
By: **Delegates Frush, Menes, and Moe**

Introduced and read first time: February 6, 2006

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Delinquent Motor Vehicle Theft Offenses - License**
3 **Suspension**

4 FOR the purpose of requiring the Motor Vehicle Administration to suspend the
5 driving privilege of a child who has been adjudicated delinquent by reason of the
6 child's violation of certain provisions of law involving the unlawful taking or
7 unauthorized use of a motor vehicle under certain circumstances; establishing
8 certain time periods during which a child's driving privilege must be suspended
9 for a first, second, and third offense; requiring the clerk of the court to report a
10 certain adjudication to the Administration; and generally relating to license
11 suspensions for unlawful taking or unauthorized use of a motor vehicle by
12 certain persons.

13 BY repealing and reenacting, with amendments,
14 Article - Courts and Judicial Proceedings
15 Section 3-8A-23(a)(3)
16 Annotated Code of Maryland
17 (2002 Replacement Volume and 2005 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article - Transportation
20 Section 16-206(c)
21 Annotated Code of Maryland
22 (2002 Replacement Volume and 2005 Supplement)

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

25 **Article - Courts and Judicial Proceedings**

26 3-8A-23.

27 (a) (3) Subject to paragraph (4) of this subsection, an adjudication of a child
28 as delinquent by reason of the child's violation of the State vehicle laws, including a

1 violation involving an unlawful taking or unauthorized use of a motor vehicle under §
 2 7-105 or § 7-203 of the Criminal Law Article or § 14-102 of the Transportation Article
 3 shall be reported by the clerk of the court to the Motor Vehicle Administration, which
 4 shall [assess]:

5 (I) ASSESS points against the child under Title 16, Subtitle 4 of the
 6 Transportation Article, in the same manner and to the same effect as if the child had
 7 been convicted of the offense; AND

8 (II) IN THE CASE OF A VIOLATION UNDER § 7-105 OR § 7-203 OF THE
 9 CRIMINAL LAW ARTICLE OR § 14-102 OF THE TRANSPORTATION ARTICLE INVOLVING
 10 AN UNLAWFUL TAKING OR UNAUTHORIZED USE OF A MOTOR VEHICLE, SUSPEND
 11 THE DRIVING PRIVILEGE OF THE CHILD UNDER § 16-206(C)(1)(II) OF THE
 12 TRANSPORTATION ARTICLE.

13 **Article - Transportation**

14 16-206.

15 (c) (1) (I) Pursuant to a court order under § 3-8A-19(e) of the Courts
 16 Article, the Administration shall initiate an action to suspend the driving privilege of
 17 a child for the time specified by the court.

18 (II) PURSUANT TO A COURT ORDER UNDER § 3-8A-23(A)(3) OF THE
 19 COURTS ARTICLE, THE ADMINISTRATION SHALL INITIATE AN ACTION TO SUSPEND
 20 THE DRIVING PRIVILEGE OF A CHILD:

- 21 1. FOR A FIRST OFFENSE, FOR 1 YEAR;
- 22 2. FOR A SECOND OFFENSE, FOR 2 YEARS; AND
- 23 3. FOR A THIRD OFFENSE, FOR 3 YEARS.

24 (2) If a child subject to a suspension under § 3-8A-19(e) OR §
 25 3-8A-23(A)(3) of the Courts Article does not hold a license to operate a motor vehicle on
 26 the date of the court order, the suspension shall commence:

27 (i) If the child is at least 16 years of age on the date of the
 28 disposition, on the date of the disposition; or

29 (ii) If the child is younger than 16 years of age on the date of the
 30 disposition, on the date the child reaches the child's 16th birthday.

31 (3) On receipt of a notice described under § 10-119(k) of the Criminal
 32 Law Article, the Administration shall suspend the license of an individual described
 33 under § 10-119(k) of the Criminal Law Article:

34 (i) For a first offense, for 6 months; and

1 (ii) For a second or subsequent offense, until the individual is 21
2 years old or for a period of 1 year, whichever is longer.

3 (4) If an individual subject to a suspension under paragraph (3) of this
4 subsection does not hold a license to operate a motor vehicle on the date that the
5 individual is found guilty of a Code violation, the suspension shall begin on the date
6 that the license is issued, or after the individual applies and becomes qualified to
7 receive a license, or on the individual's twenty-first birthday, whichever occurs first.

8 (5) The Administration may modify a suspension under this subsection
9 or subsection (b) of this section or issue a restricted license if:

10 (i) The license is required for the purpose of attending an alcohol
11 education or alcoholic prevention or treatment program;

12 (ii) The child or individual is required to drive a motor vehicle in
13 the course of employment;

14 (iii) It finds that the individual's or child's employment would be
15 adversely affected because the individual or child has no reasonable alternative
16 means of transportation to or from a place of employment; or

17 (iv) It finds that the individual's or child's education would be
18 adversely affected because the individual or child has no reasonable alternative
19 means of transportation for educational purposes.

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