

Chapter 631

(House Bill 1015)

AN ACT concerning

Drunk Driving – Transporting a Minor – Ignition Interlock System Program

FOR the purpose of requiring individuals who are convicted of certain alcohol-related driving offenses involving transportation of a minor under a certain age to successfully complete the Ignition Interlock System Program; and generally relating to certain alcohol-related driving offenses involving transportation of a minor under a certain age and the Ignition Interlock System Program.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 16–404.1(a)(1), (4), and (5) and (d)(1)(ii) and 21–902(a) and (b)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–404.1(d)(1)(i)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

Article – Transportation

16–404.1.

(a) (1) In this section the following words have the meanings indicated.

(4) “Participant” means a participant in the Ignition Interlock System Program.

(5) “Program” means the Ignition Interlock System Program.

(d) (1) (i) Notwithstanding subsection (c) of this section, an individual shall be a participant if the individual is convicted of a violation of [§ 21–902(a)]:

1. § 21–902(A)(1) OR (2) of this article and had an alcohol concentration at the time of testing of 0.15 or more; OR

2. § ~~21-902(A)(3)(B)(2)~~ 21-902(A)(3) OR (B)(2) OF THIS ARTICLE AND THE MINOR WHO WAS TRANSPORTED WAS UNDER THE AGE OF 16 YEARS.

(ii) If an individual is subject to this paragraph and fails to participate in the Program or successfully complete the Program, the Administration shall suspend, notwithstanding § 16-208 of this title, the individual's license until the individual successfully completes the Program.

21-902.

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

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.

Approved by the Governor, May 15, 2014.