

BY: Senator Della

AMENDMENTS TO SENATE BILL NO. 763
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 12, after “regulations;” insert “requiring a court to provide a certain notice to a certain defendant;”; and in line 37, after “12-120(a)” insert “and 27-101(k)”.

AMENDMENT NO. 2

On page 13, after line 10, insert:

“27-101.

(k) (1) Except as provided in subsection (q) of this section, any person who is convicted of a violation of any of the provisions of § 21-902(a) of this article (“Driving while under the influence of alcohol or under the influence of alcohol per se”) or § 21-902(d) of this article (“Driving while impaired by controlled dangerous substance”):

(i) For a first offense, shall be subject to a fine of not more than \$1,000, or imprisonment for not more than 1 year, or both;

(ii) For a second offense, shall be subject to a fine of not more than \$2,000, or imprisonment for not more than 2 years, or both; and

(iii) For a third or subsequent offense, shall be subject to a fine of not more than \$3,000, or imprisonment for not more than 3 years, or both.

(2) For the purpose of second or subsequent offender penalties for violation of § 21-902(a) of this article provided under this subsection, a prior conviction under § 21-902(b), (c), or (d) of this article, within 5 years of the conviction for a violation of § 21-902(a) of this article, shall be considered a conviction under § 21-902(a) of this article.

(Over)

(3) For the purpose of second or subsequent offender penalties for violation of § 21-902(d) of this article provided under this subsection, a prior conviction under § 21-902(a), (b), or (c) of this article, within 5 years of the conviction for a violation of § 21-902(d) of this article, shall be considered a conviction under § 21-902(d) of this article.

(4) ON SENTENCING A DEFENDANT FOR A VIOLATION OF § 21-902, THE COURT SHALL PROVIDE THE DEFENDANT WITH NOTICE OF THE ANNUAL FEES THAT WILL BE ASSESSED AGAINST THE LICENSEE UNDER § 16-1001 OF THIS ARTICLE.”.