

BY repealing and reenacting, with amendments,

Article - Transportation

Section 16-402(a)(24) and 27-101(c)(25) and (26)

Annotated Code of Maryland

(2002 Replacement Volume)

BY adding to

Article - Transportation

Section 21-902.1 and 27-101(c)(26)

Annotated Code of Maryland

(2002 Replacement Volume)

Preamble

~~WHEREAS, John Elliott, a distinguished member of the United States Naval Academy Class of 2000, was killed by a drunken driver while driving from Annapolis, Maryland to New Jersey on July 22, 2000; and~~

~~WHEREAS, The person whose car struck John's car had been arrested on a drunk driving charge 3 hours earlier and released to the custody of a friend, but nevertheless had resumed driving until the accident killed both men and injured Kristen Hohenwarter of Westminster, Maryland; and~~

~~WHEREAS, In the aftermath of John's death, the General Assembly believes it important to enact a law, such as one recently enacted in New Jersey, that helps protect innocent individuals such as John Elliott from drunk or drugged drivers who resume driving shortly after they are arrested; now, therefore,~~

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

Article - Transportation

16-402.

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

(24) Driving while impaired by alcohol or while impaired by a drug, combination of drugs, or a combination of one or more drugs and alcohol, OR DRIVING WITHIN 12 HOURS AFTER ARREST UNDER § 21-902.1 OF THIS ARTICLE.....8 points

21-902.1.

(A) ~~(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~