

A002-0607

10 AN ACT CONCERNING

20 **DUI & DWI Law – Repeat Offenders**

30 FOR the purpose of changing penalties for repeat offenders of drunk driving
40 crimes.

50 BY repealing, and reenacting, with amendments,
60 Article – Transportation
70 27-101(k)(1)
80 Annotated Code of Maryland (2006)

90 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, That
100 the Laws of Maryland reads as follows:

110 **§27-101 – Punishment**

120 (k)(1) Except as provided in subsection (q) of this section, any person who is convicted of a
130 violation of any of the provisions of § 21-902(a) of this article (“Driving while under the
140 influence of alcohol or under the influence of alcohol per se”) or § 21-902(d) of this
150 article (“Driving while impaired by controlled dangerous substance”):

160 (i) For a first offense shall be subject to a fine of not more than \$1,000, ~~OR~~ AND
170 imprisonment for NOT LESS THAN 6 MONTHS and not more than 1 year, ~~OR~~
180 ~~both~~;

190 (ii) For a second offense, shall be subject to a fine of not more than ~~\$2,000~~ \$3,000,
200 ~~OR~~ AND imprisonment for NOT LESS THAN 1 YEAR AND not more than 2
210 years, ~~OR both~~; and

220 (iii) For a third offense, shall be subject to a fine of not more than ~~\$3,000~~ \$5,000, ~~OR~~
230 AND imprisonment for NOT LESS THAN 2 YEARS AND not more than 3
240 years, ~~OR both~~.

250 (2) For the purpose of second or subsequent offender penalties for violation of §21-902(a) of
260 this article provided under this subsection, a prior conviction of §21-902(b), (c), or (d) of
270 this article, within 5 years of the conviction for a violation of § 21-902(a) of this article
280 shall be considered a conviction of §21-902(d) of this article.

290 (3) For the purpose of second or subsequent offender penalties for violation of § 21-902(d) of
300 this article provided under this subsection, a prior conviction of § 21-902 (a), (b), or (c)
310 of this article, within 5 years of the conviction for a violation of §21-902(d) of this article,
320 shall be considered a conviction§21-902(d) of this article.

330 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2007

340 **MANDATES:** Robert L. Ehrlich, Governor of Maryland
350 Michael Steele, Lieutenant Governor of Maryland
360 Thomas V. Mike Miller, Jr., President of the Senate
370 Mike E. Busch, Speaker of the House of Delegates
380 Nathaniel J. McFadden, Senate Majority Leader
390 J. Lowell Stoltzfus, Senate Minority Leader
400 Kumar P. Barve, House Majority Leader
410 George C. Edwards, House Minority Leader

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