

## Section 27-101(j)

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.

27-101.

(j) (1) In this subsection, "imprisonment" includes confinement in:

(i) An inpatient rehabilitation or treatment center; or

(ii) Home detention that includes electronic monitoring FOR THE PURPOSE OF PARTICIPATING IN ~~A DRUG OR AN~~ ALCOHOL TREATMENT PROGRAM THAT IS:

1. CERTIFIED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;

2. CERTIFIED BY AN AGENCY IN AN ADJACENT STATE THAT HAS POWERS AND DUTIES SIMILAR TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE; OR

3. APPROVED BY THE COURT.