

Transportation Division Criminal and MVA Guidelines

Criminal or Driving Offense	Disqualification Period
<ul style="list-style-type: none"> • Single Tier 1 Felony Crime of Violence <i>(including any conspiracy, solicitation, attempt or accessory to such crime of violence)</i> Crimes of violence include: <ul style="list-style-type: none"> (a) abduction; (b) arson in the first degree; (c) kidnapping; (d) manslaughter, except involuntary manslaughter; (e) mayhem; (f) maiming, as previously proscribed under former Article 27, §§ 385 and 386 of the Code; (g) murder; (h) rape; (i) robbery, as defined by Md. Code Ann. Criminal Law §3-402 or 3-403, including robbery with a deadly weapon; (j) carjacking; (k) armed carjacking; (l) sexual offense in the first degree; (m) sexual offense in the second degree; (n) use of a handgun in the commission of a felony or other crime of violence; (o) child abuse in the first degree under Md. Code Ann., Criminal Law § 3-601; (p) sexual abuse of a minor under Md. Code Ann., Criminal Law § 3-602 if: <ul style="list-style-type: none"> (i) the victim is under the age of 13 years and the offender is an adult at the time of the offense; and (ii) the offense involved: <ol style="list-style-type: none"> 1. vaginal intercourse, as defined in Md. Code Ann., Criminal Law § 3-301; 2. a sexual act, as defined in Md. Code Ann., Criminal Law § 3-301; 3. an act in which a part of the offender's body penetrates, however slightly, into the victim's genital opening or anus; or 4. the intentional touching, not through the clothing, of the victim's or the offender's genital, anal, or other intimate area for sexual arousal, gratification, or abuse; (q) an attempt to commit any of the crimes described in items (a) through (p) of this subsection; (r) continuing course of conduct with a child Md. Code Ann., Criminal Law § 3-315; (s) assault in the first degree; 	<p>Indefinite</p>

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<p>(t) assault with intent to murder; (u) assault with intent to rape; (v) assault with intent to rob; (w) assault with intent to commit a sexual offense in the first degree; and (x) assault with intent to commit a sexual offense in the second degree.</p> <ul style="list-style-type: none"> • Single Major Traffic Offense Involving a Fatality 	
<ul style="list-style-type: none"> • Two (2) or More Major Traffic Offenses Involving Alcohol or Controlled Substances Major traffic offenses include: <ul style="list-style-type: none"> (a) violations involving the operation of a motor vehicle while under the influence of alcohol or a controlled substance; (b) violating an interlock or alcohol restriction, (c) leaving the scene of an accident, (d) fleeing or evading police or resisting arrest while operating a motor vehicle (e) or driving a motor vehicle when, as a result of a violation involving the use of alcohol or a controlled substance, the individual's license is revoked, suspended or canceled. 	<p>15 years</p>
<ul style="list-style-type: none"> • Two (2) or more Tier 2 Felony Offenses (<i>other than Tier 1 crimes of violence</i>) Tier 2 felony offenses include: <ul style="list-style-type: none"> (a) any felony offense against a person including any assault or assault and battery that is not defined as a Tier 1 crime of violence, or any threat to commit such crime, or any violation of a restraining order (b) any felony offense involving the illegal use or possession of weapons (c) any felony offense involving the possession, importation, manufacture, distribution, or registration of a controlled dangerous substance, prescription drug, or other substance (d) any felony offense involving the manufacture, sale, transport, or possession of explosives, or the intent to create an explosive device (e) any felony offense involving criminal sexual assault that is not defined as a Tier 1 crime of violence, any type of sexual abuse, solicitation, pandering, prostitution, pimping, obscenity, pornography, possession of obscene material, exploitation, public indecency, sexual relations within families or sexual misconduct (f) any felony property offenses that are not defined as a Tier 	<p>10 years</p>

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<p>1 crime of violence, including arson and burning, burglary and related crimes including home invasion, malicious destruction and related crimes, trespass, or crimes against a railroad</p> <p>(g) any felony theft and related offenses; fraud and related offenses; offenses against public administration; offenses against public health, conduct and sensibilities; indecency and obscenity; or gaming.</p>	
<ul style="list-style-type: none"> • Single Tier 2 Felony (<i>other than Tier 1 crime of violence</i>) • Three (3) or more Misdemeanor Crimes of Violence • Single Major Traffic Offense Involving Alcohol or Controlled Substance 	<p>7 years</p>
<ul style="list-style-type: none"> • Two (2) or more Major Traffic Violations Not Related to Driving While Impaired by Alcohol or Controlled Substance <p>Major traffic offenses not related to driving while impaired by alcohol or controlled substances include:</p> <ul style="list-style-type: none"> (a) reckless or negligent driving, (b) use of a text messaging device while driving or use of a handheld telephone while driving (as described in the Maryland Transportation Article §§ 21-1124.1 and 21-1124.2) if such use results in personal injury, (c) failure to stop for a police officer, (d) speeding 31 MPH or more over the posted speed limit, (e) street or drag racing, (f) driving after the individual's license has been withdrawn or revoked, (g) driving with a counterfeit or altered license or making a material misrepresentation about a driving license or, (h) as a result of the refusal of a chemical test, the individual's license is revoked or suspended 	<p>5 years</p>
<ul style="list-style-type: none"> • Four (4) or more Moving Traffic Violations (<i>not listed as a major traffic violation</i>) 	<p>4 years</p>
<ul style="list-style-type: none"> • Single Misdemeanor Crime of Violence • Single Major Traffic Violation Not Related to Driving While Impaired by Alcohol or Controlled Substance 	<p>3 years</p>