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By: **Delegates Dembrow, Bronrott, Mandel, Moe, and Bobo**

Introduced and read first time: February 1, 1999

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Driver's License Suspension and Revocation - Notification to Local Law**  
3 **Enforcement Agencies**

4 FOR the purpose of requiring the Motor Vehicle Administration under certain  
5 circumstances to provide certain law enforcement agencies with the name and  
6 address of each individual whose driver's license is, at a certain time, suspended  
7 or revoked.

8 BY repealing and reenacting, with amendments,  
9 Article - Transportation  
10 Section 16-206  
11 Annotated Code of Maryland  
12 (1998 Replacement Volume and 1998 Supplement)  
13 (As enacted by Chapter 483 of the Acts of the General Assembly of 1998)

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 16-206.

18 (a) (1) The Administration may suspend, revoke, or refuse to issue or renew  
19 the license of any resident or the privilege to drive of any nonresident on a showing by  
20 its records or other sufficient evidence that the applicant or licensee:

21 (i) Has been convicted of moving violations so often as to indicate  
22 an intent to disregard the traffic laws and the safety of other persons on the  
23 highways;

24 (ii) Is an unfit, unsafe, or habitually reckless or negligent driver of  
25 a motor vehicle;

26 (iii) Has permitted an unlawful or fraudulent use of a license,  
27 identification card, or a facsimile of a license or identification card;

1 (iv) Has used a license, identification card, or a facsimile of a license  
2 or identification card in an unlawful or fraudulent manner, unless the applicant or  
3 licensee is subject to the provisions of subsection (c) of this section;

4 (v) Has committed an offense in another state that, if committed in  
5 this State, would be grounds for suspension or revocation; or

6 (vi) Has knowingly made a false certification of required security in  
7 any application for a certificate of title or for the registration of a vehicle.

8 (2) The Administration may suspend a license to drive of an individual  
9 who fails to attend:

10 (i) A driver improvement program or an alcohol education program  
11 required under § 16-212 of this subtitle; or

12 (ii) A private alternative program or an alternative program that is  
13 provided by a political subdivision of this State under § 16-212 of this subtitle.

14 (3) The Administration may suspend or revoke a provisional license  
15 under § 16-213 of this subtitle.

16 (b) (1) Upon notification by the clerk of the court that a child has been  
17 adjudicated delinquent for a violation of § 21-902 of this article, or that a finding has  
18 been made that a child violated § 21-902 of this article, the Administration shall  
19 suspend or revoke the driving privilege of the child in accordance with § 3-824(a)(4)(i)  
20 of the Courts Article.

21 (2) If a child subject to a suspension or revocation under this subsection  
22 does not hold a license to operate a motor vehicle on the date of the disposition, the  
23 suspension or revocation shall commence:

24 (i) If the child is at least 16 years old on the date of the disposition,  
25 on the date of the disposition; or

26 (ii) If the child is younger than 16 years of age on the date of the  
27 disposition, on the date the child reaches the child's 16th birthday.

28 (c) (1) Pursuant to a court order under § 3-820(d) of the Courts Article, the  
29 Administration shall initiate an action to suspend the driving privilege of a child for  
30 the time specified by the court.

31 (2) If a child subject to a suspension under § 3-820(d) of the Courts  
32 Article does not hold a license to operate a motor vehicle on the date of the court order,  
33 the suspension shall commence:

34 (i) If the child is at least 16 years of age on the date of the  
35 disposition, on the date of the disposition; or

1 (ii) If the child is younger than 16 years of age on the date of the  
2 disposition, on the date the child reaches the child's 16th birthday.

3 (3) On receipt of a notice described under Article 27, § 403(f) of the Code,  
4 the Administration shall suspend the license of an individual described under Article  
5 27, § 403(f) of the Code:

6 (i) For a first offense, for 6 months; and

7 (ii) For a second or subsequent offense, until the individual is 21  
8 years old or for a period of 1 year, whichever is longer.

9 (4) If an individual subject to a suspension under paragraph (3) of this  
10 subsection does not hold a license to operate a motor vehicle on the date that the  
11 individual is found guilty of a Code violation, the suspension shall begin on the date  
12 that the license is issued, or after the individual applies and becomes qualified to  
13 receive a license, or on the individual's twenty-first birthday, whichever occurs first.

14 (5) The Administration may modify a suspension under this subsection  
15 or subsection (b) of this section or issue a restricted license if:

16 (i) The license is required for the purpose of attending an alcohol  
17 education or alcoholic prevention or treatment program;

18 (ii) The child or individual is required to drive a motor vehicle in  
19 the course of employment;

20 (iii) It finds that the individual's or child's employment would be  
21 adversely affected because the individual or child has no reasonable alternative  
22 means of transportation to or from a place of employment; or

23 (iv) It finds that the individual's or child's education would be  
24 adversely affected because the individual or child has no reasonable alternative  
25 means of transportation for educational purposes.

26 (d) (1) After the Administration refuses to issue a license under this section,  
27 determines that a suspension should be imposed under subsection (a)(2) of this  
28 section, or determines that a suspension or revocation should be imposed under  
29 subsection (a)(3) of this section, the Administration immediately shall give written  
30 notice to the applicant or licensee, and the applicant or licensee may request a  
31 hearing as provided in Title 12, Subtitle 2 of this article.

32 (2) Except as otherwise provided in this section, the Administration may  
33 suspend or revoke a license under this section only after a hearing under Title 12,  
34 Subtitle 2 of this article.

35 (3) If the Administration determines that there is a likelihood of  
36 substantial and immediate danger and harm to the licensee or others if the license is  
37 continued pending a hearing, the Administration:

- 1 (i) Immediately may suspend the license;
- 2 (ii) Within 7 days of a request for a hearing, shall grant the licensee  
3 a hearing as provided in Title 12, Subtitle 2 of this article; and
- 4 (iii) After the hearing, render an immediate decision as to whether  
5 or not it should continue the suspension or revoke the license.
- 6 (e) (1) If a licensee fails to appear for a hearing after receiving the written  
7 notice under subsection (d)(1) of this section, the Administration may suspend the  
8 license until the licensee appears for a hearing.
- 9 (2) A rescheduled hearing shall be held within 30 days of the date of the  
10 request.

11 (F) THE ADMINISTRATION SHALL PROVIDE, AT THE REQUEST OF A LOCAL  
12 LAW ENFORCEMENT AGENCY, A LIST CONTAINING THE NAME AND ADDRESS OF  
13 EACH INDIVIDUAL WHO IS A RESIDENT OF THE JURISDICTION SERVED BY THE  
14 LOCAL LAW ENFORCEMENT AGENCY AND WHOSE DRIVER'S LICENSE, AT THE TIME  
15 OF THE REPORT, IS SUSPENDED OR REVOKED UNDER THIS SECTION OR ANY OTHER  
16 PROVISION OF THIS ARTICLE.

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