
By: **Delegate Fulton**

Introduced and read first time: February 11, 1998

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Alcohol and Drug-Related Offenses - "DWI" Registration**
3 **Plates**

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

17 BY adding to
18 Article - Transportation
19 Section 13-630
20 Annotated Code of Maryland
21 (1992 Replacement Volume and 1997 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 1997 Supplement)

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

Article - Transportation

13-630.

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

(2) SPECIAL REGISTRATION PLATES ISSUED UNDER THIS SECTION SHALL BE OF A DISTINCTIVE DESIGN DETERMINED BY THE ADMINISTRATION AND SHALL INCLUDE THE LETTERS "DWI".

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

(1) NOTIFY THE OWNER THAT THE OWNER'S REGISTRATION PLATES MUST BE RETURNED TO THE ADMINISTRATION WITHIN 30 DAYS OF THE EXPIRATION DATE OF THE OWNER'S CURRENT REGISTRATION; AND

(2) IF OTHERWISE QUALIFIED, ISSUE TO THE OWNER AT THE TIME THE REGISTRATION PLATES ARE RETURNED TO THE ADMINISTRATION:

(I) SPECIAL "DWI" REGISTRATION PLATES AUTHORIZED UNDER THIS SECTION; AND

(II) VALIDATION TABS WHICH SHALL REMAIN VALID FOR A 2-YEAR PERIOD.

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

(2) THE FEE:

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

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

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

(D) (1) AT THE END OF THE PERIOD SPECIFIED IN SUBSECTION (B)(2) OF THIS SECTION AND UPON PAYMENT OF THE REGISTRATION FEE OTHERWISE REQUIRED UNDER THIS TITLE, THE ADMINISTRATION SHALL:

1 (I) 1. RETURN THE REGISTRATION PLATES THAT PREVIOUSLY
2 HAD BEEN RETURNED TO THE ADMINISTRATION; OR

3 2. ISSUE NEW REGISTRATION PLATES FOR THE VEHICLE;
4 AND

5 (II) ISSUE VALIDATION TABS AS APPROPRIATE.

6 (2) THE OWNER OF A VEHICLE ASSIGNED SPECIAL "DWT" REGISTRATION
7 PLATES UNDER THIS SECTION SHALL CONTINUE TO REGISTER THE VEHICLE AS
8 OTHERWISE REQUIRED UNDER THIS TITLE.

9 21-902.

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

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

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

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

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

24 (d) A person may not drive or attempt to drive any vehicle while he is under
25 the influence of any controlled dangerous substance, as that term is defined in Article
26 27, § 279 of the Code, if the person is not entitled to use the controlled dangerous
27 substance under the laws of this State.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1998.