

(2002 Replacement Volume and 2005 Supplement)

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

Article—Criminal Procedure

~~6-220.~~

~~(d) Notwithstanding subsections (b) and (c) of this section, a court may not stay the entering of judgment and place a defendant on probation for:~~

~~(1) a violation of § 21-902 of the Transportation Article or § 2-503, § 2-504, § 2-505, § 2-506, or § 3-211 of the Criminal Law Article, if within the preceding 5 years the defendant has been convicted under § 21-902 of the Transportation Article or § 2-503, § 2-504, § 2-505, § 2-506, or § 3-211 of the Criminal Law Article, or has been placed on probation in accordance with this section, after being charged with a violation of § 21-902 of the Transportation Article or § 2-503, § 2-504, § 2-505, § 2-506, or § 3-211 of the Criminal Law Article;~~

~~(2) a second or subsequent controlled dangerous substance crime under Title 5 of the Criminal Law Article;~~

~~(3) a violation of any of the provisions of §§ 3-203 through 3-207, §§ 3-309 through 3-312, § 3-315, or § 3-602 of the Criminal Law Article for a crime involving a person under the age of 16 years; [or]~~

~~(4) a moving violation, as defined in § 11-136.1 of the Transportation Article, if:~~

~~(i) the defendant holds a provisional license under § 16-111 of the Transportation Article; and~~

~~(ii) the defendant has previously been placed on probation under this section for the commission of a moving violation while the defendant held a provisional license; OR~~

~~(5) A SECOND OR SUBSEQUENT VIOLATION OF § 16-101 OF THE TRANSPORTATION ARTICLE.~~

Article - Transportation

~~16-101.~~

~~(a) An individual may not drive or attempt to drive a motor vehicle on any highway in this State unless:~~

~~(1) The individual holds a driver's license issued under this title;~~

~~(2) The individual is expressly exempt from the licensing requirements of this title; or~~

~~(3) The individual otherwise is specifically authorized by this title to drive vehicles of the class that the individual is driving or attempting to drive.~~