
By: **Delegates Taylor, Conroy, DeBoy, Feldman, Heller, Kaiser, Lee,
Madaleno, McDonough, Miller, Montgomery, Niemann, Parker, and
Trueschler**

Introduced and read first time: February 10, 2006

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Drunk and Drugged Driving - Repeat Offenders - Special Registration**
3 **Plates**

4 FOR the purpose of requiring the Motor Vehicle Administration to issue special
5 license plates to identify a vehicle that is owned by an individual who has been
6 convicted of certain drunk or drugged driving offenses a certain number of
7 times; requiring the special registration plates to be distinctive and to include
8 the letters "DUI"; requiring the Administration to recall the registration plates
9 of all vehicles owned by an individual who has been convicted of certain drunk
10 and drugged driving offenses a certain number of times; requiring the
11 Administration to provide a certain notice concerning recalled registration
12 plates; requiring the Administration to issue special registration plates and
13 certain validation tabs under certain circumstances; requiring a vehicle owner
14 to comply with a certain notice; requiring the owner of a vehicle issued special
15 registration plates to pay a certain fee; requiring special registration plates
16 issued under this Act to be displayed for a certain number of years; requiring an
17 owner to renew registration under certain circumstances; requiring the
18 Administration to return or issue certain registration plates and to issue certain
19 validation tabs at the end of a certain time period; and generally relating to
20 drunk and drugged driving.

21 BY adding to
22 Article - Transportation
23 Section 13-630
24 Annotated Code of Maryland
25 (2002 Replacement Volume and 2005 Supplement)

26 BY repealing and reenacting, without amendments,
27 Article - Transportation
28 Section 21-902
29 Annotated Code of Maryland
30 (2002 Replacement Volume and 2005 Supplement)

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

3 **Article - Transportation**

4 13-630.

5 (A) (1) THE ADMINISTRATION SHALL ISSUE, IN ACCORDANCE WITH THIS
6 SECTION, SPECIAL REGISTRATION PLATES THAT IDENTIFY THE VEHICLE
7 DISPLAYING THE PLATES AS BEING OWNED BY AN INDIVIDUAL WHO HAS BEEN
8 CONVICTED OF TWO OR MORE VIOLATIONS OF § 21-902 OF THIS ARTICLE.

9 (2) SPECIAL REGISTRATION PLATES ISSUED UNDER THIS SECTION
10 SHALL BE OF A DISTINCTIVE DESIGN DETERMINED BY THE ADMINISTRATION AND
11 SHALL INCLUDE THE LETTERS "DUI" AND A THREE-DIGIT NUMBER.

12 (B) (1) IF THE OWNER OF A VEHICLE REGISTERED UNDER THIS TITLE IS
13 CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF § 21-902 OF THIS ARTICLE,
14 THE ADMINISTRATION SHALL:

15 (I) RECALL THE REGULAR REGISTRATION PLATES OF ALL
16 VEHICLES REGISTERED TO THE OWNER;

17 (II) NOTIFY THE OWNER THAT THE RECALLED REGISTRATION
18 PLATES MUST BE RETURNED TO THE ADMINISTRATION WITHIN 30 DAYS FROM THE
19 DATE OF THE NOTICE; AND

20 (III) IF THE OWNER OR ANY CO-OWNER OF THE VEHICLE IS
21 OTHERWISE QUALIFIED TO OPERATE THE VEHICLE, AT THE TIME THE RECALLED
22 REGISTRATION PLATES ARE RETURNED TO THE ADMINISTRATION ISSUE TO THE
23 OWNER:

24 1. SPECIAL "DUI" REGISTRATION PLATES AUTHORIZED
25 UNDER THIS SECTION; AND

26 2. VALIDATION TABS WHICH SHALL REMAIN VALID FOR THE
27 REMAINDER OF THE VEHICLE'S CURRENT REGISTRATION PERIOD.

28 (2) A VEHICLE OWNER SHALL COMPLY PROMPTLY WITH A NOTICE SENT
29 TO THE OWNER UNDER THIS SUBSECTION.

30 (C) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, THE
31 OWNER OF A VEHICLE ASSIGNED SPECIAL "DUI" REGISTRATION PLATES UNDER THIS
32 SECTION SHALL PAY A FEE DETERMINED BY THE ADMINISTRATION UPON ISSUANCE
33 OF THE PLATES.

34 (2) THE FEE:

35 (I) MAY NOT EXCEED THE AMOUNT REQUIRED BY THE
36 ADMINISTRATION TO RECOVER ITS COSTS UNDER THIS SECTION;

1 (II) SHALL BE RETAINED BY THE ADMINISTRATION FOR THE
2 PURPOSE OF RECOVERING ITS COSTS UNDER THIS SECTION; AND

3 (III) MAY NOT BE CREDITED TO THE GASOLINE AND MOTOR
4 VEHICLE REVENUE ACCOUNT UNDER § 8-402 OF THIS ARTICLE.

5 (D) (1) SPECIAL "DUI" REGISTRATION PLATES ISSUED FOR A VEHICLE
6 UNDER THIS SECTION SHALL BE DISPLAYED ON THE VEHICLE FOR 2 FULL YEARS
7 FROM THE DATE THE PLATES ARE ISSUED TO THE OWNER.

8 (2) IF THE VEHICLE'S REGISTRATION PERIOD EXPIRES DURING THE
9 TIME PERIOD THAT THE OWNER IS REQUIRED TO DISPLAY THE SPECIAL
10 REGISTRATION PLATES UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE OWNER
11 SHALL RENEW THE REGISTRATION AND PAY FEES IN THE MANNER PROVIDED FOR
12 REGISTRATION UNDER THIS TITLE.

13 (3) AT THE END OF THE TIME PERIOD SPECIFIED IN PARAGRAPH (1) OF
14 THIS SUBSECTION, THE ADMINISTRATION SHALL:

15 (I) 1. RETURN THE REGISTRATION PLATES THAT PREVIOUSLY
16 HAD BEEN RECALLED UNDER THIS SECTION; OR

17 2. ISSUE NEW REGISTRATION PLATES FOR THE VEHICLE;
18 AND

19 (II) ISSUE VALIDATION TABS WHICH SHALL REMAIN VALID FOR
20 THE REMAINDER OF THE VEHICLE'S CURRENT REGISTRATION PERIOD.

21 21-902.

22 (a) (1) A person may not drive or attempt to drive any vehicle while under
23 the influence of alcohol.

24 (2) A person may not drive or attempt to drive any vehicle while the
25 person is under the influence of alcohol per se.

26 (3) A person may not violate paragraph (1) or (2) of this subsection while
27 transporting a minor.

28 (b) (1) A person may not drive or attempt to drive any vehicle while
29 impaired by alcohol.

30 (2) A person may not violate paragraph (1) of this subsection while
31 transporting a minor.

32 (c) (1) A person may not drive or attempt to drive any vehicle while he is so
33 far impaired by any drug, any combination of drugs, or a combination of one or more
34 drugs and alcohol that he cannot drive a vehicle safely.

35 (2) It is not a defense to any charge of violating this subsection that the
36 person charged is or was entitled under the laws of this State to use the drug,

1 combination of drugs, or combination of one or more drugs and alcohol, unless the
2 person was unaware that the drug or combination would make the person incapable
3 of safely driving a vehicle.

4 (3) A person may not violate paragraph (1) or (2) of this subsection while
5 transporting a minor.

6 (d) (1) A person may not drive or attempt to drive any vehicle while the
7 person is impaired by any controlled dangerous substance, as that term is defined in
8 § 5-101 of the Criminal Law Article, if the person is not entitled to use the controlled
9 dangerous substance under the laws of this State.

10 (2) A person may not violate paragraph (1) of this subsection while
11 transporting a minor.

12 (e) For purposes of the application of subsequent offender penalties under §
13 27-101 of this article, a conviction for a crime committed in another state or federal
14 jurisdiction that, if committed in this State, would constitute a violation of subsection
15 (a), (b), (c), or (d) of this section shall be considered a violation of subsection (a), (b),
16 (c), or (d) of this section.

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