

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 37

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Minors “ and substitute “Persons Under Age 21”; in line 4, after “beverage” insert “except under a certain circumstance”; in line 7, after “law;” insert “expanding a certain definition; authorizing a court to order the Motor Vehicle Administration to suspend, for a certain period, the driving privilege of a child who violates this Act; requiring a police officer to issue a citation to a child that the officer has probable cause to believe is violating this Act;”; in line 9, strike “minors” and substitute “persons under a certain age”; and after line 19, insert:

“BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 3-801(u) and 3-835(a)

Annotated Code of Maryland

(1995 Replacement Volume and 1995 Supplement)

BY repealing and reenacting, without amendments,

Article - Courts and Judicial Proceedings

Section 3-820(d)(1) and (2)

Annotated Code of Maryland

(1995 Replacement Volume and 1995 Supplement)”.

AMENDMENT NO. 2

On page 1, in line 25, after “BEVERAGE” insert “UNLESS THE PERSON IS A BONA FIDE EMPLOYEE OF A LICENSE HOLDER, AS DEFINED IN ARTICLE 2B OF THE CODE, AND PURCHASES OR ATTEMPTS TO PURCHASE THE ALCOHOLIC BEVERAGES WITHIN THE SCOPE OF THE PERSON’S EMPLOYMENT”.

(Over)

AMENDMENT NO. 3

On page 2, after line 31, insert:

“Courts and Judicial Proceedings

3-801.

(u) “Violation” means a violation of § 400, § 400A, § 400B, § 401, or § 405A of Article 27 of the Code and § 26-103 of the Education Article for which a citation is issued.

3-820.

(d) (1) (i) Subject to the provisions of item (iii) of this paragraph, in making a disposition on a finding that the child has committed the violation specified in a citation, the court may order the Motor Vehicle Administration to initiate an action, under the motor vehicle laws, to suspend the driving privilege of a child licensed to operate a motor vehicle by the Motor Vehicle Administration for a specified period of not less than 30 days nor more than 90 days.

(ii) In this paragraph “driver's license” means a license or permit to drive a motor vehicle that is issued under the laws of this State or any other jurisdiction.

(iii) In making a disposition on a finding that the child has committed a violation under Article 27, § 400 of the Code specified in a citation that involved the use of a driver's license or a document purporting to be a driver's license, the court may order the Motor Vehicle Administration to initiate an action under the Maryland Vehicle Law to suspend the driving privilege of a child licensed to operate a motor vehicle by the Motor Vehicle Administration:

1. For a first offense, for 6 months; and

2. For a second or subsequent offense, until the child is 21 years old.

(iv) If a child subject to a suspension under this subsection does not hold a license to operate a motor vehicle on the date of the disposition, the suspension shall commence on the date that the license is issued, or after the child applies and becomes qualified to receive a

license, or on the child's eighteenth birthday, whichever occurs first.

(2) In addition to the dispositions under paragraph (1) of this subsection, the court also may:

(i) Counsel the child or the parent or both, or order the child to participate in an alcohol education or rehabilitation program that is in the best interest of the child;

(ii) Impose a civil fine of not more than \$25 for the first violation and a civil fine of not more than \$100 for the second and subsequent violations; or

(iii) Order the child to participate in a supervised work program for not more than 20 hours for the first violation and not more than 40 hours for the second and subsequent violations.

3-835.

(a) A law enforcement officer authorized to make arrests shall issue a citation to a child if the officer has probable cause to believe that the child is violating:

(1) Article 27, § 400, § 400A, § 400B, § 401, or § 405A of the Code; or

(2) § 26-103 of the Education Article.”.

(Over)