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**By: Delegate Vallario**

Introduced and read first time: February 12, 1996  
Assigned to: Commerce and Government Matters  
Reassigned: Judiciary, February 15, 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 - Reinstatement of Driver's License or Privilege**

3 FOR the purpose of increasing the period of time required before which an individual  
4 may file an application with the Motor Vehicle Administration for the  
5 reinstatement of a driver's license or privilege revoked a certain number of times;  
6 eliminating a requirement that the ~~Motor Vehicle~~ Administration investigate the  
7 character of a person whose driver's license or privilege to drive in the State has  
8 been revoked before the Administration may reinstate the person's license or  
9 privilege to drive; altering certain requirements that the Administration investigate  
10 the habits and driving ability of certain persons under certain circumstances;  
11 clarifying language; defining a certain term; making stylistic changes; and generally  
12 relating to the vehicle laws and reinstatement of revoked licenses and privileges.

13 BY repealing and reenacting, with amendments,  
14 Article - Transportation  
15 Section 16-208(b)  
16 Annotated Code of Maryland  
17 (1992 Replacement Volume and 1995 Supplement)

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

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1 **Article - Transportation**

2 16-208.

3 (b) (1) Any individual whose license or privilege to drive has been revoked may  
4 apply for reinstatement of [his] THE INDIVIDUAL'S license or privilege as provided in  
5 this subsection.

6 (2) ~~(I)~~ If it is [his] THE INDIVIDUAL'S first revocation, the individual  
7 may file a reinstatement application at any time after the day the revoked license is  
8 surrendered to and received by the Administration or, in the case of an individual who  
9 does not have a license issued under this title, after the effective date of the revocation.  
10 ~~On~~

11 (II) EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS SUBSECTION,  
12 ON receipt of the application, the Administration may reinstate the license or privilege,  
13 ~~but not before~~ 6 months after the revoked license is received by the Administration or, in  
14 the case of an individual who does not have a license issued under this title, ~~not before~~ 6  
15 months after the effective date of revocation.

16 (3) ~~(I)~~ If it is [his] THE INDIVIDUAL'S second revocation, the individual  
17 may file a reinstatement application at any time after 1 year from the day the revoked  
18 license is surrendered to and received by the Administration or, in the case of an  
19 individual who does not have a license issued under this title, after 1 year from the  
20 effective date of revocation. ~~On~~

21 (II) EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS SUBSECTION,  
22 ON receipt of the application, the Administration may reinstate the license or privilege.

23 (4) ~~(I)~~ If it is [his] THE INDIVIDUAL'S third ~~or subsequent~~ revocation,  
24 the individual may file a reinstatement application at any time after 18 months from the  
25 day the revoked license is surrendered to and received by the Administration or, in the  
26 case of an individual who does not have a license issued under this title, after 18 months  
27 from the effective date of revocation. ~~On~~

28 (II) EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS SUBSECTION,  
29 ON receipt of the application, the Administration may reinstate the license or privilege.

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

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

39 (6) (I) THE ADMINISTRATION MAY NOT REINSTATE A LICENSE OR  
40 PRIVILEGE TO DRIVE UNDER THIS SUBSECTION IF THE LICENSE OR PRIVILEGE HAS

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1 BEEN REFUSED, REVOKED, SUSPENDED, OR CANCELED UNDER ANY OTHER  
2 PROVISION OF THE MARYLAND VEHICLE LAW.

3 (II) 1. IN THIS SUBPARAGRAPH, "ALCOHOL-RELATED OR  
4 DRUG-RELATED DRIVING INCIDENT" MEANS A:

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

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

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

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

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

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

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

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

28 ~~(5) (7) In any event, the Administration may reinstate a license or~~  
29 ~~privilege to drive only if, after investigation of the [character,] habits[, ] and driving~~  
30 ~~ability of the individual, the Administration is satisfied that it will be safe to grant [him]~~  
31 ~~THE INDIVIDUAL the privilege of driving a motor vehicle on the highways. Except as~~  
32 otherwise provided in this title, before issuing a new license, the Administration shall  
33 require the applicant to submit to the examinations that it considers appropriate.

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

