

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 383

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Teitelbaum” and substitute “Teitelbaum, Brochin, Forehand, Haines, and Jacobs”.

AMENDMENT NO. 2

On page 1, in lines 2 and 3, strike “Custodian Liability Warning - Offender Detention - Vehicle Impoundment” and substitute “Prohibition on Driving”; strike beginning with “requiring” in line 4 down through “to” in line 20, and substitute “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”; and in line 20, after “driving” insert “offenses”.

AMENDMENT NO. 3

On page 1, after line 20, insert:

“BY repealing and reenacting, with amendments,

Article - Transportation

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

Annotated Code of Maryland

(2002 Replacement Volume)”;

and in line 23, after “21-902.1” insert “and 27-101(c)(26)”.

AMENDMENT NO. 4

On page 2, after line 9, insert:

(Over)

“16-402.

(a) After the conviction of an individual for a violation of Title 2, Subtitle 5, § 2-209, or § 3-211 of the Criminal Law Article, 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 a combination of one or more drugs and alcohol, OR DRIVING WITHIN 12 HOURS AFTER ARREST UNDER § 21-902.1 OF THIS ARTICLE.....8 points”;

strike beginning with “(1)” in line 11 down through “(2)” in line 13 and substitute “IN THIS SECTION,”; 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.”

On pages 2 through 4, strike in their entirety the lines beginning with line 15 on page 2 through line 10 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”).”