

HOUSE BILL 1015

R3
HB 32/13 – JUD

4lr2118

By: **Delegates Arora and Clippinger**
Introduced and read first time: February 6, 2014
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Drunk Driving – Transporting a Minor – Ignition Interlock System Program**

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

8 BY repealing and reenacting, without amendments,

9 Article – Transportation

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

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2013 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Transportation

15 Section 16–404.1(d)(1)(i)

16 Annotated Code of Maryland

17 (2012 Replacement Volume and 2013 Supplement)

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

20 **Article – Transportation**

21 16–404.1.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

4 1. **§ 21–902(A)(1) OR (2)** of this article and had an
5 alcohol concentration at the time of testing of 0.15 or more; **OR**

6 2. **§ 21–902(A)(3)(B)(2) OF THIS ARTICLE AND THE**
7 **MINOR WHO WAS TRANSPORTED WAS UNDER THE AGE OF 16 YEARS.**

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

12 21–902.

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

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

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

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

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

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