

HOUSE BILL 305

R3

9lr0235
CF SB 263

By: **The Speaker (By Request – Administration) (Task Force to Combat Driving Under the Influence of Drugs and Alcohol) and Delegates Dumais, Bronrott, and Waldstreicher**

Introduced and read first time: January 29, 2009

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2009

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Alcohol Restriction on Driver’s License – Penalties for**
3 **Violations**

4 FOR the purpose of establishing certain penalties for a violation of a driver’s license
5 alcohol restriction imposed by the Motor Vehicle Administration; making a
6 clarifying change; and generally relating to driver’s license alcohol restrictions.

7 BY repealing and reenacting, with amendments,
8 Article – Transportation
9 Section 16–113(j), 27–101(c)(11), and 27–102
10 Annotated Code of Maryland
11 (2006 Replacement Volume and 2008 Supplement)

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

14 **Article – Transportation**

15 16–113.

16 (j) An individual may not drive or attempt to drive a motor vehicle with
17 alcohol in the individual’s blood in violation of a restriction [imposed by a court].

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 27-101.

2 (c) Any person who is convicted of a violation of any of the provisions of the
3 following sections of this article is subject to a fine of not more than \$500 or
4 imprisonment for not more than 2 months or both:

5 (11) § 16-113(j) (“Violation of alcohol restriction [ordered by a court]”);

6 27-102.

7 Except as provided in § 21-1207.1 of this article, any person who violates a
8 restriction imposed on any license under the Maryland Vehicle Law or who violates
9 any rule or regulation adopted under any provision of the Maryland Vehicle Law is,
10 **ON CONVICTION,** guilty of a misdemeanor and, in addition to any administrative
11 penalty provided for in the Maryland Vehicle Law, is subject to the penalties provided
12 for in § 27-101(b) **OR (C)** of this subtitle or, if greater, to the same penalties as are
13 provided for a violation of the statute for or under which the restriction is imposed or
14 the rule or regulation adopted.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2009.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.