

Department of Assessments and Taxation," to raise **[[classification]]** salaries of supervisors of assessments in Calvert **[[[]]]** and **[[]]]** St. Mary's **[[and Anne Arundel]]** counties.

The President put the question: Shall the bill pass notwithstanding the objections of the Executive?

The President announced the veto was sustained by roll call as follows:

Affirmative—None

Negative

Messrs.—

President, Mrs. Abrams, Bailey, Bauman, Bertorelli, Bishop, Blount, Boyer, Bozick, Byrnes, Clark, Conroy, Coolahan, Curran, Dalton, Emanuel, Finney, Goodman, Hall, Hodges, Hoyer, Lapidés, Lipin, Malkus, McGuirk, Mrs. Nock, Pascal, Pine, Mrs. Schweinhaut, Smelser, Snyder, Staszak, Staten, Steinberg, Stone, Thomas, Mrs. Welcome, Wilson. Total—38

EXECUTIVE DEPARTMENT

June 1, 1973.

Honorable William S. James
President of the Senate
State House
Annapolis, Maryland

Dear Mr. President:

In accordance with Article II, Section 17, of the Maryland Constitution, I have today vetoed Senate Bill 507.

This bill would establish, inter alia, certain maximum and minimum periods of suspension of a person's driver's license for refusal to take a blood alcohol content test.

As presently worded, Section 6-205.1 of Article 66½ of the Annotated Code of Maryland provides that, upon a driver's refusal to take a blood alcohol content test, the Motor Vehicle Administration may suspend that person's driver's license for a period not to exceed sixty days. Should the Administration find that the operator had justifiable cause for refusing to take the test, the Administration is granted a certain degree of flexibility, in that it may decide not to suspend that operator's license.

Senate Bill 507, in addition to providing for a minimum ten-day suspension, would also amend the present law in a manner which raises a question as to whether the administration would retain this degree of flexibility in making its determinations. This bill is, in fact, internally inconsistent on this point.

From the proposed amendment to Section 6-205.1(a), which sets forth the language required in the contract to be signed as a condition precedent to the issuance or renewal of a license, it would appear that the suspension requirement is mandatory for any refusal to take the test. Thus, the applicant would expressly agree, in pertinent part, "that the Motor Vehicle Administration shall suspend my license . . . upon receipt of a sworn statement from the detaining officer . . . that I . . . refused to take the chemical test for alcohol." Similar amendments would be made in Section 6-205.1(b), relating to the implied consent of nonresidents and unlicensed persons, and in Section 6-205.1(c), relating to the