
By: **Delegates K. Kelly and Vallario**
Introduced and read first time: February 3, 2000
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Alcohol Ignition Interlock System Program - Qualification for Driver's**
3 **License**

4 FOR the purpose of authorizing the Motor Vehicle Administration to issue a driver's
5 license that is valid only in the State to an applicant whose license has been
6 suspended or revoked in another jurisdiction as a result of certain
7 alcohol-related driving offenses under the law of that jurisdiction if the
8 Administration imposes an alcohol restriction and the licensee participates in
9 the Ignition Interlock System Program for at least a certain period; authorizing
10 an individual who is issued a certain restricted driver's license that is valid only
11 in the State to participate in the Ignition Interlock System Program under
12 certain circumstances; and generally relating to authorizing the Administration
13 to issue a driver's license that is valid only in the State for certain participants
14 in the Ignition Interlock System Program under certain circumstances.

15 BY repealing and reenacting, without amendments,
16 Article - Transportation
17 Section 16-103.1
18 Annotated Code of Maryland
19 (1999 Replacement Volume and 1999 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article - Transportation
22 Section 16-113(e) and 16-404.1
23 Annotated Code of Maryland
24 (1999 Replacement Volume and 1999 Supplement)

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

1 **Article - Transportation**

2 16-103.1.

3 The Administration may not issue a driver's license to an individual:

4 (1) During any period for which the individual's license to drive is
5 revoked, suspended, refused, or canceled in this or any other state, unless the
6 individual is eligible for a restricted license under § 16-113(e) of this subtitle;

7 (2) Who is an habitual drunkard, habitual user of narcotic drugs, or
8 habitual user of any other drug to a degree that renders the individual incapable of
9 safely driving a motor vehicle;

10 (3) Who previously has been adjudged to be suffering from any mental
11 disability or mental disease and who, at the time of application, has not been
12 adjudged competent;

13 (4) Who is required by this title to take an examination, unless the
14 individual has passed the examination;

15 (5) Whose driving of a motor vehicle on the highways the Administration
16 has good cause to believe would be inimical to public safety or welfare;

17 (6) Who is unable to exercise reasonable control over a motor vehicle due
18 to disease or a physical disability, including the loss of an arm or leg or both, except
19 that, if the individual passes the examination required by this title, the
20 Administration may issue the individual a restricted license requiring the individual
21 to wear a workable artificial limb or other similar body attachment;

22 (7) Who is unable to understand highway warning or direction signs
23 written in the English language;

24 (8) Who is unable to sign the individual's name for identification
25 purposes;

26 (9) Who is 70 years old or older and applying for a new license, unless
27 the applicant presents to the Administration:

28 (i) Proof of the individual's previous satisfactory operation of a
29 motor vehicle; or

30 (ii) A written certification acceptable to the Administration from a
31 licensed physician attesting to the general physical and mental qualifications of the
32 applicant; or

33 (10) Who otherwise does not qualify for a license under this title.

1 16-113.

2 (e) In addition to the other restrictions provided under this subtitle, the
3 Administration may issue a driver's license that is valid only in the State of Maryland
4 to an applicant who has been:

5 (1) [suspended] SUSPENDED in another jurisdiction as a result of failing
6 to comply with the financial responsibility requirements of that jurisdiction; OR

7 (2) SUSPENDED OR REVOKED IN ANOTHER JURISDICTION AS A RESULT
8 OF A CONVICTION FOR DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL OR
9 DRIVING WHILE INTOXICATED OR AN ALCOHOL-RELATED ADMINISTRATIVE
10 OFFENSE UNDER THE LAW OF THAT JURISDICTION IF:

11 (I) THE ADMINISTRATION IMPOSES AN ALCOHOL RESTRICTION ON
12 THE DRIVER'S LICENSE OF THE LICENSEE; AND

13 (II) THE LICENSEE PARTICIPATES IN THE IGNITION INTERLOCK
14 SYSTEM PROGRAM FOR AT LEAST 1 YEAR.

15 16-404.1.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) "Approved service provider" means a person who is certified by:

18 (i) The Administration to service, install, monitor, calibrate, and
19 provide information on ignition interlock systems; and

20 (ii) A manufacturer to be qualified to service, install, monitor,
21 calibrate, and provide information on ignition interlock systems.

22 (3) "Manufacturer" means a person who manufactures ignition interlock
23 systems and who certifies that approved service providers are qualified to service,
24 install, monitor, calibrate, and provide information on ignition interlock systems.

25 (4) "Participant" means a participant in the Ignition Interlock System
26 Program.

27 (5) "Program" means the Ignition Interlock System Program.

28 (b) (1) The Administration may establish an Ignition Interlock System
29 Program.

30 (2) The Administration may establish a protocol for the Program by
31 regulations which require certain minimum standards for all service providers who
32 service, install, monitor, calibrate, and provide information on ignition interlock
33 systems, and include requirements that:

34 (i) A service provider who applies to the Administration for
35 certification as an approved service provider shall demonstrate that the service

1 provider is able to competently service, install, monitor, calibrate, and provide
2 information on ignition interlock systems;

3 (ii) A service provider who applies to the Administration for
4 certification as an approved service provider shall be certified by a signed affidavit
5 from the manufacturer that the service provider has been trained by an authorized
6 manufacturer and that the service provider is competent to service, install, monitor,
7 calibrate, and provide information on ignition interlock systems;

8 (iii) Approved service providers be deemed to be authorized
9 representatives of a manufacturer; and

10 (iv) Any service of notice upon an approved service provider, who
11 has violated any laws or regulations or whose ignition interlock system has violated
12 any laws or regulations, be deemed as service upon the manufacturer who certified
13 the approved service provider.

14 (3) An individual may be a participant if:

15 (i) The individual's license is suspended or revoked for a violation
16 of § 21-902(a), (b), or (c) of this article or an accumulation of points under §
17 16-402(a)(23) or (32) of this subtitle;

18 (ii) The individual is ordered to participate in the program by a
19 court under § 27-107 of this article;

20 (iii) The individual's license has an alcohol restriction imposed
21 under § 16-113(b) or (g) of this title; [or]

22 (iv) The Administration modifies a suspension or issues a restricted
23 license to the individual under § 16-205.1(n)(2) or (4) of this title; OR

24 (V) THE ADMINISTRATION ISSUES A RESTRICTED LICENSE TO THE
25 INDIVIDUAL UNDER § 16-113(E)(2) OF THIS TITLE.

26 (4) The Administration may:

27 (i) Reduce a participant's driver's license suspension period as
28 provided under § 16-404(c)(3) of this subtitle;

29 (ii) Reinstate the driver's license of a participant whose license has
30 been revoked for a violation of § 21-902(a), (b), or (c) of this article or revoked for an
31 accumulation of points under § 16-402(a)(32) of this subtitle for a violation of §
32 21-902(a) of this article; and

33 (iii) Notwithstanding any other provision of law, impose on a
34 participant a period of suspension in accordance with § 16-404(c)(2) and (3) of this
35 subtitle in lieu of a license revocation for:

36 1. A violation of § 21-902(a), (b), or (c) of this article; or

