

# HOUSE BILL 107

R4

(6lr1327)

## ENROLLED BILL

— *Environment and Transportation/Judicial Proceedings* —

Introduced by ~~Delegate Allen~~ Delegates Allen, Behler, Boyce, Foley, Guyton, Holmes, Lewis, T. Morgan, Odom, and Ziegler

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

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~~ ~~authorizing~~ requiring certain individuals whose driver's licenses are  
6 subject to certain suspension or revocation to participate in the Program; requiring  
7 the Motor Vehicle Administration to issue to participants a restrictive license  
8 requiring the use of an intelligent speed assistance system; prohibiting a participant  
9 from operating a motor vehicle in violation of the requirements of the Program;  
10 requiring the District Court to ensure that certain entries are included in a certain  
11 schedule of fines; and generally relating to the Intelligent Speed Assistance System  
12 Pilot Program.

13 BY repealing and reenacting, with amendments,

---

#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 Article – Transportation  
2 Section 16–404(c)  
3 Annotated Code of Maryland  
4 (2020 Replacement Volume and 2025 Supplement)

5 BY adding to  
6 Article – Transportation  
7 Section 16–404.2  
8 Annotated Code of Maryland  
9 (2020 Replacement Volume and 2025 Supplement)

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

12 **Article – Transportation**

13 16–404.

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

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

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

20 (2) Subject to the provisions of paragraph (3) of this subsection, the  
21 following suspension periods may apply to a suspension for an accumulation of points under  
22 § 16–402(a)(29) of this subtitle for a violation of § 21–902(b) or (c) of this article or a  
23 suspension imposed under § 16–404.1(f)(1)(iii) of this subtitle:

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

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

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

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

30 (3) The Administration may issue a restrictive license for the period of the  
31 suspension to an individual who participates in the Administration’s Ignition Interlock  
32 System Program under § 16–404.1 of this subtitle.

1           (4) THE ADMINISTRATION MAY ISSUE A RESTRICTIVE LICENSE FOR  
 2 THE PERIOD OF THE SUSPENSION AND ANY ADDITIONAL TIME REQUIRED UNDER §  
 3 16-404.2 OF THIS SUBTITLE TO AN INDIVIDUAL WHO ~~PARTICIPATES~~ ~~ELECTS TO~~  
 4 ~~PARTICIPATE~~ PARTICIPATES IN THE ADMINISTRATION'S INTELLIGENT SPEED  
 5 ASSISTANCE SYSTEM PILOT PROGRAM ~~UNDER § 16-404.2 OF THIS SUBTITLE.~~

6           [(4)] (5) This subsection does not limit the authority of the  
 7 Administration to issue a restrictive license or modify a suspension imposed under this  
 8 subsection.

9 **16-404.2.**

10           (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
 11 INDICATED.

12           (2) "APPROVED SERVICE PROVIDER" MEANS A PERSON WHO IS  
 13 CERTIFIED BY:

14           (I) THE ADMINISTRATION TO SERVICE, INSTALL, MONITOR,  
 15 ~~CALIBRATE,~~ TUNE, AND PROVIDE INFORMATION ON INTELLIGENT SPEED  
 16 ASSISTANCE SYSTEMS; AND

17           (II) A MANUFACTURER TO BE QUALIFIED TO SERVICE, INSTALL,  
 18 MONITOR, ~~CALIBRATE,~~ TUNE, AND PROVIDE INFORMATION ON INTELLIGENT SPEED  
 19 ASSISTANCE SYSTEMS.

20           (3) "INTELLIGENT SPEED ASSISTANCE SYSTEM" MEANS AN  
 21 AFTERMARKET DEVICE THAT DETERMINES THE APPLICABLE SPEED LIMIT AND  
 22 ACTIVELY PREVENTS A MOTOR VEHICLE FROM EXCEEDING THE APPLICABLE SPEED  
 23 LIMIT.

24           (4) "MANUFACTURER" MEANS A PERSON THAT MANUFACTURES OR  
 25 DISTRIBUTES INTELLIGENT SPEED ASSISTANCE SYSTEMS.

26           ~~(4)~~ (5) "PARTICIPANT" MEANS A PARTICIPANT IN THE  
 27 INTELLIGENT SPEED ASSISTANCE SYSTEM PILOT PROGRAM.

28           ~~(5)~~ (6) "PROGRAM" MEANS THE INTELLIGENT SPEED ASSISTANCE  
 29 SYSTEM PILOT PROGRAM.

30           (B) (1) ~~THE~~ ON OR BEFORE OCTOBER 1, 2027, THE ADMINISTRATION  
 31 SHALL ESTABLISH AN INTELLIGENT SPEED ASSISTANCE SYSTEM PILOT PROGRAM  
 32 IN ACCORDANCE WITH THIS SECTION.

1           **(2) (I) THE ADMINISTRATION SHALL ESTABLISH A PROTOCOL FOR**  
 2 **THE PROGRAM THROUGH THE ADOPTION OF REGULATIONS THAT REQUIRE CERTAIN**  
 3 **MINIMUM STANDARDS FOR ALL SERVICE PROVIDERS WHO SERVICE, INSTALL,**  
 4 **MONITOR, ~~CALIBRATE~~, TUNE, AND PROVIDE INFORMATION ON INTELLIGENT SPEED**  
 5 **ASSISTANCE SYSTEMS.**

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

7           **1. A SERVICE PROVIDER WHO APPLIES TO THE**  
 8 **ADMINISTRATION FOR CERTIFICATION AS AN APPROVED SERVICE PROVIDER**  
 9 **DEMONSTRATE THAT THE SERVICE PROVIDER IS ABLE TO COMPETENTLY SERVICE,**  
 10 **INSTALL, MONITOR, ~~CALIBRATE~~, TUNE, AND PROVIDE INFORMATION TO THE**  
 11 **ADMINISTRATION AT LEAST EVERY 30 DAYS ON INDIVIDUALS REQUIRED TO USE**  
 12 **INTELLIGENT SPEED ASSISTANCE SYSTEMS;**

13           **2. A SERVICE PROVIDER WHO APPLIES TO THE**  
 14 **ADMINISTRATION FOR CERTIFICATION AS AN APPROVED SERVICE PROVIDER BE**  
 15 **CERTIFIED BY A SIGNED AFFIDAVIT FROM THE MANUFACTURER THAT THE SERVICE**  
 16 **PROVIDER HAS BEEN TRAINED BY AN AUTHORIZED MANUFACTURER AND THAT THE**  
 17 **SERVICE PROVIDER IS COMPETENT TO SERVICE, INSTALL, MONITOR, ~~CALIBRATE~~,**  
 18 **TUNE, AND PROVIDE INFORMATION ON INTELLIGENT SPEED ASSISTANCE SYSTEMS;**

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

21           **4. ANY SERVICE OF NOTICE ON AN APPROVED SERVICE**  
 22 **PROVIDER BE CONSIDERED TO BE SERVICE OF NOTICE ON THE MANUFACTURER**  
 23 **WHO CERTIFIED THE APPROVED SERVICE PROVIDER.**

24           **(C) (1) AN INDIVIDUAL ~~SHALL~~ MAY SHALL BE A PARTICIPANT IF THE**  
 25 **INDIVIDUAL HAS ACCUMULATED POINTS IN AN AMOUNT THAT WOULD RESULT IN**  
 26 **SUSPENSION OR REVOCATION OF ~~A~~ THE INDIVIDUAL'S DRIVER'S LICENSE UNDER §**  
 27 **16-404 OF THIS SUBTITLE DUE TO ~~ANY COMBINATION OF VIOLATIONS OF:~~**

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

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

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

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

1           ~~(V) § 16-402(A)(33) OF THIS SUBTITLE; OR~~

2           ~~(VI) § 16-402(A)(45) OF THIS SUBTITLE~~ A COMBINATION OF  
 3 VIOLATIONS FOR EXCEEDING THE POSTED SPEED LIMIT UNDER TITLE 21, SUBTITLE  
 4 8 OF THIS ARTICLE, RECKLESS DRIVING UNDER § 21-901.1(A)(3) OF THIS ARTICLE,  
 5 OR PARTICIPATING IN A RACE OR SPEED CONTEST UNDER § 21-1116 OF THIS  
 6 ARTICLE.

7           (2) AN INDIVIDUAL WHO PARTICIPATES IN THE PROGRAM SHALL BE  
 8 A PARTICIPANT FOR ~~1 YEAR;~~

9           ~~(I) FOR A FIRST SUSPENSION AS DESCRIBED IN THIS SECTION,~~  
 10 ~~90 DAYS;~~

11           ~~(II) FOR A SECOND OR SUBSEQUENT SUSPENSION AS~~  
 12 ~~DESCRIBED IN THIS SECTION, 180 DAYS; AND~~

13           ~~(III) FOR A REVOCATION AS DESCRIBED IN THIS SECTION, 1~~  
 14 ~~YEAR 1 YEAR.~~

15           (3) IF AN INDIVIDUAL ~~IS SUBJECT TO THIS SUBSECTION~~ ELECTS TO  
 16 PARTICIPATE IN THE PROGRAM ~~IS SUBJECT TO THIS SUBSECTION~~ AND FAILS TO  
 17 PARTICIPATE IN THE PROGRAM OR SUCCESSFULLY COMPLETE THE PROGRAM, THE  
 18 ADMINISTRATION SHALL SUSPEND, NOTWITHSTANDING § 16-208 OF THIS TITLE,  
 19 THE INDIVIDUAL'S DRIVER'S LICENSE ~~UNTIL THE INDIVIDUAL SUCCESSFULLY~~  
 20 ~~COMPLETES THE PROGRAM IN ACCORDANCE WITH § 16-404 OF THIS SUBTITLE~~  
 21 UNTIL THE INDIVIDUAL SUCCESSFULLY COMPLETES THE PROGRAM.

22           (D) (1) THE ADMINISTRATION SHALL:

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

27           (II) REINSTATE THE DRIVER'S LICENSE, SUBJECT TO A  
 28 RESTRICTION REQUIRING THE USE OF AN INTELLIGENT SPEED ASSISTANCE SYSTEM  
 29 FOR THE DURATION OF PROGRAM PARTICIPATION, OF A PARTICIPANT WHOSE  
 30 DRIVER'S LICENSE HAS BEEN REVOKED.

31           (2) A NOTICE OF SUSPENSION OR REVOCATION OF A DRIVER'S  
 32 LICENSE AS DESCRIBED IN SUBSECTION (C) OF THIS SECTION SENT TO AN

1 INDIVIDUAL SHALL INCLUDE INFORMATION ABOUT THE PROGRAM AND HOW  
2 INDIVIDUALS MAY PARTICIPATE IN THE PROGRAM.

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

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

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

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

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

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

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

19 (H) IF AN INDIVIDUAL COMPLETES THE PROGRAM AND THE INDIVIDUAL'S  
20 LICENSE IS NOT REFUSED, REVOKED, SUSPENDED, OR CANCELED UNDER ANOTHER  
21 PROVISION OF THIS ARTICLE, THE ADMINISTRATION SHALL REINSTATE THE  
22 INDIVIDUAL'S DRIVER'S LICENSE OR ISSUE IMMEDIATELY A DRIVER'S LICENSE TO  
23 THE INDIVIDUAL, AS APPROPRIATE.

24 (I) (1) IF THE ADMINISTRATION REMOVES AN INDIVIDUAL FROM THE  
25 PROGRAM BECAUSE THE INDIVIDUAL VIOLATED A REQUIREMENT OF THE  
26 PROGRAM, THE ADMINISTRATION MAY ALLOW THE INDIVIDUAL TO REENTER THE  
27 PROGRAM AFTER A PERIOD OF ~~30~~ 10 DAYS FROM THE DATE OF REMOVAL.

28 (2) IF AN INDIVIDUAL REENTERS THE PROGRAM UNDER THIS  
29 SUBSECTION, THE INDIVIDUAL SHALL PARTICIPATE IN THE PROGRAM FOR 3  
30 MONTHS IN ADDITION TO THE PERIOD OF TIME THAT WAS NECESSARY FOR  
31 SUCCESSFUL COMPLETION OF THE PROGRAM AT THE TIME THE INDIVIDUAL WAS  
32 REMOVED FROM THE PROGRAM.

1           **(J) (1) SUBJECT TO PARAGRAPHS (3) AND (4) OF THIS SUBSECTION, THE**  
2 **ADMINISTRATION OR A VENDOR CONTRACTED BY THE ADMINISTRATION MAY SHARE**  
3 **DATA COLLECTED UNDER THIS SECTION ONLY:**

4                   **(I) WHEN REQUIRED BY COURT ORDER;**

5                   **(II) AS REQUIRED BY STATE LAW;**

6                   **(III) WITH THE DEPARTMENT OR A COURT WITH JURISDICTION**  
7 **OVER A PROGRAM PARTICIPANT REGARDING A VIOLATION BY THE PARTICIPANT; OR**

8                   **(IV) FOR RESEARCH PURPOSES, IF THE DATA IS ANONYMIZED.**

9           **(2) SUBJECT TO PARAGRAPHS (3) AND (4) OF THIS SUBSECTION, THE**  
10 **ADMINISTRATION OR A VENDOR CONTRACTED BY THE ADMINISTRATION MAY**  
11 **RETAIN DATA COLLECTED UNDER THIS SECTION ONLY TO:**

12                   **(I) CONFIRM COMPLIANCE WITH PROGRAM REQUIREMENTS;**

13 **OR**

14                   **(II) EVALUATE OR IMPROVE THE EFFECTIVENESS OF THE**  
15 **PROGRAM.**

16           **(3) THE ADMINISTRATION OR ANY VENDOR CONTRACTED BY THE**  
17 **ADMINISTRATION SHALL REMOVE FROM ITS RECORDS AND DESTROY ANY DATA**  
18 **COLLECTED UNDER THIS SECTION WITHIN 30 DAYS AFTER COLLECTING THE DATA.**

19           **(4) DATA COLLECTED UNDER THIS SECTION MAY NOT BE SOLD FOR**  
20 **ANY PURPOSE BY THE ADMINISTRATION OR A VENDOR CONTRACTED BY THE**  
21 **ADMINISTRATION, INCLUDING THE SALE OF SUBSCRIPTIONS OR LICENSES TO**  
22 **ACCESS DATA.**

23           ~~**(J)**~~ **(K) (1) THE ADMINISTRATION SHALL ADOPT REGULATIONS TO**  
24 **CARRY OUT THIS SECTION.**

25           **(2) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL**  
26 **INCLUDE REQUIREMENTS FOR A PARTICIPANT TO OPERATE A MOTOR VEHICLE**  
27 **EQUIPPED WITH AN INTELLIGENT SPEED ASSISTANCE SYSTEM IN A SAFE MANNER,**  
28 **AS DETERMINED BY THE ADMINISTRATION.**

29           **SECTION 2. AND BE IT FURTHER ENACTED, That the District Court shall**  
30 **ensure that the fine schedule for certain violations of the Maryland Vehicle Law includes**  
31 **separate entries for § 21-901.1(a)(1), (2), and (3) of the Transportation Article.**

1 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That, on or before December 30,  
 2 ~~2020~~ 2030, the Motor Vehicle Administration shall report to the Governor and, in  
 3 accordance with § 2-1257 of the State Government Article, the General Assembly on the  
 4 implementation of this Act, including:

5 (1) a description of the Intelligent Speed Assistance System Pilot Program;  
 6 and

7 (2) the number of individuals who:

8 (i) were eligible to participate in the Pilot Program through  
 9 September 30, 2030;

10 (ii) participated in the Pilot Program through September 30, 2030;

11 (iii) participated as a result of:

12 1. a first suspension ~~as described in this Act~~ of the  
 13 participant's driver's license;

14 2. a second or subsequent suspension ~~as described in this Act~~  
 15 of the participant's driver's license; and

16 3. a revocation ~~as described in this Act~~ of the participant's  
 17 driver's license;

18 (iv) 1. ~~elected~~ were required to participate in the Pilot Program  
 19 and failed to participate in the Pilot Program;

20 2. failed to successfully complete the Pilot Program; and

21 3. reentered the Pilot Program; and

22 (v) successfully completed the Pilot Program through September 30,  
 23 2030.

24 SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 25 October 1, 2026. It shall remain effective for a period of ~~3~~ 4 years and 9 months and, at the  
 26 end of June 30, ~~2030~~ 2031, this Act, with no further action required by the General  
 27 Assembly, shall be abrogated and of no further force and effect.