
By: **Delegates Smigiel, Bartlett, Cluster, Dwyer, Elmore, Frank, Hogan,
McConkey, Myers, Shewell, and Sossi**

Introduced and read first time: January 23, 2006

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Drunk Driving Penalties - License Suspension Modification**
3 **or License Restriction - Additional Qualifying Circumstances**

4 FOR the purpose of authorizing the Motor Vehicle Administration to modify a license
5 suspension or issue a restrictive license for a licensee who has committed a
6 certain alcohol-related driving offense if the licensee is required to transport a
7 child to or from a school or day care facility, the license is required to attend a
8 doctor's appointment under certain circumstances, or the license is required to
9 obtain a prescription under certain circumstances; and generally relating to
10 modifying a license suspension or issuing a restrictive license.

11 BY repealing and reenacting, with amendments,
12 Article - Transportation
13 Section 16-205.1(n)(1)
14 Annotated Code of Maryland
15 (2002 Replacement Volume and 2005 Supplement)

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

18 **Article - Transportation**

19 16-205.1.

20 (n) (1) The Administration may modify a suspension under this section or
21 issue a restrictive license if:

22 (i) The licensee did not refuse to take a test;

23 (ii) The licensee has not had a license suspended under this section
24 during the past 5 years;

25 (iii) The licensee has not been convicted under § 21-902 of this
26 article during the past 5 years; and

1 (iv) 1. The licensee is required to drive a motor vehicle in the
2 course of employment;

3 2. The license is required for the purpose of attending an
4 alcoholic prevention or treatment program; [or]

5 3. [It] THE ADMINISTRATION finds that the licensee has no
6 alternative means of transportation available to or from the licensee's place of
7 employment and, without the license, the licensee's ability to earn a living would be
8 severely impaired;

9 4. THE ADMINISTRATION FINDS THAT THE LICENSEE IS
10 REQUIRED TO TRANSPORT A CHILD TO OR FROM A SCHOOL OR DAY CARE FACILITY;

11 5. THE LICENSE IS REQUIRED FOR THE PURPOSE OF
12 ATTENDING A DOCTOR'S APPOINTMENT FOR THE LICENSEE OR A MEMBER OF THE
13 LICENSEE'S FAMILY; OR

14 6. THE LICENSE IS REQUIRED FOR THE PURPOSE OF
15 OBTAINING A PRESCRIPTION AT A PHARMACY FOR THE LICENSEE OR A MEMBER OF
16 THE LICENSEE'S FAMILY.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2006.