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R4  
HB 429/95 - CGM

1996 Regular Session  
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**By:** ~~Delegate Dypski~~ Delegates Dypski and Mandel  
Introduced and read first time: February 7, 1996  
Assigned to: Judiciary  
Reassigned: Commerce and Government Matters, February 8, 1996

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 18, 1996

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CHAPTER \_\_\_\_

1 AN ACT concerning

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

3 FOR the purpose of authorizing the Motor Vehicle Administration (MVA) to require an  
4 individual who fails to attend a point system conference to attend a driver  
5 improvement program or alcohol education program; providing that the MVA shall  
6 require certain individuals to attend a conference based on the accumulation of a  
7 certain number of points in a certain period; requiring the MVA to establish criteria  
8 for approving private providers of point system conferences; authorizing the MVA  
9 to establish certain fees; authorizing the MVA to waive attendance at a MVA  
10 administered conference based on attendance at a conference provided by a private  
11 provider; and generally relating to driver rehabilitation and point system  
12 conferences.

13 BY repealing and reenacting, with amendments,  
14 Article - Transportation  
15 Section 16-212 and 16-404(a)  
16 Annotated Code of Maryland  
17 (1992 Replacement Volume and 1995 Supplement)

18 ~~BY repealing and reenacting, without amendments,~~  
19 ~~Article - Transportation~~  
20 ~~Section 16-404(a)~~  
21 ~~Annotated Code of Maryland~~  
22 ~~(1992 Replacement Volume and 1995 Supplement)~~

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

2

1           **Article - Transportation**

2 16-212.

3           (a) The Administration may conduct:

4                   (1) A driver improvement program; ~~and~~

5                   (2) An alcohol education program; AND

6                   (3) POINT SYSTEM CONFERENCES.

7           (b) (1) The purpose of the programs AND CONFERENCES authorized under  
8 this section is to provide driver rehabilitation; ~~and~~.

9                   (2) The Administration shall determine the content of the programs AND  
10 CONFERENCES.

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

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

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

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

22           (e) (1) An individual who attends a program OR CONFERENCE under this  
23 section shall pay, in advance, a fee as provided in this subsection.

24                   (2) The Administration shall set a reasonable fee based on the costs of  
25 operating the programs AND CONFERENCES authorized by this section.

26                   (3) The funds collected by the Administration under this subsection may not  
27 be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under  
28 § 8-403 or § 8-404 of this article.

29           (f) (1) The Administration may waive attendance at an alcohol education  
30 program conducted by the Administration if an individual attends a private alcohol  
31 education program or an alcohol education program provided by a political subdivision of  
32 the State that is approved by the Alcohol and Drug Abuse Administration and the  
33 Administration.

34                   (2) The Administration may waive attendance at a driver improvement  
35 program conducted by the Administration if an individual attends a private driver  
36 improvement program or a driver improvement program provided by a political  
37 subdivision of the State that is approved by the Administration.

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1                   (3) THE ADMINISTRATION MAY WAIVE ATTENDANCE AT A POINT  
2 SYSTEM CONFERENCE CONDUCTED BY THE ADMINISTRATION IF AN INDIVIDUAL  
3 ATTENDS A POINT SYSTEM CONFERENCE CONDUCTED BY A PRIVATE PROVIDER  
4 THAT IS APPROVED BY THE ADMINISTRATION.

5                   ~~(3)~~ (4) The Administration shall establish criteria for approving private  
6 providers of POINT SYSTEM CONFERENCES AND alcohol education or driver  
7 improvement programs and alcohol education or driver improvement programs provided  
8 by a political subdivision of the State.

9                   (5) UPON APPLICATION FOR APPROVAL TO PROVIDE THE PROGRAMS  
10 AND CONFERENCES ALLOWED UNDER THIS SECTION, A PRIVATE PROVIDER SHALL  
11 PAY AN ANNUAL FEE ESTABLISHED BY THE ADMINISTRATION.

12 16-404.

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

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

16                   (2) ~~Call in for~~ REQUIRE ATTENDANCE AT a conference BY each individual  
17 who accumulates 5 points, except that a Class A, B, or C licensee who submits evidence  
18 acceptable to the Administration that he is a professional driver may not be called in until  
19 he accumulates 8 points; and

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

21                   (i) Suspend the license of each individual who accumulates 8 points;  
22 and

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

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