

# HOUSE BILL 189

R3

(PRE-FILED)

5r0214  
CF SB 187

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By: **Chair, Judiciary Committee (By Request – Departmental – Transportation)**

Requested: October 9, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Drunk Driving – Commercial Driver’s Licenses – Disqualification From Driving**

3 FOR the purpose of requiring the Motor Vehicle Administration to disqualify any individual  
4 from driving a commercial motor vehicle for a certain period of time if the individual  
5 drives or attempts to drive any vehicle with a certain alcohol concentration in the  
6 person’s blood or breath; and generally relating to disqualification from driving  
7 commercial motor vehicles.

8 BY repealing and reenacting, with amendments,

9 Article – Transportation

10 Section 16–812(a)

11 Annotated Code of Maryland

12 (2020 Replacement Volume and 2024 Supplement)

13 BY repealing and reenacting, without amendments,

14 Article – Transportation

15 Section 16–812(b) and (c)

16 Annotated Code of Maryland

17 (2020 Replacement Volume and 2024 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Transportation**

21 16–812.

22 (a) The Administration shall disqualify any individual from driving a commercial  
23 motor vehicle for a period of 1 year if:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) The individual is convicted of committing any of the following offenses  
2 while driving a commercial motor vehicle:

3 (i) A violation of § 21–902 of this article;

4 (ii) A violation of a federal law or any other state’s law which is  
5 substantially similar in nature to the provisions in § 21–902 of this article;

6 (iii) Leaving the scene of an accident which requires disqualification  
7 as provided by the United States Secretary of Transportation;

8 (iv) A crime, other than a crime described in subsection (e) of this  
9 section, that is punishable by imprisonment for a term exceeding 1 year;

10 (v) A violation of § 25–112 of this article; or

11 (vi) A violation of § 2–209, § 2–503, § 2–504, § 2–505, or § 2–506 of  
12 the Criminal Law Article;

13 (2) The individual holds a commercial instructional permit or commercial  
14 driver’s license and is convicted of committing any of the following offenses while driving a  
15 noncommercial motor vehicle:

16 (i) A violation of § 21–902(a), (c), or (d) of this article;

17 (ii) A violation of a federal law or any other state’s law which is  
18 substantially similar in nature to the provisions in § 21–902(a), (c), or (d) of this article;

19 (iii) Leaving the scene of an accident which requires disqualification  
20 as provided by the United States Secretary of Transportation; or

21 (iv) A crime, other than a crime described in subsection (e) of this  
22 section, that is punishable by imprisonment for a term exceeding 1 year;

23 (3) The individual, while driving a commercial motor vehicle or while  
24 holding a commercial instructional permit or commercial driver’s license, refuses to  
25 undergo testing as provided in § 16–205.1 of this title or as is required by any other state’s  
26 law or by federal law in the enforcement of 49 C.F.R. § 383.51 Table 1, or 49 C.F.R. §  
27 392.5(a)(2);

28 (4) The individual drives or attempts to drive a commercial motor vehicle  
29 while the alcohol concentration of the person’s blood or breath is 0.04 or greater; [or]

30 **(5) THE INDIVIDUAL, WHILE HOLDING A COMMERCIAL**  
31 **INSTRUCTIONAL PERMIT OR COMMERCIAL DRIVER’S LICENSE, DRIVES OR**  
32 **ATTEMPTS TO DRIVE ANY MOTOR VEHICLE WHILE THE ALCOHOL CONCENTRATION**  
33 **OF THE PERSON’S BLOOD OR BREATH IS 0.08 OR GREATER; OR**

1            ~~[(5)]~~ **(6)**        The individual drives a commercial motor vehicle when, as a  
2 result of prior violations committed while driving a commercial motor vehicle, the driver's  
3 commercial instructional permit or commercial driver's license is revoked, suspended, or  
4 canceled or the driver is disqualified from driving a commercial motor vehicle.

5            (b)    If any of the offenses in subsection (a) of this section occurred while  
6 transporting a hazardous material required to be placarded, the Administration shall  
7 disqualify the individual for a period of 3 years.

8            (c)    The Administration shall disqualify any person from driving a commercial  
9 motor vehicle for life for 2 or more violations of any of the offenses specified in subsection  
10 (a) or (b) of this section, or any combination of those offenses, arising from 2 or more  
11 separate incidents.

12            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2025.