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By: **Delegate Giannetti**  
Introduced and read first time: January 29, 2001  
Assigned to: Judiciary

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Committee Report: Favorable  
House action: Adopted  
Read second time: February 27, 2001

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Drunk Driving - Ignition Interlock System Program Participants**

3 FOR the purpose of authorizing the Motor Vehicle Administration to modify a  
4 suspension or issue a restrictive license to a licensee convicted of certain  
5 alcohol-related driving offenses if the licensee is a participant in the Ignition  
6 Interlock System Program; and generally relating to license suspension  
7 modifications and restrictive licenses for participants in the Ignition Interlock  
8 System Program.

9 BY repealing and reenacting, with amendments,  
10 Article - Transportation  
11 Section 16-205  
12 Annotated Code of Maryland  
13 (1999 Replacement Volume and 2000 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 16-205.

18 (a) The Administration may revoke the license of any person who:

19 (1) Is convicted under § 21-902(a) or (d) of this article of driving or  
20 attempting to drive a motor vehicle while intoxicated, while intoxicated per se, or  
21 while under the influence of a controlled dangerous substance; or

1           (2)       Within a 3-year period, is convicted under § 21-902(b) or (c) of this  
2 article of driving or attempting to drive a motor vehicle while under the influence of  
3 alcohol or while so far under the influence of any drug, any combination of drugs, or  
4 a combination of one or more drugs and alcohol that the person cannot drive a vehicle  
5 safely and who was previously convicted of any combination of two or more violations  
6 under:

7                   (i)       § 21-902(a) of this article of driving or attempting to drive a  
8 motor vehicle while intoxicated or while intoxicated per se;

9                   (ii)       § 21-902(b) of this article of driving or attempting to drive a  
10 motor vehicle while under the influence of alcohol;

11                   (iii)       § 21-902(c) of this article of driving or attempting to drive a  
12 motor vehicle while so far under the influence of any drug, any combination of drugs,  
13 or a combination of one or more drugs and alcohol that the person cannot drive a  
14 vehicle safely; or

15                   (iv)       § 21-902(d) of this article of driving or attempting to drive a  
16 motor vehicle while under the influence of a controlled dangerous substance.

17       (b)       The Administration:

18                   (1)       Shall revoke the license of any person who has been convicted, under  
19 Article 27, § 388A of the Code, of homicide by a motor vehicle while intoxicated or  
20 under the influence of alcohol, drugs, or a controlled dangerous substance; and

21                   (2)       May not issue a temporary license to drive for any person whose  
22 license has been revoked under item (1) of this subsection during the administrative  
23 appeal of the revocation.

24       (c)       The Administration may suspend for not more than 60 days the license of  
25 any person who is convicted under § 21-902(b) or (c) of this article of driving or  
26 attempting to drive a motor vehicle while under the influence of alcohol or while so far  
27 under the influence of any drug, any combination of drugs, or a combination of one or  
28 more drugs and alcohol that the person cannot drive a vehicle safely.

29       (d)       The Administration may suspend for not more than 120 days the license of  
30 any person who, within a 3-year period, is convicted under § 21-902(b) or (c) of this  
31 article of driving or attempting to drive a motor vehicle while under the influence of  
32 alcohol or while so far under the influence of any drug, any combination of drugs, or  
33 a combination of one or more drugs and alcohol that the person cannot drive a motor  
34 vehicle safely and who was previously convicted of a violation under:

35                   (1)       § 21-902(a) of this article of driving or attempting to drive a motor  
36 vehicle while intoxicated or while intoxicated per se;

37                   (2)       § 21-902(b) of this article of driving or attempting to drive a motor  
38 vehicle while under the influence of alcohol;

1           (3)       § 21-902(c) of this article of driving or attempting to drive a motor  
2 vehicle while so far under the influence of any drug, any combination of drugs, or a  
3 combination of one or more drugs and alcohol that the person cannot drive a motor  
4 vehicle safely; or

5           (4)       § 21-902(d) of this article of driving or attempting to drive a motor  
6 vehicle while under the influence of a controlled dangerous substance.

7       (E)       THE ADMINISTRATION MAY MODIFY ANY SUSPENSION UNDER THIS  
8 SECTION OR ANY SUSPENSION UNDER § 16-205.1 OF THIS ARTICLE AND ISSUE A  
9 RESTRICTIVE LICENSE TO A LICENSEE WHO PARTICIPATES IN THE IGNITION  
10 INTERLOCK SYSTEM PROGRAM ESTABLISHED UNDER § 16-404.1 OF THIS TITLE.

11       [(e)]     (F)       When a suspension imposed under subsections (c) and (d) of this  
12 section expires, the Administration immediately shall return the license or reinstate  
13 the privilege of the driver, unless the license or privilege has been refused, revoked,  
14 suspended, or canceled under any other provisions of the Maryland Vehicle Law.

15       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2001.