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**By: Delegate Arnick**

Introduced and read first time: February 5, 1997

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Alcohol and Drug Related Driving Offenses - "DUI" Registration Plates**

3 FOR the purpose of allowing the Motor Vehicle Administration to recall the registration  
4 plates assigned to a vehicle owned by a person who is convicted of certain alcohol  
5 and drug related driving offenses and issue for the vehicle special DUI registration  
6 plates; providing for the design of DUI registration plates; requiring the  
7 Administration to provide a certain notice to an owner whose registration plates  
8 have been recalled and requiring the owner to comply with the notice within a  
9 certain period; requiring the owner of a vehicle assigned DUI registration plates to  
10 pay a certain fee determined by the Administration; limiting the amount of the fee;  
11 requiring DUI registration plates issued for a vehicle to be displayed on the vehicle  
12 for a certain period; providing for the return of the regular registration plates to the  
13 vehicle owner or the issuance of new registration plates and validation tabs under  
14 certain circumstances; requiring the owner of a vehicle displaying DUI registration  
15 plates to maintain the vehicle's registration as otherwise required by law; and  
16 generally relating to DUI registration plates.

17 BY adding to

18 Article - Transportation  
19 Section 13-630  
20 Annotated Code of Maryland  
21 (1992 Replacement Volume and 1996 Supplement)

22 BY repealing and reenacting, without amendments,

23 Article - Transportation  
24 Section 21-902  
25 Annotated Code of Maryland  
26 (1992 Replacement Volume and 1996 Supplement)

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

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1           **Article - Transportation**

2 13-630.

3           (A) (1) THE ADMINISTRATION MAY ISSUE IN ACCORDANCE WITH THIS  
4 SECTION SPECIAL REGISTRATION PLATES THAT IDENTIFY THE VEHICLE  
5 DISPLAYING THE PLATES AS BEING OWNED BY AN INDIVIDUAL WHO HAS BEEN  
6 CONVICTED OF A VIOLATION OF § 21-902 OF THIS ARTICLE.

7           (2) SPECIAL REGISTRATION PLATES ISSUED UNDER THIS SECTION  
8 SHALL BE OF A DISTINCTIVE DESIGN DETERMINED BY THE ADMINISTRATION AND  
9 SHALL INCLUDE THE LETTERS "DUI" AND A THREE DIGIT NUMBER.

10          (B) (1) IF THE OWNER OF A VEHICLE REGISTERED UNDER THIS TITLE IS  
11 CONVICTED OF A VIOLATION OF § 21-902 OF THIS ARTICLE, THE ADMINISTRATION  
12 SHALL :

13                       (I) RECALL THE OWNER'S REGULAR REGISTRATION PLATES;

14                       (II) NOTIFY THE OWNER THAT THE OWNER'S REGISTRATION  
15 PLATES MUST BE RETURNED TO THE ADMINISTRATION WITHIN 30 DAYS FROM THE  
16 DATE OF THE NOTICE; AND

17                       (III) IF OTHERWISE QUALIFIED, ISSUE TO THE OWNER AT THE TIME  
18 THE RECALLED REGISTRATION PLATES ARE RETURNED TO THE ADMINISTRATION:

19                               1. SPECIAL "DUI" REGISTRATION PLATES AUTHORIZED  
20 UNDER THIS SECTION; AND

21                               2. VALIDATION TABS WHICH SHALL REMAIN VALID FOR  
22 THE REMAINDER OF THE VEHICLE'S CURRENT REGISTRATION PERIOD.

23           (2) A VEHICLE OWNER SHALL COMPLY PROMPTLY WITH A NOTICE SENT  
24 TO THE OWNER UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION.

25          (C) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, THE  
26 OWNER OF A VEHICLE ASSIGNED SPECIAL "DUI" REGISTRATION PLATES UNDER  
27 THIS SECTION SHALL PAY A FEE DETERMINED BY THE ADMINISTRATION UPON  
28 ISSUANCE OF THE PLATES.

29           (2) THE FEE:

30                       (I) MAY NOT EXCEED THE AMOUNT REQUIRED BY THE  
31 ADMINISTRATION TO RECOVER ITS COSTS UNDER THIS SECTION;

32                       (II) SHALL BE RETAINED BY THE ADMINISTRATION FOR THE  
33 PURPOSE OF RECOVERING ITS COSTS UNDER THIS SECTION; AND

34                       (III) MAY NOT BE CREDITED TO THE GASOLINE AND MOTOR  
35 VEHICLE REVENUE ACCOUNT FOR DISTRIBUTION UNDER § 8-403 OR § 8-404 OF THIS  
36 ARTICLE.

37          (D) (1) SPECIAL "DUI" REGISTRATION PLATES ISSUED FOR A VEHICLE  
38 UNDER THIS SECTION SHALL BE DISPLAYED ON THE VEHICLE FOR TWO FULL

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1 REGISTRATION YEARS AFTER THE END OF THE REGISTRATION YEAR DURING  
2 WHICH THE SPECIAL PLATES WERE ISSUED.

3 (2) AT THE END OF THE PERIOD SPECIFIED IN PARAGRAPH (1) OF THIS  
4 SUBSECTION AND UPON PAYMENT OF THE REGISTRATION FEE OTHERWISE  
5 REQUIRED UNDER THIS TITLE, THE ADMINISTRATION SHALL:

6 (I) 1. RETURN THE REGISTRATION PLATES THAT PREVIOUSLY  
7 HAD BEEN RECALLED BY THE ADMINISTRATION; OR

8 2. ISSUE NEW REGISTRATION PLATES FOR THE VEHICLE;  
9 AND

10 (II) ISSUE VALIDATION TABS AS APPROPRIATE.

11 (3) THE OWNER OF A VEHICLE ASSIGNED SPECIAL "DUI" REGISTRATION  
12 PLATES UNDER THIS SECTION SHALL CONTINUE TO REGISTER THE VEHICLE AS  
13 OTHERWISE REQUIRED UNDER THIS TITLE.

14 21-902.

15 (a) (1) A person may not drive or attempt to drive any vehicle while intoxicated.

16 (2) A person may not drive or attempt to drive any vehicle while the person  
17 is intoxicated per se.

18 (b) A person may not drive or attempt to drive any vehicle while under the  
19 influence of alcohol.

20 (c) (1) A person may not drive or attempt to drive any vehicle while he is so far  
21 under the influence of any drug, any combination of drugs, or a combination of one or  
22 more drugs and alcohol that he cannot drive a vehicle safely.

23 (2) It is not a defense to any charge of violating this subsection that the  
24 person charged is or was entitled under the laws of this State to use the drug, combination  
25 of drugs, or combination of one or more drugs and alcohol, unless the person was  
26 unaware that the drug or combination would make him incapable of safely driving a  
27 vehicle.

28 (d) A person may not drive or attempt to drive any vehicle while he is under the  
29 influence of any controlled dangerous substance, as that term is defined in Article 27, §  
30 279 of the Code, if the person is not entitled to use the controlled dangerous substance  
31 under the laws of this State.

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