

HOUSE BILL 1406

R3, R4

4lr2667

By: **Delegate Roberson**

Introduced and read first time: February 9, 2024

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 2, 2024

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Drunk and Drugged Driving – Points Assessments**

3 FOR the purpose of imposing certain points assessments for certain subsequent drunk and
4 drugged driving violations; and generally relating to points assessments for drunk
5 and drugged driving violations.

6 BY adding to

7 Article – Transportation

8 Section 16–402(a)(44) and (45)

9 Annotated Code of Maryland

10 (2020 Replacement Volume and 2023 Supplement)

11 BY repealing and reenacting, without amendments,

12 Article – Transportation

13 Section 21–902(h) and (i)

14 Annotated Code of Maryland

15 (2020 Replacement Volume and 2023 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

18 **Article – Transportation**

19 16–402.

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.



1 (a) After the conviction of an individual for a violation of Title 2, Subtitle 5, §
2 2–209, § 3–211, or § 10–110 of the Criminal Law Article, or of the vehicle laws or regulations
3 of this State or of any local authority, points shall be assessed against the individual as of
4 the date of violation and as follows:

5 (44) A VIOLATION OF § 21–902(H) OF THIS ARTICLE.....12 POINTS

6 (45) A VIOLATION OF § 21–902(I) OF THIS ARTICLE.....12 POINTS

7 21–902.

8 (h) (1) A person may not violate subsection (a), (b), (c), or (d) of this section if
9 the person previously has been convicted of two violations of any provision of subsection
10 (a), (b), (c), or (d) of this section or § 8–738 of the Natural Resources Article.

11 (2) For purposes of this subsection, a conviction for a crime under the laws
12 of the United States that would be a crime included in paragraph (1) of this subsection if
13 committed in this State shall be considered a prior conviction under this subsection.

14 (3) A person who violates this subsection is guilty of a misdemeanor and
15 on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding
16 \$5,000 or both.

17 (i) (1) A person may not violate subsection (a), (b), (c), or (d) of this section if
18 the person previously has been convicted of:

19 (i) Three or more violations of any provision of subsection (a), (b),
20 (c), or (d) of this section or § 8–738 of the Natural Resources Article; or

21 (ii) A violation of § 2–209, § 2–503, § 2–504, § 2–505, § 2–506, or §
22 3–211 of the Criminal Law Article.

23 (2) For purposes of this subsection, a conviction for a crime under the laws
24 of the United States that would be a crime included in paragraph (1) of this subsection if
25 committed in this State shall be considered a prior conviction under this subsection.

26 (3) A person who violates this subsection is guilty of a misdemeanor and
27 on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding
28 \$10,000 or both.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
30 1, 2024.