

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 47

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Drunk” in line 2 down through “Impoundment” in line 3 and substitute “Alcohol- or Drug-Related Offenses - Prohibition on Driving”; and strike in their entirety lines 4 through 18, inclusive, and substitute:

“FOR the purpose of prohibiting a person who is arrested for certain alcohol- or drug-related offenses from driving a motor vehicle for a certain period; providing for an assessment of points against an individual and certain penalties for a violation of this Act; and generally relating to a prohibition against driving a motor vehicle for a certain period after an arrest for certain offenses.

BY repealing and reenacting, with amendments,

Article - Transportation

Section 16-402(a)(24) and 27-101(c)(25) and (26)

Annotated Code of Maryland

(1999 Replacement Volume and 2001 Supplement)”.

AMENDMENT NO. 2

On page 1, in line 21, after “21-902.1” insert “and 27-101(c)(26)”.

On pages 1 and 2, strike in their entirety the lines beginning with line 24 on page 1 through line 6 on page 2, inclusive.

AMENDMENT NO. 3

On page 2, after line 9, insert:

“16-402.

(Over)

(a) After the conviction of an individual for a violation of Article 27, § 388, § 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any local authority, points shall be assessed against the individual as of the date of violation and as follows:

(24) Driving while impaired by alcohol or while impaired by a drug, combination of drugs, or combination of one or more drugs and alcohol, OR DRIVING WITHIN 12 HOURS AFTER ARREST UNDER § 21-902.1 OF THIS ARTICLE. . . . . 8 points “.

AMENDMENT NO. 4

On page 2, in line 11, strike “(1)”; in the same line, strike “SECTION” and substitute “SECTION,”; strike beginning with the first “THE” in line 11 down through “(2)” in line 13; in line 14, after “SUBTITLE” insert “OR TITLE 2, SUBTITLE 5 OR § 3-211 OF THE CRIMINAL LAW ARTICLE”; and after line 14, insert:

“(B) AN ARRESTEE MAY NOT DRIVE A MOTOR VEHICLE WITHIN 12 HOURS AFTER THE ARRESTEE’S ARREST FOR A VIOLATION OF § 21-902 OF THIS SUBTITLE OR TITLE 2, SUBTITLE 5 OR § 3-211 OF THE CRIMINAL LAW ARTICLE.”.

AMENDMENT NO. 5

On pages 2 through 4, strike in their entirety the lines beginning with line 15 on page 2 through line 7 on page 4, inclusive, and substitute:

“27-101.

(c) Any person who is convicted of a violation of any of the provisions of the following sections of this article is subject to a fine of not more than \$500 or imprisonment for not more than 2 months or both:

(25) Except as provided in subsections (f) and (q) of this section, § 21-902(d) (“Driving while impaired by controlled dangerous substance”); [or]

(26) § 21-902.1 (“DRIVING WITHIN 12 HOURS AFTER ARREST”); OR

[26] (27) § 27-107(d), (e), (f), or (g) (“Prohibited acts - Ignition interlock systems”). “.

