

# SENATE BILL 38

R5

(PRE-FILED)

6lr0147  
CF HB 286

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

Requested: September 26, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judicial Proceedings

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 25, 2026

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

1 AN ACT concerning

2 **Vehicle Laws – Ignition Interlock System Program – Required Participation**

3 FOR the purpose of requiring an individual to be a participant in the Ignition Interlock  
4 System Program as a condition of modification of a suspension or revocation of a  
5 license or issuance of a restricted license if the individual violated certain alcohol  
6 restrictions; and generally relating to required participation in the Ignition Interlock  
7 System Program.

8 BY repealing and reenacting, without amendments,  
9 Article – Transportation  
10 Section 16–404.1(a) through (c)  
11 Annotated Code of Maryland  
12 (2020 Replacement Volume and 2025 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – Transportation  
15 Section 16–404.1(d)(2)  
16 Annotated Code of Maryland  
17 (2020 Replacement Volume and 2025 Supplement)

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

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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.



**Article – Transportation**

16–404.1.

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

(2) “Approved service provider” means a person who is certified by:

(i) The Administration to service, install, monitor, calibrate, and provide information on ignition interlock systems; and

(ii) A manufacturer to be qualified to service, install, monitor, calibrate, and provide information on ignition interlock systems.

(3) “Manufacturer” means a person who manufactures ignition interlock systems and who certifies that approved service providers are qualified to service, install, monitor, calibrate, and provide information on ignition interlock systems.

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

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

(b) (1) The Administration shall establish an Ignition Interlock System Program in accordance with this section.

(2) The Administration shall establish a protocol for the Program by regulations that require certain minimum standards for all service providers who service, install, monitor, calibrate, and provide information on ignition interlock systems and include requirements that:

(i) A service provider who applies to the Administration for certification as an approved service provider shall demonstrate that the service provider is able to competently service, install, monitor, calibrate, and provide information to the Administration at least every 30 days on individuals required to use ignition interlock systems;

(ii) A service provider who applies to the Administration for certification as an approved service provider shall be certified by a signed affidavit from the manufacturer that the service provider has been trained by an authorized manufacturer and that the service provider is competent to service, install, monitor, calibrate, and provide information on ignition interlock systems;

(iii) Approved service providers be deemed to be authorized representatives of a manufacturer; and

1 (iv) Any service of notice upon an approved service provider, who has  
2 violated any laws or regulations or whose ignition interlock system has violated any laws  
3 or regulations, be deemed as service upon the manufacturer who certified the approved  
4 service provider.

5 (c) An individual may be a participant if:

6 (1) The individual's license is suspended or revoked under § 16–205 of this  
7 title for a violation of § 21–902(c) of this article or § 16–404 of this subtitle for an  
8 accumulation of points under § 16–402(a)(29) of this subtitle for driving while impaired by  
9 a drug, a combination of drugs, or a combination of one or more drugs and alcohol;

10 (2) The individual's license has an alcohol restriction imposed under §  
11 16–113(g)(1) of this title; or

12 (3) The Administration modifies a suspension or issues a restricted license  
13 to the individual under § 16–205.1 of this title.

14 (d) (2) (i) Notwithstanding subsection (c) of this section, an individual  
15 shall be a participant as a condition of modification of a suspension or revocation of a license  
16 or issuance of a restricted license if the individual:

17 1. Is required to be a participant by a court order under §  
18 21–902.2 of this article; [or]

19 2. Was under the age of 21 years on the date of a violation by  
20 the individual of[.] § 21–902(C) OF THIS ARTICLE; OR

21 [A.] 3. [An] VIOLATED AN alcohol restriction imposed  
22 under [§ 16–113(b)(1) of] this title[; or

23 B. § 21–902(c) of this article].

24 (ii) If an individual is subject to this paragraph and the individual  
25 fails to participate in the Program or does not successfully complete the Program, the  
26 Administration shall suspend the individual's license for 1 year.

27 (iii) Nothing contained in this paragraph limits the authority of the  
28 Administration to modify a suspension imposed under this paragraph to allow an  
29 individual to be a participant in accordance with subsection (e) or (o) of this section.

30 (iv) The Administration shall issue a restricted license to an  
31 individual who is required to participate in the Program under this section and who is  
32 otherwise eligible.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
34 October 1, 2026.