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By: **Delegates Petzold, Barkley, Brown, Dumais, Goldwater, Gutierrez,  
Kelley, Lee, Menes, Murray, and Simmons**

Introduced and read first time: January 30, 2003

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Driver's License Alcohol Restriction - Violation by Licensee Under the Age**  
3 **of 21 - Appearance in Court**

4 FOR the purpose of providing that an individual who violates an alcohol restriction on  
5 a driver's license that prohibits the individual from driving or attempting to  
6 drive a motor vehicle while having alcohol in the individual's blood may not  
7 comply with a notice to appear in a citation issued for the violation by  
8 prepayment of a fine and must appear in court in person; authorizing the court  
9 to issue a warrant for an individual's arrest if the individual fails to comply with  
10 a notice to appear in a certain citation; and generally relating to a driver's  
11 license alcohol restriction and individuals under the age of 21.

12 BY repealing and reenacting, with amendments,  
13 Article - Transportation  
14 Section 16-113(b)  
15 Annotated Code of Maryland  
16 (2002 Replacement Volume)

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

19 **Article - Transportation**

20 16-113.

21 (b) (1) Notwithstanding the licensee's driving record, the Administration  
22 shall impose on each licensee under the age of 21 years an alcohol restriction that  
23 prohibits the licensee from driving or attempting to drive a motor vehicle while  
24 having alcohol in the licensee's blood.

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

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

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

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

5 (4) An individual under the age of 21 years who is convicted of a violation  
6 of § 21-902(a), (b), or (c) of this article may be required, for a period of not more than  
7 3 years, to participate in the Ignition Interlock System Program in order to retain the  
8 individual's driver's license.

9 (5) IF A LICENSEE VIOLATES A LICENSE RESTRICTION IMPOSED UNDER  
10 THIS SUBSECTION:

11 (I) THE LICENSEE MAY NOT COMPLY WITH THE NOTICE TO  
12 APPEAR IN A CITATION ISSUED FOR THE VIOLATION BY PREPAYMENT OF A FINE;

13 (II) THE LICENSEE MUST APPEAR IN COURT IN PERSON; AND

14 (III) THE COURT MAY ISSUE A WARRANT FOR THE LICENSEE'S  
15 ARREST IF THE LICENSEE FAILS TO COMPLY WITH A NOTICE TO APPEAR.

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