
By: **Delegates Hutchins and Mitchell**

Introduced and read first time: March 2, 2001

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Driver's License - Alcohol Restrictions - Persons Under the Age of 21**

3 FOR the purpose of authorizing the Motor Vehicle Administration to impose on a
4 licensee under the age of 21 years a restriction prohibiting the licensee from
5 driving or attempting to drive with any alcohol concentration as determined by
6 an analysis of the licensee's blood or breath; providing that any alcohol
7 concentration as determined by an analysis of a person's blood or breath is
8 prima facie evidence of a certain violation; and generally relating to alcohol
9 restrictions on drivers' licenses.

10 BY repealing and reenacting, with amendments,
11 Article - Courts and Judicial Proceedings
12 Section 10-307(f)
13 Annotated Code of Maryland
14 (1998 Replacement Volume and 2000 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article - Transportation
17 Section 16-113(b)
18 Annotated Code of Maryland
19 (1999 Replacement Volume and 2000 Supplement)

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

22 **Article - Courts and Judicial Proceedings**

23 10-307.

24 (f) If at the time of testing a person has [an] ANY alcohol concentration [of
25 0.02 or more], as determined by an analysis of the person's blood or breath, it shall be
26 prima facie evidence that a defendant was driving in violation of an alcohol restriction
27 under § 16-113 of the Transportation Article.

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Article - Transportation

2 16-113.

3 (b) (1) Notwithstanding the licensee's driving record, the Administration
4 shall impose on each licensee under the age of 21 years an alcohol restriction that
5 prohibits the licensee from driving or attempting to drive a motor vehicle with [an]
6 ANY alcohol concentration [of 0.02 or more] as determined by an analysis of the
7 licensee's blood or breath.

8 (2) An alcohol restriction imposed under this subsection expires when
9 the licensee reaches the age of 21 years.

10 (3) This subsection may not be construed or applied to limit:

11 (i) The authority of the Administration to impose on a licensee an
12 alcohol restriction described in subsection (a)(2) of this section; or

13 (ii) The application of any other provision of law that prohibits
14 consumption of an alcoholic beverage by an individual under the age of 21 years.

15 (4) An individual under the age of 21 years who is convicted of a violation
16 of § 21-902(a), (b), or (c) of this article may be required, for a period of not more than
17 3 years, to participate in the Ignition Interlock System Program in order to retain the
18 individual's driver's license.

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