

Department of Legislative Services  
Maryland General Assembly  
2002 Session

FISCAL NOTE

Senate Bill 384 (Senator Ruben, *et al.*)  
Judicial Proceedings

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**Motor Vehicles - Drunk and Drugged Driving - Probation Before Judgment**

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This bill prohibits a court from staying the entry of judgment and granting a probation before judgment to a person charged with driving while under the influence of alcohol, or under the influence of alcohol per se, driving while impaired by alcohol, driving while impaired by any drug, any combination of drugs, or a combination of one or more drugs and alcohol, or driving while impaired by a controlled dangerous substance, if that person has been convicted of or given probation for any of those offenses within the preceding ten years. The bill expands the period in which a prior conviction excludes the person from being placed on probation before judgment from five to ten years.

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**Fiscal Summary**

**State Effect:** While this bill could slightly increase the number of related trials, as well as motor vehicle license suspensions/revocations, its requirements could be accommodated with the existing budgeted resources of the District Court and the Motor Vehicle Administration.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** A person charged with driving under the influence of alcohol or under the influence of alcohol per se, driving while impaired by alcohol, driving while impaired by any drug, any combination of drugs, or combination of one or more drugs and alcohol,

or driving while impaired by a controlled dangerous substance, may not be granted probation before judgment if that person has been convicted of or given probation for any of those offenses within the preceding five years.

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### **Additional Information**

**Prior Introductions:** SB 119 of the 2001 session received an unfavorable report from the Judicial Proceedings Committee.

**Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - March 1, 2002  
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