

HOUSE BILL 1139

R4

5lr2849
CF 5lr3125

By: **Delegate Allen**

Introduced and read first time: February 5, 2025

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Intelligent Speed Assistance System Pilot Program –**
3 **Establishment**

4 FOR the purpose of establishing the Intelligent Speed Assistance System Pilot Program;
5 requiring certain individuals whose driver’s licenses are subject to certain
6 suspension or revocation to participate in the Program; requiring the Motor Vehicle
7 Administration to issue to participants a restrictive license requiring the use of an
8 intelligent speed assistance system; prohibiting a participant from operating a motor
9 vehicle in violation of the requirements of the Program; and generally relating to the
10 Intelligent Speed Assistance System Pilot Program.

11 BY repealing and reenacting, with amendments,
12 Article – Transportation
13 Section 16–404(c)
14 Annotated Code of Maryland
15 (2020 Replacement Volume and 2024 Supplement)

16 BY adding to
17 Article – Transportation
18 Section 16–404.2
19 Annotated Code of Maryland
20 (2020 Replacement Volume and 2024 Supplement)

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

23 **Article – Transportation**

24 16–404.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) (1) Except as provided in paragraphs (2) [and (3)], **(3)**, AND **(4)** of this
2 subsection:

3 (i) An initial suspension may not be for less than 2 days nor more
4 than 30 days; and

5 (ii) Any subsequent suspension may not be for less than 15 days nor
6 more than 90 days.

7 (2) Subject to the provisions of paragraph (3) of this subsection, the
8 following suspension periods may apply to a suspension for an accumulation of points under
9 § 16-402(a)(29) of this subtitle for a violation of § 21-902(b) or (c) of this article or a
10 suspension imposed under § 16-404.1(f)(1)(iii) of this subtitle:

11 (i) For a first conviction, not more than 6 months;

12 (ii) For a second conviction at least 5 years after the date of the first
13 conviction, not more than 9 months;

14 (iii) For a second conviction less than 5 years after the date of the
15 first conviction or for a third conviction, not more than 12 months; and

16 (iv) For a fourth or subsequent conviction, not more than 24 months.

17 (3) The Administration may issue a restrictive license for the period of the
18 suspension to an individual who participates in the Administration's Ignition Interlock
19 System Program under § 16-404.1 of this subtitle.

20 **(4) THE ADMINISTRATION MAY ISSUE A RESTRICTIVE LICENSE FOR**
21 **THE PERIOD OF THE SUSPENSION TO AN INDIVIDUAL WHO PARTICIPATES IN THE**
22 **ADMINISTRATION'S INTELLIGENT SPEED ASSISTANCE SYSTEM PILOT PROGRAM**
23 **UNDER § 16-404.2 OF THIS SUBTITLE.**

24 **[(4)] (5)** This subsection does not limit the authority of the
25 Administration to issue a restrictive license or modify a suspension imposed under this
26 subsection.

27 **16-404.2.**

28 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
29 **INDICATED.**

30 **(2) "APPROVED SERVICE PROVIDER" MEANS A PERSON WHO IS**
31 **CERTIFIED BY:**

1 **(I) THE ADMINISTRATION TO SERVICE, INSTALL, MONITOR,**
2 **CALIBRATE, AND PROVIDE INFORMATION ON INTELLIGENT SPEED ASSISTANCE**
3 **SYSTEMS; AND**

4 **(II) A MANUFACTURER TO BE QUALIFIED TO SERVICE, INSTALL,**
5 **MONITOR, CALIBRATE, AND PROVIDE INFORMATION ON INTELLIGENT SPEED**
6 **ASSISTANCE SYSTEMS.**

7 **(3) “MANUFACTURER” MEANS A PERSON THAT MANUFACTURES**
8 **INTELLIGENT SPEED ASSISTANCE SYSTEMS.**

9 **(4) “PARTICIPANT” MEANS A PARTICIPANT IN THE INTELLIGENT**
10 **SPEED ASSISTANCE SYSTEM PILOT PROGRAM.**

11 **(5) “PROGRAM” MEANS THE INTELLIGENT SPEED ASSISTANCE**
12 **SYSTEM PILOT PROGRAM.**

13 **(B) (1) THE ADMINISTRATION SHALL ESTABLISH AN INTELLIGENT**
14 **SPEED ASSISTANCE SYSTEM PILOT PROGRAM IN ACCORDANCE WITH THIS**
15 **SECTION.**

16 **(2) (I) THE ADMINISTRATION SHALL ESTABLISH A PROTOCOL FOR**
17 **THE PROGRAM THROUGH THE ADOPTION OF REGULATIONS THAT REQUIRE CERTAIN**
18 **MINIMUM STANDARDS FOR ALL SERVICE PROVIDERS WHO SERVICE, INSTALL,**
19 **MONITOR, CALIBRATE, AND PROVIDE INFORMATION ON INTELLIGENT SPEED**
20 **ASSISTANCE SYSTEMS.**

21 **(II) THE REGULATIONS SHALL REQUIRE THAT:**

22 **1. A SERVICE PROVIDER WHO APPLIES TO THE**
23 **ADMINISTRATION FOR CERTIFICATION AS AN APPROVED SERVICE PROVIDER**
24 **DEMONSTRATE THAT THE SERVICE PROVIDER IS ABLE TO COMPETENTLY SERVICE,**
25 **INSTALL, MONITOR, CALIBRATE, AND PROVIDE INFORMATION TO THE**
26 **ADMINISTRATION AT LEAST EVERY 30 DAYS ON INDIVIDUALS REQUIRED TO USE**
27 **INTELLIGENT SPEED ASSISTANCE SYSTEMS;**

28 **2. A SERVICE PROVIDER WHO APPLIES TO THE**
29 **ADMINISTRATION FOR CERTIFICATION AS AN APPROVED SERVICE PROVIDER BE**
30 **CERTIFIED BY A SIGNED AFFIDAVIT FROM THE MANUFACTURER THAT THE SERVICE**
31 **PROVIDER HAS BEEN TRAINED BY AN AUTHORIZED MANUFACTURER AND THAT THE**
32 **SERVICE PROVIDER IS COMPETENT TO SERVICE, INSTALL, MONITOR, CALIBRATE,**
33 **AND PROVIDE INFORMATION ON INTELLIGENT SPEED ASSISTANCE SYSTEMS;**

1 **3. APPROVED SERVICE PROVIDERS BE CONSIDERED TO**
2 **BE AUTHORIZED REPRESENTATIVES OF THE MANUFACTURER; AND**

3 **4. ANY SERVICE OF NOTICE ON AN APPROVED SERVICE**
4 **PROVIDER BE CONSIDERED TO BE SERVICE OF NOTICE ON THE MANUFACTURER**
5 **WHO CERTIFIED THE APPROVED SERVICE PROVIDER.**

6 **(C) (1) AN INDIVIDUAL SHALL BE A PARTICIPANT IF THE INDIVIDUAL HAS**
7 **ACCUMULATED POINTS IN AN AMOUNT THAT WOULD RESULT IN SUSPENSION OR**
8 **REVOCAION OF A DRIVER'S LICENSE UNDER § 16-404 OF THIS SUBTITLE DUE TO**
9 **ANY COMBINATION OF VIOLATIONS OF:**

10 **(I) § 16-402(A)(3) OF THIS SUBTITLE;**

11 **(II) § 16-402(A)(17) OF THIS SUBTITLE;**

12 **(III) § 16-402(A)(24) OF THIS SUBTITLE;**

13 **(IV) § 16-402(A)(27) OF THIS SUBTITLE;**

14 **(V) § 16-402(A)(33) OF THIS SUBTITLE; OR**

15 **(VI) § 16-402(A)(45) OF THIS SUBTITLE.**

16 **(2) AN INDIVIDUAL WHO PARTICIPATES IN THE PROGRAM SHALL BE**
17 **A PARTICIPANT FOR 1 YEAR.**

18 **(3) IF AN INDIVIDUAL IS SUBJECT TO THIS SUBSECTION AND FAILS TO**
19 **PARTICIPATE IN THE PROGRAM OR SUCCESSFULLY COMPLETE THE PROGRAM, THE**
20 **ADMINISTRATION SHALL SUSPEND, NOTWITHSTANDING § 16-208 OF THIS TITLE,**
21 **THE INDIVIDUAL'S DRIVER'S LICENSE UNTIL THE INDIVIDUAL SUCCESSFULLY**
22 **COMPLETES THE PROGRAM.**

23 **(D) (1) THE ADMINISTRATION SHALL:**

24 **(I) MODIFY A SUSPENSION AND ISSUE A RESTRICTIVE**
25 **DRIVER'S LICENSE REQUIRING THE USE OF AN INTELLIGENT SPEED ASSISTANCE**
26 **SYSTEM FOR THE DURATION OF PROGRAM PARTICIPATION TO A PARTICIPANT WHO**
27 **IS OTHERWISE ELIGIBLE FOR THE LICENSE; AND**

28 **(II) REINSTATE THE DRIVER'S LICENSE, SUBJECT TO A**
29 **RESTRICTION REQUIRING THE USE OF AN INTELLIGENT SPEED ASSISTANCE SYSTEM**

1 FOR THE DURATION OF PROGRAM PARTICIPATION, OF A PARTICIPANT WHOSE
2 DRIVER'S LICENSE HAS BEEN REVOKED.

3 (2) A NOTICE OF SUSPENSION OR REVOCATION OF A DRIVER'S
4 LICENSE AS DESCRIBED IN SUBSECTION (C) OF THIS SECTION SENT TO AN
5 INDIVIDUAL SHALL INCLUDE INFORMATION ABOUT THE PROGRAM AND HOW
6 INDIVIDUALS MAY PARTICIPATE IN THE PROGRAM.

7 (3) THE ADMINISTRATION SHALL ESTABLISH A FEE FOR
8 PARTICIPATION IN THE PROGRAM THAT IS SUFFICIENT TO COVER THE COSTS OF
9 THE PROGRAM.

10 (E) A PARTICIPANT MAY NOT OPERATE A MOTOR VEHICLE IN VIOLATION OF
11 THE REQUIREMENTS OF THE PROGRAM.

12 (F) A PARTICIPANT IS CONSIDERED TO HAVE BEGUN PARTICIPATION IN THE
13 PROGRAM ON THE DAY THE INTELLIGENT SPEED ASSISTANCE SYSTEM IS INSTALLED
14 IN THE PARTICIPANT'S MOTOR VEHICLE.

15 (G) (1) AN INDIVIDUAL REQUIRED TO USE AN INTELLIGENT SPEED
16 ASSISTANCE SYSTEM UNDER THIS SECTION:

17 (I) SHALL BE MONITORED BY THE ADMINISTRATION; AND

18 (II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
19 SUBSECTION, SHALL PAY THE FEE REQUIRED BY THE ADMINISTRATION UNDER
20 SUBSECTION (D)(3) OF THIS SECTION.

21 (2) THE ADMINISTRATION SHALL WAIVE THE FEE REQUIRED UNDER
22 THIS SUBSECTION FOR AN INDIVIDUAL WHO IS INDIGENT.

23 (H) IF AN INDIVIDUAL COMPLETES THE PROGRAM AND THE INDIVIDUAL'S
24 LICENSE IS NOT REFUSED, REVOKED, SUSPENDED, OR CANCELED UNDER ANOTHER
25 PROVISION OF THIS ARTICLE, THE ADMINISTRATION SHALL ISSUE IMMEDIATELY A
26 LICENSE TO THE INDIVIDUAL.

27 (I) (1) IF THE ADMINISTRATION REMOVES AN INDIVIDUAL FROM THE
28 PROGRAM BECAUSE THE INDIVIDUAL VIOLATED ANY REQUIREMENT OF THE
29 PROGRAM, THE ADMINISTRATION MAY ALLOW THE INDIVIDUAL TO REENTER THE
30 PROGRAM AFTER A PERIOD OF 30 DAYS FROM THE DATE OF REMOVAL.

31 (2) IF AN INDIVIDUAL REENTERS THE PROGRAM UNDER THIS
32 SUBSECTION, THE INDIVIDUAL SHALL PARTICIPATE IN THE PROGRAM FOR 3

1 MONTHS IN ADDITION TO THE PERIOD OF TIME THAT WAS NECESSARY FOR
2 SUCCESSFUL COMPLETION OF THE PROGRAM AT THE TIME THE INDIVIDUAL WAS
3 REMOVED FROM THE PROGRAM.

4 (J) (1) THE ADMINISTRATION SHALL ADOPT REGULATIONS TO CARRY
5 OUT THIS SECTION.

6 (2) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL
7 INCLUDE REQUIREMENTS FOR A PARTICIPANT TO OPERATE A MOTOR VEHICLE
8 EQUIPPED WITH AN INTELLIGENT SPEED ASSISTANCE SYSTEM IN A SAFE MANNER,
9 AS DETERMINED BY THE ADMINISTRATION.

10 SECTION 2. AND BE IT FURTHER ENACTED, That on or before December 30,
11 2028, the Motor Vehicle Administration shall report to the Governor and, in accordance
12 with § 2-1257 of the State Government Article, the General Assembly on the
13 implementation of this Act.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2025. It shall remain effective for a period of 3 years and 9 months and, at the
16 end of June 30, 2029, this Act, with no further action required by the General Assembly,
17 shall be abrogated and of no further force and effect.