH.”.

AMENDMENT NO. 4

On page 2, in line 9, strike “(5)” and substitute “(7)”; and strike beginning with “In” in line 9 down through “highways.” in line 12.