

---

January 29, 2025

The Honorable Luke Clippinger  
Chair, House Judiciary Committee  
100 Taylor Office Building  
Annapolis MD 21401

***RE: Letter of Support – House Bill 189 - Drunk Driving - Commercial Driver's Licenses - Disqualification From Driving***

Dear Chair Clippinger and Committee Members:

The Maryland Department of Transportation (MDOT) supports House Bill 189 as it will bring Maryland law into compliance with the Federal Motor Carrier Safety Administration (FMCSA) regulations requiring commercial driver disqualification.

House Bill 189 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. House Bill 189 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 House Bill 189 a favorable report.

Respectfully submitted,

Christine E. Nizer  
Administrator  
Maryland Motor Vehicle Administration  
410-787-7830

Matthew Mickler  
Director of Government Affairs  
Maryland Department of Transportation  
410-865-1090