

SENATE BILL 366

R4

(6lr2232)

ENROLLED BILL

— *Judicial Proceedings/Environment and Transportation* —

Introduced by **Senator Waldstreicher**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicles – Intelligent Speed Assistance System Pilot Program –**
3 **Establishment**

4 FOR the purpose of establishing the Intelligent Speed Assistance System Pilot Program;
5 requiring certain individuals whose driver's licenses are subject to certain
6 suspension or revocation to participate in the Program; requiring the Motor Vehicle
7 Administration to issue to participants a restrictive license requiring the use of an
8 intelligent speed assistance system; prohibiting a participant from operating a motor
9 vehicle in violation of the requirements of the Program; *requiring the District Court*
10 *to ensure that certain entries are included in a certain schedule of fines;* and generally
11 relating to the Intelligent Speed Assistance System Pilot Program.

12 BY repealing and reenacting, with amendments,
13 Article – Transportation
14 Section 16–404(c)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Annotated Code of Maryland
2 (2020 Replacement Volume and 2025 Supplement)

3 BY adding to
4 Article – Transportation
5 Section 16–404.2
6 Annotated Code of Maryland
7 (2020 Replacement Volume and 2025 Supplement)

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

10 **Article – Transportation**

11 16–404.

12 (c) (1) Except as provided in paragraphs (2) [and (3)], **(3)**, AND **(4)** of this
13 subsection:

14 (i) An initial suspension may not be for less than 2 days nor more
15 than 30 days; and

16 (ii) Any subsequent suspension may not be for less than 15 days nor
17 more than 90 days.

18 (2) Subject to the provisions of paragraph (3) of this subsection, the
19 following suspension periods may apply to a suspension for an accumulation of points under
20 § 16–402(a)(29) of this subtitle for a violation of § 21–902(b) or (c) of this article or a
21 suspension imposed under § 16–404.1(f)(1)(iii) of this subtitle:

22 (i) For a first conviction, not more than 6 months;

23 (ii) For a second conviction at least 5 years after the date of the first
24 conviction, not more than 9 months;

25 (iii) For a second conviction less than 5 years after the date of the
26 first conviction or for a third conviction, not more than 12 months; and

27 (iv) For a fourth or subsequent conviction, not more than 24 months.

28 (3) The Administration may issue a restrictive license for the period of the
29 suspension to an individual who participates in the Administration’s Ignition Interlock
30 System Program under § 16–404.1 of this subtitle.

31 **(4) THE ADMINISTRATION MAY ISSUE A RESTRICTIVE LICENSE FOR**
32 **THE PERIOD OF THE SUSPENSION AND ANY ADDITIONAL TIME REQUIRED UNDER §**

1 ~~16-404.2 OF THIS SUBTITLE~~ TO AN INDIVIDUAL WHO PARTICIPATES IN THE
2 ADMINISTRATION'S INTELLIGENT SPEED ASSISTANCE SYSTEM PILOT PROGRAM
3 ~~UNDER § 16-404.2 OF THIS SUBTITLE.~~

4 [(4)] (5) This subsection does not limit the authority of the
5 Administration to issue a restrictive license or modify a suspension imposed under this
6 subsection.

7 16-404.2.

8 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
9 INDICATED.

10 (2) "APPROVED SERVICE PROVIDER" MEANS A PERSON WHO IS
11 CERTIFIED BY:

12 (I) THE ADMINISTRATION TO SERVICE, INSTALL, MONITOR,
13 ~~CALIBRATE~~ TUNE, AND PROVIDE INFORMATION ON INTELLIGENT SPEED
14 ASSISTANCE SYSTEMS; AND

15 (II) A MANUFACTURER TO BE QUALIFIED TO SERVICE, INSTALL,
16 MONITOR, ~~CALIBRATE~~ TUNE, AND PROVIDE INFORMATION ON INTELLIGENT SPEED
17 ASSISTANCE SYSTEMS.

18 (3) "INTELLIGENT SPEED ASSISTANCE SYSTEM" MEANS AN
19 AFTERMARKET DEVICE THAT DETERMINES THE APPLICABLE SPEED LIMIT AND
20 ACTIVELY PREVENTS A MOTOR VEHICLE FROM EXCEEDING THE APPLICABLE SPEED
21 LIMIT.

22 (4) "MANUFACTURER" MEANS A PERSON THAT MANUFACTURES OR
23 DISTRIBUTES INTELLIGENT SPEED ASSISTANCE SYSTEMS.

24 ~~(4)~~ (5) "PARTICIPANT" MEANS A PARTICIPANT IN THE
25 INTELLIGENT SPEED ASSISTANCE SYSTEM PILOT PROGRAM.

26 ~~(5)~~ (6) "PROGRAM" MEANS THE INTELLIGENT SPEED ASSISTANCE
27 SYSTEM PILOT PROGRAM.

28 (B) (1) ~~THE~~ ON OR BEFORE OCTOBER 1, 2027, THE ADMINISTRATION
29 SHALL ESTABLISH AN INTELLIGENT SPEED ASSISTANCE SYSTEM PILOT PROGRAM
30 IN ACCORDANCE WITH THIS SECTION.

1 (2) (I) THE ADMINISTRATION SHALL ESTABLISH A PROTOCOL FOR
 2 THE PROGRAM THROUGH THE ADOPTION OF REGULATIONS THAT REQUIRE CERTAIN
 3 MINIMUM STANDARDS FOR ALL SERVICE PROVIDERS WHO SERVICE, INSTALL,
 4 MONITOR, ~~CALIBRATE~~ TUNE, AND PROVIDE INFORMATION ON INTELLIGENT SPEED
 5 ASSISTANCE SYSTEMS.

6 (II) THE REGULATIONS SHALL REQUIRE THAT:

7 1. A SERVICE PROVIDER WHO APPLIES TO THE
 8 ADMINISTRATION FOR CERTIFICATION AS AN APPROVED SERVICE PROVIDER
 9 DEMONSTRATE THAT THE SERVICE PROVIDER IS ABLE TO COMPETENTLY SERVICE,
 10 INSTALL, MONITOR, ~~CALIBRATE~~ TUNE, AND PROVIDE INFORMATION TO THE
 11 ADMINISTRATION AT LEAST EVERY 30 DAYS ON INDIVIDUALS REQUIRED TO USE
 12 INTELLIGENT SPEED ASSISTANCE SYSTEMS;

13 2. A SERVICE PROVIDER WHO APPLIES TO THE
 14 ADMINISTRATION FOR CERTIFICATION AS AN APPROVED SERVICE PROVIDER BE
 15 CERTIFIED BY A SIGNED AFFIDAVIT FROM THE MANUFACTURER THAT THE SERVICE
 16 PROVIDER HAS BEEN TRAINED BY AN AUTHORIZED MANUFACTURER AND THAT THE
 17 SERVICE PROVIDER IS COMPETENT TO SERVICE, INSTALL, MONITOR, ~~CALIBRATE~~
 18 TUNE, AND PROVIDE INFORMATION ON INTELLIGENT SPEED ASSISTANCE SYSTEMS;

19 3. APPROVED SERVICE PROVIDERS BE CONSIDERED TO
 20 BE AUTHORIZED REPRESENTATIVES OF THE MANUFACTURER; AND

21 4. ANY SERVICE OF NOTICE ON AN APPROVED SERVICE
 22 PROVIDER BE CONSIDERED TO BE SERVICE OF NOTICE ON THE MANUFACTURER
 23 WHO CERTIFIED THE APPROVED SERVICE PROVIDER.

24 (C) (1) AN INDIVIDUAL SHALL BE A PARTICIPANT IF THE INDIVIDUAL HAS
 25 ACCUMULATED POINTS IN AN AMOUNT THAT WOULD RESULT IN SUSPENSION OR
 26 REVOCATION OF ~~A~~ THE INDIVIDUAL'S DRIVER'S LICENSE UNDER § 16-404 OF THIS
 27 SUBTITLE DUE TO ~~ANY COMBINATION OF VIOLATIONS OF:~~

28 (I) ~~§ 16-402(A)(3) OF THIS SUBTITLE;~~

29 (II) ~~§ 16-402(A)(17) OF THIS SUBTITLE;~~

30 (III) ~~§ 16-402(A)(24) OF THIS SUBTITLE;~~

31 (IV) ~~§ 16-402(A)(27) OF THIS SUBTITLE;~~

32 (V) ~~§ 16-402(A)(33) OF THIS SUBTITLE; OR~~

1 ~~(VI) § 16-402(A)(45) OF THIS SUBTITLE~~ A COMBINATION OF
2 VIOLATIONS FOR EXCEEDING THE POSTED SPEED LIMIT UNDER TITLE 21, SUBTITLE
3 8 OF THIS ARTICLE, RECKLESS DRIVING UNDER § 21-901.1(A)(3) OF THIS ARTICLE,
4 OR PARTICIPATING IN A RACE OR SPEED CONTEST UNDER § 21-1116 OF THIS
5 ARTICLE.

6 (2) AN INDIVIDUAL WHO PARTICIPATES IN THE PROGRAM SHALL BE
7 A PARTICIPANT FOR 1 YEAR.

8 (3) IF AN INDIVIDUAL IS SUBJECT TO THIS SUBSECTION AND FAILS TO
9 PARTICIPATE IN THE PROGRAM OR SUCCESSFULLY COMPLETE THE PROGRAM, THE
10 ADMINISTRATION SHALL SUSPEND, NOTWITHSTANDING § 16-208 OF THIS TITLE,
11 THE INDIVIDUAL'S DRIVER'S LICENSE UNTIL THE INDIVIDUAL SUCCESSFULLY
12 COMPLETES THE PROGRAM.

13 (D) (1) THE ADMINISTRATION SHALL:

14 (I) MODIFY A SUSPENSION AND ISSUE A RESTRICTIVE
15 DRIVER'S LICENSE REQUIRING THE USE OF AN INTELLIGENT SPEED ASSISTANCE
16 SYSTEM FOR THE DURATION OF PROGRAM PARTICIPATION TO A PARTICIPANT WHO
17 IS OTHERWISE ELIGIBLE FOR THE LICENSE; AND

18 (II) REINSTATE THE DRIVER'S LICENSE, SUBJECT TO A
19 RESTRICTION REQUIRING THE USE OF AN INTELLIGENT SPEED ASSISTANCE SYSTEM
20 FOR THE DURATION OF PROGRAM PARTICIPATION, OF A PARTICIPANT WHOSE
21 DRIVER'S LICENSE HAS BEEN REVOKED.

22 (2) A NOTICE OF SUSPENSION OR REVOCATION OF A DRIVER'S
23 LICENSE AS DESCRIBED IN SUBSECTION (C) OF THIS SECTION SENT TO AN
24 INDIVIDUAL SHALL INCLUDE INFORMATION ABOUT THE PROGRAM AND HOW
25 INDIVIDUALS MAY PARTICIPATE IN THE PROGRAM.

26 (3) THE ADMINISTRATION SHALL ESTABLISH A FEE FOR
27 PARTICIPATION IN THE PROGRAM THAT IS SUFFICIENT TO COVER THE COSTS OF
28 THE PROGRAM.

29 (E) A PARTICIPANT MAY NOT OPERATE A MOTOR VEHICLE IN VIOLATION OF
30 THE REQUIREMENTS OF THE PROGRAM.

31 (F) A PARTICIPANT IS CONSIDERED TO HAVE BEGUN PARTICIPATION IN THE
32 PROGRAM ON THE DAY THE INTELLIGENT SPEED ASSISTANCE SYSTEM IS INSTALLED
33 IN THE PARTICIPANT'S MOTOR VEHICLE.

1 (G) (1) AN INDIVIDUAL REQUIRED TO USE AN INTELLIGENT SPEED
2 ASSISTANCE SYSTEM UNDER THIS SECTION:

3 (I) SHALL BE MONITORED BY THE ADMINISTRATION; AND

4 (II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
5 SUBSECTION, SHALL PAY THE FEE REQUIRED BY THE ADMINISTRATION UNDER
6 SUBSECTION (D)(3) OF THIS SECTION.

7 (2) THE ADMINISTRATION SHALL WAIVE THE FEE REQUIRED UNDER
8 THIS SUBSECTION FOR AN INDIVIDUAL WHO IS INDIGENT.

9 (H) IF AN INDIVIDUAL COMPLETES THE PROGRAM AND THE INDIVIDUAL'S
10 LICENSE IS NOT REFUSED, REVOKED, SUSPENDED, OR CANCELED UNDER ANOTHER
11 PROVISION OF THIS ARTICLE, THE ADMINISTRATION SHALL REINSTATE THE
12 INDIVIDUAL'S DRIVER'S LICENSE OR ISSUE IMMEDIATELY A DRIVER'S LICENSE TO
13 THE INDIVIDUAL, AS APPROPRIATE.

14 (I) (1) IF THE ADMINISTRATION REMOVES AN INDIVIDUAL FROM THE
15 PROGRAM BECAUSE THE INDIVIDUAL VIOLATED A REQUIREMENT OF THE
16 PROGRAM, THE ADMINISTRATION MAY ALLOW THE INDIVIDUAL TO REENTER THE
17 PROGRAM AFTER A PERIOD OF ~~30~~ 10 DAYS FROM THE DATE OF REMOVAL.

18 (2) IF AN INDIVIDUAL REENTERS THE PROGRAM UNDER THIS
19 SUBSECTION, THE INDIVIDUAL SHALL PARTICIPATE IN THE PROGRAM FOR 3
20 MONTHS IN ADDITION TO THE PERIOD OF TIME THAT WAS NECESSARY FOR
21 SUCCESSFUL COMPLETION OF THE PROGRAM AT THE TIME THE INDIVIDUAL WAS
22 REMOVED FROM THE PROGRAM.

23 (J) (1) SUBJECT TO PARAGRAPHS (3) AND (4) OF THIS SUBSECTION, THE
24 ADMINISTRATION OR A VENDOR CONTRACTED BY THE ADMINISTRATION MAY
25 SHARE DATA COLLECTED UNDER THIS SECTION ONLY:

26 (I) WHEN REQUIRED BY COURT ORDER;

27 (II) AS REQUIRED BY STATE LAW;

28 (III) WITH THE DEPARTMENT OR THE COURT WITH
29 JURISDICTION OVER A PROGRAM PARTICIPANT REGARDING A VIOLATION BY A
30 PARTICIPANT; OR

31 (IV) FOR RESEARCH PURPOSES, IF THE DATA IS ANONYMIZED.

1 **(2) SUBJECT TO PARAGRAPHS (3) AND (4) OF THIS SUBSECTION, THE**
 2 **ADMINISTRATION OR A VENDOR CONTRACTED BY THE ADMINISTRATION MAY**
 3 **RETAIN DATA COLLECTED UNDER THIS SECTION ONLY TO:**

4 **(I) CONFIRM COMPLIANCE WITH PROGRAM REQUIREMENTS;**
 5 **OR**

6 **(II) EVALUATE OR IMPROVE THE EFFECTIVENESS OF THE**
 7 **PROGRAM.**

8 **(3) THE ADMINISTRATION OR ANY VENDOR CONTRACTED BY THE**
 9 **ADMINISTRATION SHALL REMOVE FROM ITS RECORDS AND DESTROY ANY DATA**
 10 **COLLECTED UNDER THIS SECTION WITHIN 30 DAYS AFTER COLLECTING THE DATA.**

11 **(4) DATA COLLECTED UNDER THIS SECTION MAY NOT BE SOLD FOR**
 12 **ANY PURPOSE BY THE ADMINISTRATION OR A VENDOR CONTRACTED BY THE**
 13 **ADMINISTRATION, INCLUDING THE SALE OF SUBSCRIPTIONS OR LICENSES TO**
 14 **ACCESS DATA.**

15 ~~(J)~~ **(K) (1) THE ADMINISTRATION SHALL ADOPT REGULATIONS TO**
 16 **CARRY OUT THIS SECTION.**

17 **(2) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL**
 18 **INCLUDE REQUIREMENTS FOR A PARTICIPANT TO OPERATE A MOTOR VEHICLE**
 19 **EQUIPPED WITH AN INTELLIGENT SPEED ASSISTANCE SYSTEM IN A SAFE MANNER,**
 20 **AS DETERMINED BY THE ADMINISTRATION.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That the District Court shall ensure
 22 that the fine schedule for certain violations of the Maryland Vehicle Law includes separate
 23 entries for § 21-901.1(a)(1), (2), and (3) of the Transportation Article.

24 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That, on or before December 30,
 25 ~~2029~~ 2030, the Motor Vehicle Administration shall report to the Governor and, in
 26 accordance with § 2-1257 of the State Government Article, the General Assembly on the
 27 implementation of this Act, including:

28 (1) a description of the Intelligent Speed Assistance System Pilot Program;
 29 and

30 (2) the number of individuals who:
 31 (i) were eligible to participate in the Pilot Program through
 32 September 30, 2030;

33 (ii) participated in the Pilot Program through September 30, 2030;

- 1 (iii) participated as a result of:
- 2 1. a first suspension of the participant’s driver’s license;
- 3 2. a second or subsequent suspension of the participant’s
- 4 driver’s license; and
- 5 3. a revocation of the participant’s driver’s license;
- 6 (iv) 1. was required to participate in the Pilot Program and failed
- 7 to participate in the Pilot Program;
- 8 2. failed to successfully complete the Pilot Program; and
- 9 3. reentered the Pilot Program; and
- 10 (v) successfully completed the Pilot Program through September 30,
- 11 2030.

12 SECTION ~~3~~ 4 AND BE IT FURTHER ENACTED, That this Act shall take effect
 13 October 1, 2026. It shall remain effective for a period of ~~3~~ 4 years and 9 months and, at the
 14 end of June 30, ~~2030~~ 2031, this Act, with no further action required by the General
 15 Assembly, shall be abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.