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**By: Delegate Dypski**

Introduced and read first time: February 7, 1996

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Failure to Attend Point System Conference - Penalties**

3 FOR the purpose of authorizing the Motor Vehicle Administration to require an  
4 individual who fails to attend a point system conference to attend driver  
5 improvement program or alcohol education program.

6 BY repealing and reenacting, with amendments,  
7 Article - Transportation  
8 Section 16-212  
9 Annotated Code of Maryland  
10 (1992 Replacement Volume and 1995 Supplement)

11 BY repealing and reenacting, without amendments,  
12 Article - Transportation  
13 Section 16-404(a)  
14 Annotated Code of Maryland  
15 (1992 Replacement Volume and 1995 Supplement)

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

18 **Article - Transportation**

19 16-212.

20 (a) The Administration may conduct:

21 (1) A driver improvement program; and

22 (2) An alcohol education program.

23 (b) (1) The purpose of the programs authorized under this section isto provide  
24 driver rehabilitation; and

25 (2) The Administration shall determine the content of the programs.

26 (c) If an individual is convicted of 1 or more moving violations:

1 (1) After a conference or a hearing as provided in Title 12, Subtitle 2 of this  
2 article, [or] as a condition of reinstatement of a driver's license, OR IF AN INDIVIDUAL  
3 FAILS TO ATTEND A CONFERENCE AS REQUIRED BY § 16-404(A)(2) OF THIS TITLE, the  
4 Administration may require an individual to attend a driver improvement program or  
5 alcohol education program; or

6 (2) A court may require an individual to attend a driver improvement  
7 program or alcohol education program.

8 (d) In carrying out an order of the court, a probation officer or health department  
9 officer may assign an individual to attend a driver improvement program or alcohol  
10 education program.

11 (e) (1) An individual who attends a program under this section shall pay, in  
12 advance, a fee as provided in this subsection.

13 (2) The Administration shall set a reasonable fee based on the costs of  
14 operating the programs authorized by this section.

15 (3) The funds collected by the Administration under this subsection may not  
16 be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under  
17 § 8-403 or § 8-404 of this article.

18 (f) (1) The Administration may waive attendance at an alcohol education  
19 program conducted by the Administration if an individual attends a private alcohol  
20 education program or an alcohol education program provided by a political subdivision of  
21 the State that is approved by the Alcohol and Drug Abuse Administration and the  
22 Administration.

23 (2) The Administration may waive attendance at a driver improvement  
24 program conducted by the Administration if an individual attends a private driver  
25 improvement program or a driver improvement program provided by a political  
26 subdivision of the State that is approved by the Administration.

27 (3) The Administration shall establish criteria for approving private  
28 providers of alcohol education or driver improvement programs and alcohol education or  
29 driver improvement programs provided by a political subdivision of the State.

30 16-404.

31 (a) The Administration shall take the following actions for points accumulated  
32 within any 2-year period:

33 (1) Send a warning letter to each individual who accumulates 3 points;

34 (2) Call in for a conference each individual who accumulates 5 points,  
35 except that a Class A, B, or C licensee who submits evidence acceptable to the  
36 Administration that he is a professional driver may not be called in until he accumulates  
37 8 points; and

38 (3) Except as provided in § 16-405 of this subtitle:

39 (i) Suspend the license of each individual who accumulates 8 points;  
40 and

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1 (ii) Revoke the license of each individual who accumulates 12 points.

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