

FOR the purpose of providing that, for application of certain subsequent offender penalties for certain alcohol- and drug-related driving offenses, a conviction for a crime committed in another state or federal jurisdiction that would be a violation of certain drunk and drugged driving laws if committed in this State constitutes a prior offense; and generally relating to subsequent offender penalties for drunk and drugged driving.

BY repealing and reenacting, with amendments,

Article - Transportation

Section 21-902

Annotated Code of Maryland

(2002 Replacement Volume)

BY repealing and reenacting, without amendments,

Article - Transportation

Section 27-101(f), (j)(2), (3), and (4), (k)(1)(ii) and (iii), and (q)

Annotated Code of Maryland

(2002 Replacement Volume)

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

Article - Transportation

21-902.

(a) (1) A person may not drive or attempt to drive any vehicle while under the influence of alcohol.

(2) A person may not drive or attempt to drive any vehicle while the person is under the influence of alcohol per se.

(b) A person may not drive or attempt to drive any vehicle while impaired by alcohol.

(c) (1) A person may not drive or attempt to drive any vehicle while he is so far impaired by any drug, any combination of drugs, or a combination of one or more drugs and alcohol that he cannot drive a vehicle safely.

(2) It is not a defense to any charge of violating this subsection that the person charged is or was entitled under the laws of this State to use the drug, combination of drugs, or combination of one or more drugs and alcohol, unless the person was unaware that the drug or combination would make the person incapable of safely driving a vehicle.

(d) A person may not drive or attempt to drive any vehicle while the person is impaired by any controlled dangerous substance, as that term is defined in § 5-101 of the Criminal Law Article, if the person is not entitled to use the controlled dangerous substance under the laws of this State.