
By: Delegate Turner

Introduced and read first time: January 19, 1996

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: March 18, 1996

CHAPTER _____

1 AN ACT concerning

2 **Juvenile Law - Drivers' Licenses - ~~Alcoholic Beverages Violations~~ Drinking or Possessing**
3 **Intoxicating Beverages on School Premises**

4 FOR the purpose of altering a certain provision of law so as to require the juvenile court
5 to order the Motor Vehicle Administration to initiate an action to suspend, for
6 certain periods, the driver's license of a child in making a disposition on a finding
7 that the child has committed ~~a certain alcoholic beverages Code violations~~ violation;
8 altering the commencement date for certain suspensions; making a technical
9 change; and generally relating to the suspension of a driver's license of a child on a
10 finding that the child has committed ~~a certain alcoholic beverages Code violations~~
11 violation.

12 BY repealing and reenacting, with amendments,
13 Article - Courts and Judicial Proceedings
14 Section 3-820(d)
15 Annotated Code of Maryland
16 (1995 Replacement Volume and 1995 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article - Transportation
19 Section 16-206(b)(1)
20 Annotated Code of Maryland
21 (1992 Replacement Volume and 1995 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article - Transportation
24 Section 16-206(b)(2)

2

1 Annotated Code of Maryland
2 (1992 Replacement Volume and 1995 Supplement)

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

5 **Article - Courts and Judicial Proceedings**

6 3-820.

7 (d) (1) (i) Subject to the provisions of [item] ~~SUBPARAGRAPH (iii)~~
8 SUBPARAGRAPHS (III) AND (IV) of this paragraph, in making a disposition on a finding
9 that the child has committed the violation specified in a citation, the court ~~may~~ SHALL
10 order the Motor Vehicle Administration to initiate an action, under the motor vehicle
11 laws, to suspend the driving privilege of a child licensed to operate a motor vehicle by the
12 Motor Vehicle Administration for a specified period of not less than 30 days nor more
13 than 90 days.

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

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

- 22 1. For a first offense, for 6 months; and
23 2. For a second or subsequent offense, until the child is 21 years
24 old.

25 (IV) IN MAKING A DISPOSITION ON A FINDING THAT THE CHILD
26 HAS COMMITTED A VIOLATION UNDER § 26-103 OF THE EDUCATION ARTICLE, THE
27 COURT SHALL ORDER THE MOTOR VEHICLE ADMINISTRATION TO INITIATE AN
28 ACTION, UNDER THE MOTOR VEHICLE LAWS, TO SUSPEND THE DRIVING PRIVILEGE
29 OF A CHILD LICENSED TO OPERATE A MOTOR VEHICLE BY THE MOTOR VEHICLE
30 ADMINISTRATION FOR A SPECIFIED PERIOD OF NOT LESS THAN 30 DAYS NOR MORE
31 THAN 90 DAYS.

32 ~~(iv)~~ (V) If a child subject to a suspension under this subsection does
33 not hold a license to operate a motor vehicle on the date of the disposition, the
34 suspension shall commence ~~on the date that the license is issued, or after the child applies~~
35 ~~and becomes qualified to receive a license, or on the child's eighteenth birthday,~~
36 ~~whichever occurs first;~~

37 1. IF THE CHILD IS AT LEAST 16 YEARS OF AGE ON THE DATE
38 OF THE DISPOSITION, ON THE DATE OF THE DISPOSITION; OR

39 2. IF THE CHILD IS YOUNGER THAN 16 YEARS OF AGE ON
40 THE DATE OF THE DISPOSITION, ON THE DATE THE CHILD REACHES THE CHILD'S
41 16TH BIRTHDAY.

3

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

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

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

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

11 (3) (i) The provisions of paragraphs (1) and (2) of this subsection do not
12 apply to a child found to have committed a violation under Article 27, § 405A of the
13 Code.

14 (ii) In making a disposition on a finding that the child has committed a
15 violation under Article 27, § 405A of the Code, the court may:

16 1. Counsel the child or the parent or both, or order the child to
17 participate in a smoking cessation clinic, or other suitable presentation of the hazards
18 associated with tobacco use that is in the best interest of the child;

19 2. Impose a civil fine of not more than \$25 for the first violation
20 and a civil fine of not more than \$100 for a second or subsequent violation; or

21 3. Order the child to participate in a supervised work program
22 for not more than 20 hours for the first violation and not more than 40 hours for a second
23 or subsequent violation.

24 **Article - Transportation**

25 16-206.

26 (b) (1) Pursuant to a court order under § 3-820(d) of the Courts Article, the
27 Administration shall initiate an action to suspend the driving privileges of a child for the
28 time specified by the court.

29 (2) If a child subject to a suspension under § 3-820(d) of the Courts Article
30 does not hold a license to operate a motor vehicle on the date of the court order, the
31 suspension shall commence [on the date that the license is issued, or after the child
32 applies and becomes qualified to receive a license, or on the child's eighteenth birthday,
33 whichever occurs first];

34 (I) IF THE CHILD IS AT LEAST 16 YEARS OF AGE ON THE DATE OF
35 THE DISPOSITION, ON THE DATE OF THE DISPOSITION; OR

36 (II) IF THE CHILD IS YOUNGER THAN 16 YEARS OF AGE ON THE
37 DATE OF THE DISPOSITION, ON THE DATE THE CHILD REACHES THE CHILD'S 16TH
38 BIRTHDAY.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1996.