

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Joseph M. Getty
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 1158
Driving Under the Influence of Alcohol – Subsequent Offenders –
Mandatory Ignition Interlock
DATE: March 2, 2022
(3/9)
POSITION: Oppose

The Maryland Judiciary opposes House Bill 1158. Under this legislation, a court is required to prohibit an individual from operating a motor vehicle that is not equipped with an ignition interlock system as well as order the individual to install an ignition interlock system on his or her vehicle for a third or subsequent violation of §21-902(a) of the Transportation Article. The court shall also order that any vehicle owned by the person be impounded or immobilized if he or she fails to submit proof to the court of participation in the Ignition Interlock System Program within three days of the date of sentencing.

The Judiciary traditionally opposes legislation that includes mandatory penalties. The Judiciary believes it is important for judges to weigh the facts and circumstances for each individual case when imposing a sentence. Provisions that place restrictions on the judge prevent the judge from considering legislative intent or factors unique to the case. Recognizing that lawmakers are responsible for enacting penalties for crimes, judges are mindful of various mitigating factors in crafting a sentence that most appropriately fits the individual defendant and the crime.

cc. Hon. Barrie Ciliberti
Judicial Council
Legislative Committee
Kelley O'Connor