

(PRE-FILED)

By: **Delegate Giannetti**
Requested: November 12, 1998
Introduced and read first time: January 13, 1999
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Licensees Required to Drive for Employment - Point**
3 **Accumulation**

4 FOR the purpose of clarifying that certain increased levels of points that must be
5 assessed against an individual before the individual's driver's license may be
6 suspended or revoked apply only if driving a motor vehicle is an essential
7 component of the licensee's employment; and generally relating to point
8 accumulation necessary for license suspensions or revocations.

9 BY repealing and reenacting, with amendments,
10 Article - Transportation
11 Section 16-405
12 Annotated Code of Maryland
13 (1998 Replacement Volume and 1998 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 16-405.

18 (a) Except as provided in § 16-205.1 of this title, if the suspension or
19 revocation of a license would affect adversely the employment or opportunity for
20 employment of a licensee, the hearing officer may:

21 (1) Decline to order the suspension or revocation; or

22 (2) Cancel or modify the suspension or revocation.

23 (b) For purposes of § 16-404 of this subtitle, if [a licensee is required to drive
24 a motor vehicle in the course of his regular employment] **DRIVING A MOTOR VEHICLE**
25 **IS AN ESSENTIAL COMPONENT OF A LICENSEE'S EMPLOYMENT:**

26 (1) Suspension requires 16 points; and

1 (2) Revocation requires 19 points.

2 (c) The provisions of subsection (b) of this section do not apply to an individual
3 whose current accumulation of points includes points resulting from a conviction for a
4 violation of § 21-902 of this article.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 1999.