

HOUSE BILL 783

R6

7lr1555

By: **Delegates Kramer and Fraser-Hidalgo**

Introduced and read first time: February 3, 2017

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Equipment – Driver Alcohol Detection System for Safety Program**

3 FOR the purpose of requiring certain motor vehicles registered and manufactured after a
4 certain date to be equipped with certain driver alcohol detection equipment relating
5 to the federal Driver Alcohol Detection System for Safety program; prohibiting a
6 person from tampering with, or otherwise attempting to circumvent, certain
7 equipment installed on certain motor vehicles; providing for a certain penalty;
8 defining a certain term; and generally relating to alcohol detection equipment for
9 motor vehicles.

10 BY adding to

11 Article – Transportation

12 Section 22–420

13 Annotated Code of Maryland

14 (2012 Replacement Volume and 2016 Supplement)

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

17 **Article – Transportation**

18 **22–420.**

19 **(A) IN THIS SECTION, “ALCOHOL DETECTION DEVICE” MEANS A FULLY**
20 **FUNCTIONAL DRIVER ALCOHOL DETECTION SYSTEM CERTIFIED AS APPROVED FOR**
21 **ITS INTENDED USE BY:**

22 **(1) THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION OR**
23 **ANY OTHER FEDERAL AGENCY WITH AUTHORITY TO APPROVE A DRIVER ALCOHOL**
24 **DETECTION SYSTEM DEVELOPED UNDER THE FEDERAL DRIVER ALCOHOL**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **DETECTION SYSTEM FOR SAFETY PROGRAM; OR**

2 **(2) A STATE AGENCY DESIGNATED BY THE GOVERNOR, IF NO**
3 **FEDERAL AGENCY HAS THE LEGAL AUTHORITY TO APPROVE A DRIVER ALCOHOL**
4 **DETECTION SYSTEM DEVELOPED UNDER THE FEDERAL DRIVER ALCOHOL**
5 **DETECTION SYSTEM FOR SAFETY PROGRAM.**

6 **(B) THIS SECTION DOES NOT APPLY TO MOTORCYCLES.**

7 **(C) EACH MOTOR VEHICLE REGISTERED IN THE STATE AND**
8 **MANUFACTURED ON OR AFTER JANUARY 1, 2022, SHALL BE EQUIPPED WITH AN**
9 **ALCOHOL DETECTION DEVICE THAT SHALL BE CALIBRATED TO PREVENT A DRIVER**
10 **FROM OPERATING THE MOTOR VEHICLE IF THE DRIVER HAS A BLOOD ALCOHOL**
11 **CONTENT OF AT LEAST THE LOWER OF:**

12 **(1) 0.07; OR**

13 **(2) THE BLOOD ALCOHOL CONCENTRATION DEEMED TO BE DRIVING**
14 **UNDER THE INFLUENCE OF ALCOHOL PER SE OR MORE WHEN THE VEHICLE IS**
15 **REGISTERED.**

16 **(D) (1) A PERSON MAY NOT TAMPER WITH, OR IN ANY WAY ATTEMPT TO**
17 **CIRCUMVENT, THE OPERATION OF AN ALCOHOL DETECTION DEVICE ON A MOTOR**
18 **VEHICLE THAT IS REGISTERED IN THE STATE AND MANUFACTURED ON OR AFTER**
19 **JANUARY 1, 2022.**

20 **(2) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF THIS**
21 **SUBSECTION IS SUBJECT TO A FINE OF NOT MORE THAN \$500 OR IMPRISONMENT**
22 **FOR NOT MORE THAN 2 MONTHS OR BOTH.**

23 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
24 **October 1, 2017.**