

HOUSE BILL 194

E3, R4

0lr1026

By: **Delegates Rosenberg, Anderson, Aumann, Barnes, Dumais, Frank, Lafferty, Oaks, and Ramirez**

Introduced and read first time: January 22, 2010

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Law – Motor Vehicle Theft and Unauthorized Use – Suspension of**
3 **Driving Privileges**

4 FOR the purpose of requiring the Motor Vehicle Administration to suspend the driving
5 privilege of a child who has been adjudicated delinquent for a violation of
6 certain provisions of law involving the unlawful taking or unauthorized use of a
7 motor vehicle under certain circumstances; establishing certain maximum time
8 periods during which a child's driving privilege may be suspended for a first or
9 subsequent offense; requiring a clerk of a circuit court to report certain
10 adjudications to the Administration; and generally relating to suspensions of
11 driving privileges 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 (2006 Replacement Volume and 2009 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Transportation
20 Section 16–206(c)(1) and (2)
21 Annotated Code of Maryland
22 (2009 Replacement Volume and 2009 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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



3-8A-23.

(a) (3) Subject to paragraph (4) of this subsection, an adjudication of a child as delinquent by reason of the child's violation of the State vehicle laws, including a violation involving an unlawful taking or unauthorized use of a motor vehicle under § 7-105 or § 7-203 of the Criminal Law Article or § 14-102 of the Transportation Article shall be reported by the clerk of the court to the Motor Vehicle Administration, which shall [assess]:

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

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

Article – Transportation

16-206.

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

(II) ON RECEIPT OF A NOTICE DESCRIBED UNDER § 3-8A-23(A)(3)(II) OF THE COURTS ARTICLE, THE ADMINISTRATION SHALL INITIATE AN ACTION TO SUSPEND THE DRIVING PRIVILEGE OF A CHILD:

1. FOR A FIRST OFFENSE, FOR NOT MORE THAN 1 YEAR; AND

2. FOR A SECOND OR SUBSEQUENT OFFENSE, FOR NOT MORE THAN 2 YEARS.

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

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

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

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2010.