

SENATE BILL 836

Unofficial Copy  
R5

2000 Regular Session  
(01r2942)

*ENROLLED BILL*  
-- Judicial Proceedings/Judiciary --

Introduced by ~~Senator Jimeno~~ Senators Jimeno and Forehand

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 315

1 AN ACT concerning

2 **Motor Vehicles - Reckless Driving - Penalties**

3 FOR the purpose of increasing the number of points that the Motor Vehicle  
4 Administration is required to assess against an individual who is convicted of  
5 reckless driving; increasing the ~~criminal penalties~~ *fine* that may be imposed on  
6 a person who is convicted of reckless driving; and generally relating to reckless  
7 driving penalties.

8 BY repealing and reenacting, with amendments,  
9 Article - Transportation  
10 Section 16-402 and ~~27-101(h)~~ 27-101(g)  
11 Annotated Code of Maryland  
12 (1999 Replacement Volume and 1999 Supplement)

13 BY repealing and reenacting, without amendments,  
14 Article - Transportation

1 Section 21-901.1(a)  
2 Annotated Code of Maryland  
3 (1999 Replacement Volume and 1999 Supplement)

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

6 **Article - Transportation**

7 16-402.

8 (a) After the conviction of an individual for a violation of Article 27, § 388, §  
9 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any  
10 local authority, points shall be assessed against the individual as of the date of  
11 violation and as follows:

- 12 (1) Any moving violation not listed below and not contributing  
13 to an accident ..... 1 point
- 14 (2) Following another vehicle too closely ..... 2 points
- 15 (3) Speeding in excess of the posted speed limit by 10 miles an  
16 hour or more..... 2 points
- 17 (4) Driving with an improper class of license..... 2 points
- 18 (5) Failing to stop for a school vehicle with activated alternately  
19 flashing red lights..... 2 points
- 20 (6) Any violation of § 21-1111 of this article ..... 2 points
- 21 (7) Passing an emergency or police vehicle under the provisions  
22 of § 21-405(d) of this article ..... 2 points
- 23 (8) A violation of § 21-511(a) of this article ..... 2 points
- 24 (9) Failure to stop a vehicle for a steady red traffic signal in  
25 violation of § 21-202 of this article..... 2 points
- 26 (10) Any moving violation contributing to an accident..... 3 points
- 27 (11) Driving after suspension of license under the provisions of §  
28 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic  
29 laws or regulations of another state as described in § 16-303(i) of this title ..... 3 points
- 30 (12) Any violation, except violations committed on the John F.  
31 Kennedy Memorial Highway, of § 21-1411 of this article ..... 3 points
- 32 (13) [Reckless driving ..... 4 points

1 (14) Speeding in excess of the posted speed limit by 30 miles an  
2 hour or more.....5 points

3 [(15)] (14)..... Driving while not licensed 5 points

4 [(16)] (15)..... Failure to report an accident 5 points

5 [(17)] (16)..... Driving on a learner's permit unaccompanied 5 points

6 [(18)] (17)..... Any violation of § 17-107 of this article 5 points

7 [(19)] (18)..... Participating in a race or speed contest on a highway 5 points

8 [(20)] (19)..... Any violation of § 16-304 or § 16-305 of this title 5 points

9 [(21)] (20)..... Any violation of § 22-404.5 of this article 5 points

10 [(22)] (21) Speeding in excess of a posted speed limit of 65  
11 miles an hour by 20 miles an hour or more.....5 points

12 (22) RECKLESS DRIVING ..... 6 POINTS

13 ~~{(23)}~~ ~~(22)~~ Driving while under the influence of alcohol or  
14 while under influence of a drug, combination of drugs, or combination of  
15 drugs and alcohol ..... 8 points

16 ~~{(24)}~~ ~~(23)~~ Turning off lights of a vehicle to avoid  
17 identification ..... 8 points

18 ~~{(25)}~~ ~~(24)~~ Failing to stop after accident resulting in damage  
19 to attended vehicle or property..... 8 points

20 ~~{(26)}~~ ~~(25)~~ Failing to stop after accident resulting in damage  
21 to unattended vehicle or property..... 8 points

22 ~~{(27)}~~ ~~(26)~~ Any violation of § 16-815 or § 16-816 of this title ..... 8 points

23 ~~(27)~~ RECKLESS DRIVING IN VIOLATION OF § 21-901.1(A) OF  
24 THIS ARTICLE ..... 8 POINTS

25 (28) Failing to stop after an accident resulting in bodily  
26 injury or death..... 12 points

27 (29) Driving after refusal, suspension, cancellation, or  
28 revocation of license except for suspensions of license under the provisions of  
29 § 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic  
30 laws or regulations of another state as described in § 16-303(i) of this title ..... 12 points

31 (30) Any violation of § 16-301, § 16-302, § 16-804, or §  
32 16-808(1) through (9) of this title ..... 12 points

1 (31) Homicide, life threatening injury under Article 27, §  
2 388B of the Code, or assault committed by means of a vehicle..... 12 points

3 (32) Driving while intoxicated, while intoxicated per se, or  
4 while under the influence of illegally used controlled dangerous substance ..... 12 points

5 (33) Any felony involving use of a vehicle ..... 12 points

6 (34) Fleeing or attempting to elude a police officer..... 12 points

7 (35) The making of a false affidavit or statement under oath,  
8 or falsely certifying to the truth of any fact or information to the  
9 Administration under the Maryland Vehicle Law or under any law relating  
10 to the ownership or operation of motor vehicles..... 12 points

11 (36) Any violation involving an unlawful taking or unauthorized  
12 use of a motor vehicle under Article 27, § 342A or § 349, or § 14-102 of this  
13 article ..... 12 points

14 (b) If a conviction occurs on multiple charges based on offenses alleged to have  
15 been committed at the same time or arising out of circumstances simultaneous in  
16 time and place, the Administration:

17 (1) Shall assess points against the individual convicted only on the  
18 charge that has the highest point assessment; and

19 (2) May not assess points on the remainder of the multiple charges.

20 21-901.1.

21 (a) A person is guilty of reckless driving if he drives a motor vehicle:

22 (1) In wanton or willful disregard for the safety of persons or property; or

23 (2) In a manner that indicates a wanton or willful disregard for the  
24 safety of persons or property.

25 27-101.

26 (g) Any person who is convicted of a violation of any of the provisions of §  
27 13-704 of this article OR § 21-901.1 (A) OF THIS ARTICLE ("RECKLESS DRIVING") is  
28 subject to a fine of not more than \$1,000.

29 (h) ~~Any person who is convicted of a violation of any of the provisions of §~~  
30 ~~15-502(a) of this article ("License required"), § 16-303(a), (b), (c), (d), (e), (f), or (g) of~~  
31 ~~this article ("Driving while license is canceled, suspended, refused, or revoked"), §~~  
32 ~~17-107 of this article ("Prohibitions"), [or] § 17-110 of this article ("Providing false~~  
33 ~~evidence of required security"), OR § 21-901.1(A) OF THIS ARTICLE ("RECKLESS~~  
34 ~~DRIVING") is subject to:~~

1           (1)     For a first offense, a fine of not more than \$1,000, or imprisonment  
2 for not more than 1 year, or both; and

3           (2)     For any subsequent offense, a fine of not more than \$1,000, or  
4 imprisonment for not more than 2 years, or both.

5       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2000.