



Maryland Department of Transportation
The Secretary's Office

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor

Beverley K. Swaim-Staley
Secretary

Harold M. Bartlett
Deputy Secretary

December 9, 2009

The Honorable Thomas V. "Mike" Miller, Jr.
Senate President
107 State House
Annapolis MD 21401

The Honorable Michael E. Busch
House Speaker
101 State House
Annapolis MD 21401

Dear President Miller and Speaker Busch:

Please see the attached report concerning *Drunk and Drugged Driving by Juveniles* which was written in response to language set forth in House Bill 492, Chapter 413, Acts of 1990 and Chapter 55, Acts of 1991. This statute calls on the Motor Vehicle Administration to:

"(1) regularly compile and analyze statistics on drunk and drugged driving by juveniles and young adults;

(2) Work with the Department of Juvenile Services, the Administrative Office of the Courts, the Maryland State Police, and other law enforcement agencies to monitor the effects of Chapter 254 of the Acts of 1988 and Chapters 438 and 551 of the Acts of 1989 (requiring the imposition of an alcohol restriction on the license of a driver under the age of 21), and Chapter 284 of the Acts of 1989 ("administrative per se" law) on juvenile and young adult offenders;

(3) Annually report to the General Assembly regarding the information collected under paragraphs (1) and (2) of this section; and

(4) Publicize recent legislative enhancements concerning drunk and drugged driving by juveniles and young adults."

If you have any questions concerning this report, please do not hesitate to contact Mr. John T. Kuo, Administrator, Motor Vehicle Administration at 410-767-7274. Of course, you should always feel free to contact me directly.

Sincerely,

Beverley K. Swaim-Staley
Secretary

cc: Mr. John T. Kuo, Administrator, Motor Vehicle Administration

A Report to the Maryland General Assembly

Regarding

Drunk and Drugged Driving by Juveniles
(Section 2, Chapter 413, Acts of 1990 and
Section 6, Chapter 55, Acts of 1991)

Motor Vehicle Administration
The Maryland Department of Transportation

December 2009

Drunk and Drugged Driving by Juveniles (Section 2, Chapter 413, Acts of 1990 and Section 6, Chapter 55, Acts of 1991)

This report is written in response to statute within Section 2, Chapter 413, Acts of 1990 and Section 6, Chapter 55, Acts of 1991 which calls on the Motor Vehicle Administration (MVA) to:

1. *Regularly compile and analyze statistics on drunk and drugged driving by juveniles and young adults;*
2. *Work with the Department of Juvenile Services, the Administrative Office of the Courts, the Maryland State Police, and other law enforcement agencies to monitor the effects of Chapter 254 of the Acts of 1988 (requiring the imposition of an alcohol restriction on the license of a driver under the age of 21) and Chapter 284 of the Acts of 1989 ("administrative per se" law) on juvenile and young adult offender;*
3. *Report to the General Assembly annually on these matters; and*
4. *Publicize recent legislative enactment's concerning drunk and drugged driving by juveniles and young adults."*

The District Court provides the MVA with an annual summary of juveniles charged. The most recent information provided by the Court indicates that statewide 4,151 juveniles were charged in FY 2009. The following chart provides data on the number of juveniles charged under each section of law:

Drunk and Drugged Driving by Juveniles		
Charges and Section of Law	Juveniles Charged FY2009	Juveniles Charged FY2008
Driving Under the Influence of Alcohol, TR §21-902(a)(1)	1,466	1,941
Driving Under the Influence Per Se, TR §21-902(a)(2)	1,021	1,344
Under the Age of 18 Alcohol Restriction, TR §16-113(g)	0	0
Violation of Any Restriction, TR §16-113(h)	1,664	2,192
Total Juvenile Charges	4,151	5,477

* §21-902(b), (c), and (d) was amended in the 2005 Legislative session to §21-902(b)(1) and (2), §21-902(c)(1) and (2), and §21-902(d)(1) and (2). The Motor Vehicle Administration is working with the Administrative Office of the Courts to revise the report to include this statistical data.

** Total reflects available data

The Maryland Department of Transportation (MDOT) initiated several efforts to strengthen public awareness on the hazards and consequences of drinking and driving. Activities undertaken by both the MVA and the State Highway Administration's (SHA) Maryland

Drunk and Drugged Driving by Juveniles (Section 2, Chapter 413, Acts of 1990 and Section 6, Chapter 55, Acts of 1991)

Highway Safety Office, often working in concert with several other State and local agencies and community groups, including:

- The Task Force to Combat Driving Under the Influence of Drugs and Alcohol was established by the Legislature in 2007. It was charged with reviewing the Impaired Driving System from arrest through adjudication, treatment, education, outreach, media campaigns, enforcement, and monitoring among other issues. The Task Force developed 42 recommendations that were presented in a Final Report to the Governor in October 2008. A number of these directly targeted drinking and driving by juveniles. Among these, only seven were legislative in nature, the other 35 are court, law enforcement, education, and intervention and treatment initiatives. Long- and short-term plans for implementing the recommendations either have been developed or that effort is in progress.
- Maryland's 1999 Graduated Licensing (TR §§16-501-509) law which requires that all novice drivers complete a driver education program. Beginning in July 1999, MDOT mandated a comprehensive driver education curriculum for all driver education schools. Part of the curriculum focuses on Maryland's drunk and drugged driving laws, acquainting all students (98% of whom are juveniles ages 15 - 17) with details on the various laws and their penalties. A strong message against impaired driving is conveyed.
- The MVA driver license handbook details Maryland's drunk driving laws, stressing not to drink and drive. The handbook includes specific information on underage drinking and outlines penalties and sanctions of Maryland's law which prohibits driving with alcohol in the driver's blood (TR §16-113 (b)).
- The MVA's Rookie Driver Program distributes a brochure to youth and their parents outlining Maryland's laws and urges drivers not to drink or use drugs and drive. Continuing outreach to parents through local parent/teacher organizations and other parent groups also stresses the dangers of impaired driving. The Department solicits a strong and on-going parental role in driver education and calls on parents to discourage drinking and driving, or using drugs and driving. The MVA also distributes a parent-teen driving agreement establishing rules and privileges for vehicle use that encourages parents to establish sanctions for alcohol or drug use and driving.
- SHA's Maryland Highway Safety Office places a high priority on youthful driving. The program "Its Youth: Responsible Driving Task Force," comprised of some 70 members representing agencies and organizations with an interest or "expertise" in young drivers, meets regularly to implement a comprehensive traffic safety plan for young drivers.

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- Working with the Maryland State Police, local law enforcement, substance abuse offices, Maryland Students Against Destructive Decisions (SADD) and other interested groups throughout the State, MDOT has sponsored statewide and regional forums directed to discourage underage drinking, and drinking and driving. Those initiatives are continuous.
- SHA's Highway Safety Office provides various educational materials regarding drinking and drugged driving to Maryland residents. The materials are distributed through the Regional Safe Communities and the Comprehensive Traffic Safety Program in each of the 24 jurisdictions and directly to local law enforcement agencies and private citizens.
- Other local and regional initiatives targeting underage drinking in Maryland include: Impaired Driver Coalition; Montgomery County's "Drawing the Line on Underage Alcohol Use"; the Washington Regional Alcohol Program; Maryland's Underage Drinking Prevention Coalition; Howard County's "You are Responsible" Program; Baltimore County's SADD-Sponsored "Safe and Sober" Expo; Maryland's Safe Communities' Crash Course on Impaired Driving Workshop; Allegany County's Young Driver Task Force; and Queen Anne and Worcester counties' Reality Program.
- The MVA also supported an innovative drunk driving film, "Branded D.U. I." by the Maryland Administrative Law Judges. The film was produced by and aired on Maryland Public Television (MPT). This film was also distributed to every high school in Maryland. The film showcases 11 teens who were caught drinking and driving; and were interviewed as they underwent the court process of their drunk driving charges. It explores the teens' consequences from the fatalities they caused to their experiences in jail.