
By: **Senators Hooper, Stone, Collins, Forehand, Jacobs, Ruben, and Madden**
Introduced and read first time: February 5, 1999
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Juveniles - Suspension of Driver's License for Alcoholic Beverages**
3 **Violations**

4 FOR the purpose of altering a provision of law so as to require a juvenile court to
5 order the Motor Vehicle Administration to initiate an action to suspend, for a
6 certain period of time, the driver's license of a child in making a disposition on a
7 finding that the child has committed certain alcoholic beverages violations;
8 authorizing the Motor Vehicle Administration, under certain circumstances, to
9 issue a restrictive license to a licensee whose driver's license is suspended under
10 this Act; and generally relating to the suspension of the driver's license of a child
11 for certain alcoholic beverages violations.

12 BY repealing and reenacting, with amendments,
13 Article - Courts and Judicial Proceedings
14 Section 3-820(d)
15 Annotated Code of Maryland
16 (1998 Replacement Volume)

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

19 **Article - Courts and Judicial Proceedings**

20 3-820.

21 (d) (1) (i) Subject to the provisions of subparagraphs (iii) and (iv) of this
22 paragraph, in making a disposition on a finding that the child has committed the
23 violation specified in a citation, the court may order the Motor Vehicle Administration
24 to initiate an action, under the motor vehicle laws, to suspend the driving privilege of
25 a child licensed to operate a motor vehicle by the Motor Vehicle Administration for a
26 specified period of not less than 30 days nor more than 90 days.

27 (ii) In this paragraph "driver's license" means a license or permit to
28 drive a motor vehicle that is issued under the laws of this State or any other
29 jurisdiction.

1 (iii) 1. In making a disposition on a finding that the child has
2 committed a violation under Article 27, [§ 400] §§ 400 AND 400B of the Code specified
3 in a citation that involved the use of a driver's license or a document purporting to be
4 a driver's license OR OTHER IDENTIFICATION CARD, the court [may] SHALL order the
5 Motor Vehicle Administration to initiate an action under the Maryland Vehicle Law to
6 suspend the driving privilege of a child licensed to operate a motor vehicle by the
7 Motor Vehicle Administration:

8 [1.] A. For a first offense, for 6 months; and

9 [2.] B. For a second or subsequent offense, until the child is
10 21 years old.

11 2. THE MOTOR VEHICLE ADMINISTRATION MAY ISSUE A
12 RESTRICTIVE LICENSE TO A LICENSEE WHOSE LICENSE WAS SUSPENDED UNDER
13 SUB-SUBPARAGRAPH 1 OF THIS SUBPARAGRAPH IF:

14 A. THE LICENSEE HAS NO ALTERNATIVE MEANS OF
15 TRANSPORTATION AVAILABLE TO OR FROM THE LICENSEE'S PLACE OF
16 EMPLOYMENT;

17 B. THE LICENSEE NEEDS THE LICENSE FOR THE PURPOSE
18 OF ATTENDING SCHOOL; OR

19 C. THE LICENSEE NEEDS THE LICENSE FOR THE PURPOSE
20 OF ATTENDING AN ALCOHOLIC PREVENTION OR TREATMENT PROGRAM.

21 (iv) In making a disposition on a finding that the child has
22 committed a violation under § 26-103 of the Education Article, the court shall order
23 the Motor Vehicle Administration to initiate an action, under the motor vehicle laws,
24 to suspend the driving privilege of a child licensed to operate a motor vehicle by the
25 Motor Vehicle Administration for a specified period of not less than 30 days nor more
26 than 90 days.

27 (v) If a child subject to a suspension under this subsection does not
28 hold a license to operate a motor vehicle on the date of the disposition, the suspension
29 shall commence:

30 1. If the child is at least 16 years of age on the date of the
31 disposition, on the date of the disposition; or

32 2. If the child is younger than 16 years of age on the date of
33 the disposition, on the date the child reaches the child's 16th birthday.

34 (2) In addition to the dispositions under paragraph (1) of this subsection,
35 the court also may:

36 (i) Counsel the child or the parent or both, or order the child to
37 participate in an alcohol education or rehabilitation program that is in the best
38 interest of the child;

1 (ii) Impose a civil fine of not more than \$25 for the first violation
2 and a civil fine of not more than \$100 for the second and subsequent violations; or

3 (iii) Order the child to participate in a supervised work program for
4 not more than 20 hours for the first violation and not more than 40 hours for the
5 second and subsequent violations.

6 (3) (i) The provisions of paragraphs (1) and (2) of this subsection do
7 not apply to a child found to have committed a violation under Article 27, § 405A of
8 the Code.

9 (ii) In making a disposition on a finding that the child has
10 committed a violation under Article 27, § 405A of the Code, the court may:

11 1. Counsel the child or the parent or both, or order the child
12 to participate in a smoking cessation clinic, or other suitable presentation of the
13 hazards associated with tobacco use that is in the best interest of the child;

14 2. Impose a civil fine of not more than \$25 for the first
15 violation and a civil fine of not more than \$100 for a second or subsequent violation;
16 or

17 3. Order the child to participate in a supervised work
18 program for not more than 20 hours for the first violation and not more than 40 hours
19 for a second or subsequent violation.

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