
By: Delegates Vallario and Pitkin

Introduced and read first time: January 24, 1997

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Reinstatement of Driver's License or Privilege to Drive**

3 FOR the purpose of providing for the automatic reinstatement of a driver's license or
4 privilege to drive that has been revoked under certain circumstances; eliminating
5 the requirement of an application for reinstatement of a revoked driver's license or
6 privilege to drive; and generally relating to reinstatement of revoked drivers'
7 licenses and privileges to drive.

8 BY repealing and reenacting, with amendments,
9 Article - Transportation
10 Section 16-208(b)
11 Annotated Code of Maryland
12 (1992 Replacement Volume and 1996 Supplement)

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

15 **Article - Transportation**

16 16-208.

17 (b) (1) Any individual whose license or privilege to drive has been revoked
18 [may apply for] IS ELIGIBLE FOR reinstatement of the individual's license or privilege as
19 provided in this subsection.

20 (2) (i) If it is the individual's first revocation, the individual may file a
21 reinstatement application at any time after the day the revoked license is surrendered to
22 and received by the Administration or, in the case of an individual who does not have a
23 license issued under this title, after the effective date of the revocation.

24 (ii) Except as provided in paragraph (6) of this subsection, [on receipt
25 of the application,] IF IT IS THE INDIVIDUAL'S FIRST REVOCATION, the Administration
26 [may] SHALL reinstate the license or privilege 6 months after the revoked license is
27 received by the Administration or, in the case of an individual who does not have a license
28 issued under this title, 6 months [after] FROM the effective date of revocation.

29 (3) (i) IF EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS
30 SUBSECTION, IF it is the individual's second revocation, the [individual may file a

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1 reinstatement application at any time after] ADMINISTRATION SHALL REINSTATE THE
 2 LICENSE OR PRIVILEGE 1 year from the day the revoked license is surrendered to and
 3 received by the Administration or, in the case of an individual who does not have a license
 4 issued under this title, [after] 1 year from the effective date of revocation.

5 [(ii) Except as provided in paragraph (6) of this subsection, on receipt
 6 of the application, the Administration may reinstate the license or privilege.]

7 (4) [(i) If] EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS
 8 SUBSECTION, IF it is the individual's third revocation, the [individual may file a
 9 reinstatement application at any time after] ADMINISTRATION SHALL REINSTATE THE
 10 LICENSE OR PRIVILEGE 18 months from the day the revoked license is surrendered to
 11 and received by the Administration or, in the case of an individual who does not have a
 12 license issued under this title, [after] 18 months from the effective date of revocation.

13 [(ii) Except as provided in paragraph (6) of this subsection, on receipt
 14 of the application, the Administration may reinstate the license or privilege.]

15 (5) [(i) If] EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS
 16 SUBSECTION, IF it is the individual's fourth or subsequent revocation, the [individual
 17 may file a reinstatement application at any time after] ADMINISTRATION SHALL
 18 REINSTATE THE LICENSE OR PRIVILEGE 2 years from the day the revoked license is
 19 surrendered to and received by the Administration or, in the case of an individual who
 20 does not have a license issued under this title, [after] 2 years from the effective date of
 21 revocation.

22 [(ii) Except as provided in paragraph (6) of this subsection, on receipt
 23 of the application, the Administration may reinstate the license or privilege.]

24 (6) (i) The Administration may not reinstate a license or privilege to
 25 drive under this subsection if the license or privilege has been refused, revoked,
 26 suspended, or canceled under any other provision of the Maryland Vehicle Law.

27 (ii) 1. In this subparagraph, "alcohol-related or drug-related
 28 driving incident" means a:

29 A. Conviction or probation before judgment for a violation of §
 30 21-902(a), (b), (c), or (d) of this article or a substantially similar law of another
 31 jurisdiction;

32 B. Refusal to submit to a test under § 16-205.1 of this title or a
 33 substantially similar law of another jurisdiction; or

34 C. Test result that indicates an alcohol concentration of 0.10 or
 35 more at the time of testing under § 16-205.1 of this title or a substantially similar law of
 36 another jurisdiction.

37 2. Alcohol-related or drug-related driving incidents committed
 38 at the same time or arising out of the same circumstances may not be considered separate
 39 alcohol-related or drug-related driving incidents for the purpose of this subparagraph.

40 3. Notwithstanding paragraphs (1) through (5) of this
 41 subsection, the Administration may reinstate a license or privilege to drive only if, after

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1 an investigation of an individual's habits and driving ability, the Administration is
2 satisfied it will be safe to reinstate the license or privilege of an individual who has been:

3 A. Involved in any combination of three or more separate
4 alcohol-related or drug-related driving incidents;

5 B. Involved in a vehicular accident resulting in the death of
6 another person; or

7 C. Convicted of a violation for failing to stop after a vehicular
8 accident resulting in bodily injury or death.

9 (7) Except as otherwise provided in this title, before issuing a new license,
10 the Administration shall require the applicant to submit to the examinations that it
11 considers appropriate.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 1997.