

January 14, 2025

The Honorable William C. Smith, Jr.
Chair, Senate Judicial Proceedings
2 East, Miller Senate Office Building
Annapolis MD 21401

RE: Letter of Support - Senate Bill 187 - Drunk Driving - Commercial Driver's Licenses - Disqualification From Driving

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) supports Senate Bill 187 as it will bring Maryland law into compliance with the Federal Motor Carrier Safety Administration (FMCSA) regulations requiring commercial driver disqualification.

SB 187 requires the Maryland Motor Vehicle Administration (MVA) to suspend a Commercial Instructional Permit (CIP) or Commercial Driver's License (CDL) for one year for the first offense and for life for a second offense if a driver is caught operating or attempting to operate a motor vehicle while that person's blood alcohol concentration (BAC) is .08 or greater.

This bill seeks to bring Maryland law into compliance with Federal Motor Carrier Safety Administration (FMCSA) regulations established under 49 CFR Section 383.51, which requires CDL drivers to be disqualified for certain periods for certain offenses. The 2019 FMCSA Annual Performance Review contained a finding that the MVA CDL program does not properly impose sanctions to drivers at the Administrative Per Se level to a CIP/CDL holder when found to be operating a non-commercial motor vehicle with a BAC of .08 or higher. The proposed legislation would correct that by treating the uncontested Administrative Per Se conviction the same as a court conviction for purposes of administrative sanctions against CIP/CDL holders caught operating with a BAC above .08. SB 187 would address the 2019 FMCSA finding and allow Maryland to take action against offenders. This would ensure Maryland is fully compliant with federal law.

For these reasons, the Maryland Department of Transportation respectfully requests the Committee grant Senate Bill 187 a favorable report.

Respectfully submitted,

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