
By: **Delegates Genn, Doory, Exum, M. Burns, R. Baker, Franchot,
Valderrama, Petzold, Grosfeld, Conroy, Menes, Pitkin, Goldwater, and
Kopp**

Introduced and read first time: February 13, 1998
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 23, 1998

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws - Diplomatic Immunities and Privileges - Requirements**

3 FOR the purpose of requiring a police officer who has probable cause to believe that a
4 driver has committed certain violations to contact the U.S. Department of State,
5 record certain information, and send certain copies of certain documents to the
6 Motor Vehicle Administration if the driver displays a driver's license issued by
7 the U.S. Department of State or otherwise claims certain immunities or
8 privileges; requiring the Administration to file certain documents, and keep
9 certain records or make certain notations showing certain court dispositions and
10 vehicle accidents; requiring the Administration to send copies of certain
11 documents to the U.S. Department of State; making the provisions of this Act
12 severable; and generally relating to drivers who claim certain immunities or
13 privileges under certain circumstances.

14 BY adding to
15 Article - Transportation
16 Section 16-901 through 16-905, inclusive, to be under the new subtitle "Subtitle
17 9. Drivers' Licenses - Immunities and Privileges - Requirements"
18 Annotated Code of Maryland
19 (1992 Replacement Volume and 1997 Supplement)

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

1 **Article - Transportation**

2 SUBTITLE 9. DRIVERS' LICENSES - IMMUNITIES AND PRIVILEGES - REQUIREMENTS.

3 16-901.

4 THIS SUBTITLE APPLIES ONLY TO AN INDIVIDUAL WHO DISPLAYS A DRIVER'S
5 LICENSE ISSUED BY THE U.S. DEPARTMENT OF STATE TO A POLICE OFFICER OR WHO
6 OTHERWISE CLAIMS IMMUNITIES OR PRIVILEGES UNDER TITLE 22, CHAPTER 6 OF
7 THE UNITED STATES CODE WITH RESPECT TO THE INDIVIDUAL'S VIOLATION OF
8 ARTICLE 27, § 388, § 388A, OR § 388B OF THE CODE, OR A MOVING VIOLATION UNDER
9 THE VEHICLE LAWS OR REGULATIONS OF THIS STATE OR ANY LOCAL AUTHORITY.

10 16-902.

11 IF A DRIVER WHO IS SUBJECT TO THIS SUBTITLE IS STOPPED BY A POLICE
12 OFFICER WHO HAS PROBABLE CAUSE TO BELIEVE THAT THE DRIVER HAS
13 COMMITTED A VIOLATION DESCRIBED IN THIS SUBTITLE, THE POLICE OFFICER
14 SHALL:

15 (1) ~~IMMEDIATELY~~ AS SOON AS PRACTICABLE CONTACT THE U.S.
16 DEPARTMENT OF STATE OFFICE IN ORDER TO VERIFY THE DRIVER'S STATUS AND
17 IMMUNITY, IF ANY;

18 (2) RECORD ALL RELEVANT INFORMATION FROM ANY DRIVER'S
19 LICENSE OR IDENTIFICATION CARD, INCLUDING A DRIVER'S LICENSE OR
20 IDENTIFICATION CARD ISSUED BY THE U.S. DEPARTMENT OF STATE; AND

21 (3) WITHIN 5 WORKDAYS AFTER THE DATE OF THE STOP, FORWARD THE
22 FOLLOWING TO THE ADMINISTRATION:

23 (I) A VEHICLE ACCIDENT REPORT, IF THE DRIVER WAS INVOLVED
24 IN A VEHICLE ACCIDENT;

25 (II) IF A CITATION OR OTHER CHARGING DOCUMENT WAS ISSUED
26 TO THE DRIVER, A COPY OF THE CITATION OR OTHER CHARGING DOCUMENT; AND

27 (III) IF A CITATION OR OTHER CHARGING DOCUMENT WAS NOT
28 ISSUED TO THE DRIVER, A WRITTEN REPORT OF THE INCIDENT.

29 16-903.

30 THE ADMINISTRATION SHALL:

31 (1) FILE EACH VEHICLE ACCIDENT REPORT, CITATION OR OTHER
32 CHARGING DOCUMENT, AND INCIDENT REPORT THAT THE ADMINISTRATION
33 RECEIVES UNDER THIS SUBTITLE; AND

34 (2) KEEP CONVENIENT RECORDS OR MAKE SUITABLE NOTATIONS
35 SHOWING EACH:

1 (I) CONVICTION;

2 (II) PROBATION BEFORE JUDGMENT DISPOSITION OF ANY
3 VIOLATION OF § 21-902 OF THIS ARTICLE; AND

4 (III) VEHICLE ACCIDENT.

5 16-904.

6 THE ADMINISTRATION SHALL SEND A COPY OF EACH DOCUMENT AND RECORD
7 DESCRIBED UNDER § 16-903 OF THIS SUBTITLE TO THE BUREAU OF DIPLOMATIC
8 SECURITY, OFFICE OF FOREIGN MISSIONS, OF THE U.S. DEPARTMENT OF STATE.

9 16-905.

10 THE PROVISIONS OF THIS SUBTITLE DO NOT PROHIBIT OR LIMIT THE
11 APPLICATION OF ANY LAW TO A CRIMINAL OR MOTOR VEHICLE VIOLATION BY AN
12 INDIVIDUAL WHO HAS OR CLAIMS IMMUNITIES OR PRIVILEGES UNDER TITLE 22,
13 CHAPTER 6 OF THE UNITED STATES CODE.

14 SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this
15 Act or the application thereof to any person or circumstance is held invalid for any
16 reason in a court of competent jurisdiction, the invalidity does not affect other
17 provisions or any other application of this Act which can be given effect without the
18 invalid provision or application, and for this purpose the provisions of this Act are
19 declared severable.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 1998.