

CF 7r2210

By: Delegates Genn, Owings, Fry, Montague, Grosfeld, Perry, Preis, Bissett, Menes, Turner, Doory, E. Burns, Dembrow, O'Donnell, Hutchins, T. Murphy, Harkins, D. Murphy, Valderrama, Clagett, Rudolph, Poole, Willis, Love, Hecht, Morhaim, and Shriver

Introduced and read first time: January 29, 1997

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 25, 1997

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws - Drunk and Drugged Driving - Penalties**

3 FOR the purpose of increasing the penalty that may be imposed on a person who is
4 convicted of a second or subsequent offense of driving while under the influence of
5 ~~drugs or~~ any drug, combination of drugs, or combination of one or more drugs and
6 alcohol or of driving while under the influence of a controlled dangerous substance;
7 making stylistic changes; and generally relating to penalties for drunk and drugged
8 driving.

9 BY repealing and reenacting, with amendments,
10 Article - Transportation
11 Section 27-101(c)(23), (24), and (25) and (f)
12 Annotated Code of Maryland
13 (1992 Replacement Volume and 1996 Supplement)

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

16 **Article - Transportation**

17 27-101.

18 (c) Any person who is convicted of a violation of any of the provisions of the
19 following sections of this article is subject to a fine of not more than \$500 or
20 imprisonment for not more than 2 months or both:

2

1 (23) Except as provided in [subsection (q)] SUBSECTIONS (F) AND (Q) of
2 this section, § 21-902(b) ("Driving while under the influence of alcohol");

3 (24) Except as provided in [subsection (q)] SUBSECTIONS (F) AND (Q) of
4 this section, § 21-902(c) ("Driving while under influence of drugs or drugs and alcohol");

5 (25) Except as provided in [subsection (q)] SUBSECTIONS (F) AND (Q) of
6 this section, § 21-902(d) ("Driving while under influence of controlled dangerous
7 substance"); or

8 (f) (1) Any person who is convicted of a violation of any of the provisions of §
9 14-103 of this article ("Possession of motor vehicle master key"), or of a second or
10 subsequent violation of any of the provisions of § 16-101 of this article ("Drivers must be
11 licensed") or, except as provided in subsection (q) of this section, § 21-902(b) of this
12 article ("Driving while under the influence of alcohol"), § 21-902(C) ("DRIVING WHILE
13 UNDER THE INFLUENCE OF DRUGS OR DRUGS AND ALCOHOL"), OR § 21-902(D)
14 ("DRIVING WHILE UNDER THE INFLUENCE OF A CONTROLLED DANGEROUS
15 SUBSTANCE") is subject to a fine of not more than \$500 or imprisonment for not more
16 than 1 year or both.

17 (2) Except as provided in subsection (q) of this section, for the purpose of
18 second or subsequent offender penalties for a violation of § 21-902(b) of this article
19 provided under this subsection, a prior conviction of § 21-902(a) of this article ("Driving
20 while intoxicated") shall be considered a conviction of § 21-902(b) of this article.

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