Masking & Non-Citizen Licensing

For Hon. · [redacted] · *1:45 to 2:45 p.m. (faculty TBD)*

BEFORE YOU READ THIS

This draws on the 2025 course binder, a recent call with Judge and a quick scan of where Maryland non-citizen licensing sits. A starting point for Monday, not a script. The masking faculty row is currently TBD on the 2026 agenda; if you want this block, it's yours to carry.

YOUR POSSIBLE BLOCK

Sixty minutes, Masking and Non-Citizen Licensing combined. Maps to course learning outcomes 5 and 6. The masking half builds directly on your 2025 material. Non-citizen licensing is new to the course; I'm bringing a structured four-move design for that portion to walk Monday.

WHAT'S IN THE 2025 FOLDER

- **Federal masking prohibition (deck p. 29):** 49 CFR 384.226. The state must not mask, defer imposition of judgment, or permit diversion that prevents a CLP/CDL holder's conviction from appearing on the record.
- **Conviction definitions (deck p. 30):** 49 CFR 383.5 and Md. Transp. § 16-803(d). Maryland's definition includes probation before judgment for CDL holders.
- **Hypotheticals (deck pp. 30 to 32):** 48-year-old CDL holder on the way home from a wedding, BAC 0.05, impaired by marijuana; prosecutor offer to postpone and dismiss after drug education; plea-to-negligent-driving alternative; trooper nol-pros of one of three citations.
- **Slido items (deck pp. 31, 32):** the diversion offer and the negligent-driving plea.
- **NJC/FMCSA CDL Disqualification Benchcard:** in the 2025 binder as a reference handout.

FROM JUDGE [redacted]

A teaching thread Judge flagged: the state has authority to amend charges, and the court's role is to accept the plea or not, rather than to direct the charging decision. She'll expand Monday.

INTERACTIVITY SUGGESTION

An "Is It Masking?" quiz on five to seven short scenarios, built from the 2025 hypotheticals. Participants predict yes or no, tables discuss briefly, faculty resolves with the controlling authority. Same structural move as MJC's Marital Property course ("Is It Property?").

ON NON-CITIZEN LICENSING

This portion didn't exist in 2025. Ten to fifteen minutes of the block should cover it. At Monday's call I'll walk a four-move design: open from the statutory text, pressure-test with edge-case fact patterns, a short calibration poll, and anchor in Padilla v. Kentucky, 559 U.S. 356 (2010). I can run it; you can run it. Let's decide Monday.

WHAT AL CAN DO

- Reprint the CDL Disqualification Benchcard for the 2026 binder.
- Build or format non-citizen licensing slides to your direction.
- Draft the "Is It Masking?" scenarios and the controlling-authority key.
- Pull current Maryland developments on non-citizen licensing to your specs.
- Coordinate with the MVA block if you want a sample driving record in the room.

THE ASK

Tell me on Monday whether you want to carry this block, co-own it, or pass. If you carry it, tell me whether to reuse the 2025 masking slides as-is or revise, and how you want the non-citizen portion to sit alongside your masking material. I'll build around your call.