
By: **Delegate Shank**

Introduced and read first time: February 9, 2001

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Suspension of Driver's License - Theft of Motor Fuel**

3 FOR the purpose of authorizing for a first offense, and requiring for a second or
4 subsequent offense, the Motor Vehicle Administration to suspend, for a certain
5 period of time, the driver's license of a person who is convicted of a theft offense
6 involving the failure to pay for motor fuel after the motor fuel was dispensed
7 into a vehicle; requiring a court to notify the Motor Vehicle Administration of
8 certain convictions involving the theft of motor fuel; requiring a court to notify a
9 person who is convicted of a certain theft offense that the person's driver's
10 license may be suspended; requiring the Chief Judge of the District Court and
11 the Administrative Office of the Courts, in conjunction with the Motor Vehicle
12 Administration, to establish certain procedures; and generally relating to the
13 suspension of the driver's license of a person who is convicted of a theft offense
14 involving the failure to pay for motor fuel after the motor fuel was dispensed
15 into a vehicle.

16 BY repealing and reenacting, without amendments,
17 Article 27 - Crimes and Punishments
18 Section 342(a) and (b)
19 Annotated Code of Maryland
20 (1996 Replacement Volume and 2000 Supplement)

21 BY adding to
22 Article 27 - Crimes and Punishments
23 Section 342(g)
24 Annotated Code of Maryland
25 (1996 Replacement Volume and 2000 Supplement)

26 BY adding to
27 Article - Transportation
28 Section 16-206.1
29 Annotated Code of Maryland
30 (1999 Replacement Volume and 2000 Supplement)

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

3 **Article 27 - Crimes and Punishments**

4 342.

5 (a) A person commits the offense of theft when he willfully or knowingly
6 obtains control which is unauthorized or exerts control which is unauthorized over
7 property of the owner, and:

8 (1) Has the purpose of depriving the owner of the property; or

9 (2) Willfully or knowingly uses, conceals, or abandons the property in
10 such manner as to deprive the owner of the property; or

11 (3) Uses, conceals, or abandons the property knowing the use,
12 concealment, or abandonment probably will deprive the owner of the property.

13 (b) A person commits the offense of theft when he willfully or knowingly uses
14 deception to obtain and does obtain control over property of the owner, and:

15 (1) Has the purpose of depriving the owner of the property; or

16 (2) Willfully or knowingly uses, conceals, or abandons the property in
17 such manner as to deprive the owner of the property; or

18 (3) Uses, conceals, or abandons the property knowing such use,
19 concealment, or abandonment probably will deprive the owner of the property.

20 (G) (1) IF A PERSON IS CONVICTED OF A THEFT OFFENSE THAT INVOLVED A
21 FAILURE TO PAY FOR MOTOR FUEL AFTER THE MOTOR FUEL WAS DISPENSED INTO A
22 VEHICLE, A COURT SHALL:

23 (I) NOTIFY THE PERSON THAT THE PERSON'S DRIVER'S LICENSE
24 MAY BE SUSPENDED UNDER § 16-206.1 OF THE TRANSPORTATION ARTICLE; AND

25 (II) NOTIFY THE MOTOR VEHICLE ADMINISTRATION OF THE
26 VIOLATION.

27 (2) THE CHIEF JUDGE OF THE DISTRICT COURT AND THE
28 ADMINISTRATIVE OFFICE OF THE COURTS, IN CONJUNCTION WITH THE MOTOR
29 VEHICLE ADMINISTRATION, SHALL ESTABLISH UNIFORM PROCEDURES FOR
30 REPORTING A CONVICTION UNDER THIS SUBSECTION.

1

Article - Transportation

2 16-206.1.

3 UPON RECEIVING NOTICE UNDER ARTICLE 27, § 342(G) OF THE CODE THAT AN
4 INDIVIDUAL LICENSED IN THE STATE HAS BEEN CONVICTED OF A THEFT OFFENSE
5 THAT INVOLVED A FAILURE TO PAY FOR MOTOR FUEL AFTER THE MOTOR FUEL WAS
6 DISPENSED INTO A VEHICLE, THE ADMINISTRATION:

7 (1) MAY SUSPEND THE INDIVIDUAL'S LICENSE FOR A FIRST CONVICTION
8 FOR UP TO 30 DAYS; AND

9 (2) SHALL SUSPEND THE INDIVIDUAL'S LICENSE FOR A SECOND OR
10 SUBSEQUENT CONVICTION FOR 30 DAYS.

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