

Article – Criminal Procedure
 Section 6–220(d)
 Annotated Code of Maryland
 (2001 Volume and 2004 Supplement)

BY repealing and reenacting, without amendments,
 Article – Transportation
 Section 11–136.1 and 16–111(d)
 Annotated Code of Maryland
 (2002 Replacement Volume and 2004 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–213
Annotated Code of Maryland
(2002 Replacement Volume and 2004 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; [or]

(3) a violation of any of the provisions of §§ 3–303 through 3–307 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.