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By: **Delegate Arnick**  
Introduced and read first time: January 16, 1998  
Assigned to: Judiciary

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Committee Report: Favorable  
House action: Adopted  
Read second time: March 23, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Driver's License Suspension Modification or Restrictive License -**  
3 **Conditions**

4 FOR the purpose of repealing a requirement that a licensee be under a certain age to  
5 qualify for modification of a driver's license suspension or issuance of a  
6 restrictive license under certain circumstances; and generally relating to  
7 modification of driver's license suspensions and restrictive licenses.

8 BY repealing and reenacting, with amendments,  
9 Article - Transportation  
10 Section 16-205.1(n)  
11 Annotated Code of Maryland  
12 (1992 Replacement Volume and 1997 Supplement)

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

15 **Article - Transportation**

16 16-205.1.

17 (n) (1) The Administration may modify a suspension under this section or  
18 issue a restrictive license if:

19 (i) The licensee did not refuse to take a test;

20 (ii) The licensee has not had a license suspended under this section  
21 during the past 5 years;

1 (iii) The licensee has not been convicted under § 21-902 of this  
2 article during the past 5 years; and

3 (iv) 1. The licensee is required to drive a motor vehicle in the  
4 course of employment;

5 2. The license is required for the purpose of attending an  
6 alcoholic prevention or treatment program; or

7 3. It finds that the licensee has no alternative means of  
8 transportation available to or from the licensee's place of employment and, without  
9 the license, the licensee's ability to earn a living would be severely impaired.

10 (2) In addition to the authority to modify a suspension or issue a  
11 restrictive license under paragraph (1) of this subsection, the Administration may  
12 modify a suspension under this section or issue a restrictive license if:

13 (i) [The licensee is under the age of 21 years;

14 (ii)] The licensee did not refuse to take a test;

15 [(iii)] (II) The licensee has not been convicted under § 21-902 of  
16 this article; and

17 [(iv)] (III) The license is required for the purpose of attending:

18 1. A noncollegiate educational institution as defined in §  
19 2-206(a) of the Education Article; or

20 2. A regular program at an institution of postsecondary  
21 education.

22 (3) If the licensee refused to take a test, the Administration may not  
23 modify a suspension under this section or issue a restrictive license.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 1998.