

alcohol- or drug-related driving offenses to impose a period of probation under certain circumstances; authorizing a court that stays a judgment of conviction and places a defendant on probation for certain alcohol- or drug-related driving offenses to prohibit the defendant from operating a motor vehicle unless the motor vehicle is equipped with an alcohol ignition interlock system; and generally relating to conditions of probation for certain alcohol- or drug-related driving offenses under certain circumstances.

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 6-219(c)(1) and 6-220(c)(1)

Annotated Code of Maryland

(2001 Volume and 2002 Supplement)

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

Article - Criminal Procedure

6-219.

(c) (1) If the court places on probation a defendant who has been convicted of a violation of [§ 21-902(a) or (b)] § 21-902 of the Transportation Article OR § 2-503, § 2-504, § 2-505, § 2-506, OR § 3-211 OF THE CRIMINAL LAW ARTICLE, the court shall require as a condition that the defendant participate in an alcohol OR DRUG treatment or education program approved by the Department of Health and Mental Hygiene, unless the court finds and states on the record that the interests of the defendant and the public do not require the imposition of this condition.

6-220.

(c) (1) When the crime for which the judgment is being stayed is for 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, the court shall impose a period of probation and, as a condition of the probation:

(i) shall require the defendant to participate in an alcohol OR DRUG treatment or education program approved by the Department of Health and Mental Hygiene, unless the court finds and states on the record that the interests of the defendant and the public do not require the imposition of this condition; and

(ii) may prohibit the defendant from operating a motor vehicle unless the motor vehicle is equipped with an ignition interlock system under § 27-107 of the Transportation Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.

Approved May 13, 2003.