
By: Delegate Turner

Requested: June 25, 1996

Introduced and read first time: January 8, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Juveniles - Suspension of Driver's License for Alcoholic Beverages Violations**

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

10 BY repealing and reenacting, with amendments,
11 Article - Courts and Judicial Proceedings
12 Section 3-820(d)
13 Annotated Code of Maryland
14 (1995 Replacement Volume and 1996 Supplement)

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

17 **Article - Courts and Judicial Proceedings**

18 3-820.

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

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

27 (iii) In making a disposition on a finding that the child has committed a
28 violation under Article 27, § 400 of the Code specified in a citation that involved the use
29 of a driver's license or a document purporting to be a driver's license, the court [may]
30 SHALL order the Motor Vehicle Administration to initiate an action under the Maryland

2

1 Vehicle Law to suspend the driving privilege of a child licensed to operate a motor vehicle
2 by the Motor Vehicle Administration:

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

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

6 (iv) In making a disposition on a finding that the child has committed a
7 violation under § 26-103 of the Education Article, the court shall order the Motor
8 Vehicle Administration to initiate an action, under the motor vehicle laws, to suspend the
9 driving privilege of a child licensed to operate a motor vehicle by the Motor Vehicle
10 Administration for a specified period of not less than 30 days nor more than 90 days.

11 (v) If a child subject to a suspension under this subsection does not
12 hold a license to operate a motor vehicle on the date of the disposition, the suspension
13 shall commence:

14 1. If the child is at least 16 years of age on the date of the
15 disposition, on the date of the disposition; or

16 2. If the child is younger than 16 years of age on the date of the
17 disposition, on the date the child reaches the child's 16th birthday.

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

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

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

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

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

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

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

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

