

HOUSE BILL 6

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R3
HB 47/02 - JUD

2003 Regular Session
3lr0255
CF 3lr1833

(PRE-FILED)

By: **Delegates Boschert and Bronrott**
Requested: September 19, 2002
Introduced and read first time: January 8, 2003
Assigned to: Judiciary

Committee Report: Favorable
House action: Adopted
Read second time: February 25, 2003

CHAPTER _____

1 AN ACT concerning

2 **Alcohol- or Drug-Related Offenses - Prohibition on Driving (John's Law)**

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

9 BY repealing and reenacting, with amendments,
10 Article - Transportation
11 Section 16-402(a)(24) and 27-101(c)(25) and (26)
12 Annotated Code of Maryland
13 (2002 Replacement Volume)

14 BY adding to
15 Article - Transportation
16 Section 21-902.1 and 27-101(c)(26)
17 Annotated Code of Maryland
18 (2002 Replacement Volume)

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

Article - Transportation

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 combination of one or more drugs and alcohol, OR DRIVING WITHIN 12 HOURS AFTER ARREST UNDER § 21-902.1 OF THIS ARTICLE.....8 points

21-902.1.

(A) IN THIS SECTION, "ARRESTEE" MEANS A PERSON WHO HAS BEEN ARRESTED FOR A VIOLATION OF § 21-902 OF THIS SUBTITLE OR TITLE 2, SUBTITLE 5 OR § 3-211 OF THE CRIMINAL LAW ARTICLE.

(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.

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").

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.