

HOUSE BILL 1074

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2001 Regular Session
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By: **Delegates Mandel, Taylor, W. Baker, Barkley, Barve, Benson, Bobo, Boutin, Bronrott, Clagett, Conroy, Cryor, DeCarlo, Dobson, Dypski, Frush, Goldwater, Grosfeld, Heller, Howard, Hubbard, Hubers, Hurson, Kagan, Kopp, McIntosh, Menes, Parrott, Petzold, Pitkin, Riley, Rosso, Rudolph, Shank, Shriver, Snodgrass, Sophocleus, Stern, and Turner**

Introduced and read first time: February 9, 2001
Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 20, 2001

CHAPTER 520

1 AN ACT concerning

2 **Vehicle Laws - Aggressive Driving - Penalties**

3 FOR the purpose of providing that a person is guilty of aggressive driving of a motor
4 vehicle under certain circumstances; requiring the Motor Vehicle
5 Administration to assess a certain number of points against a person who is
6 convicted of aggressive driving; providing that a person is guilty of aggressive
7 driving if the person commits a certain number of certain offenses under certain
8 circumstances; establishing certain penalties; and generally relating to
9 prohibiting aggressive driving of a motor vehicle under certain circumstances.

10 BY repealing and reenacting, with amendments,
11 Article - Transportation
12 Section 16-402(a) ~~and 27-101(e)~~
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2000 Supplement)

15 BY adding to
16 Article - Transportation
17 Section 21-901.2
18 Annotated Code of Maryland
19 (1999 Replacement Volume and 2000 Supplement)

20 BY repealing and reenacting, without amendments,

1 Article - Transportation
 2 Section 27-101(b)
 3 Annotated Code of Maryland
 4 (1999 Replacement Volume and 2000 Supplement)

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

7 **Article - Transportation**

8 16-402.

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

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

1 (13) Speeding in excess of the posted speed limit by 30 miles an hour or
2 more5 points

3 (14) Driving while not licensed5 points

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

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

6 (17) Any violation of § 17-107 of this article5 points

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

8 (19) Any violation of § 16-304 or § 16-305 of this title5 points

9 (20) Any violation of § 22-404.5 of this article5 points

10 (21) Speeding in excess of a posted speed limit of 65 miles an hour by 20
11 miles an hour or more5 points

12 (22) AGGRESSIVE DRIVING IN VIOLATION OF § 21-901.2 OF THIS ARTICLE 5
13 POINTS

14 (23) Reckless driving..... 6 points

15 [(23)] (24) Driving while under the influence of alcohol or while under
16 influence of a drug, combination of drugs, or combination of drugs and alcohol..... 8 points

17 [(24)] (25).....Turning off lights of a vehicle to avoid identification 8 points

18 [(25)] (26) Failing to stop after accident resulting in damage to attended
19 vehicle or property 8 points

20 [(26)] (27) Failing to stop after accident resulting in damage to unattended
21 vehicle or property 8 points

22 [(27)] (28)..... Any violation of § 16-815 or § 16-816 of this title 8 points

23 [(28)] (29) Failing to stop after an accident resulting in bodily injury or
24 death..... 12 points

25 [(29)] (30) Driving after refusal, suspension, cancellation, or revocation of
26 license except for suspensions of license under the provisions of § 17-106, § 26-204, §
27 26-206, or § 27-103 of this article, or under the traffic laws or regulations of another
28 state as described in § 16-303(i) of this title 12 points

29 [(30)] (31) Any violation of § 16-301, § 16-302, § 16-804, or § 16-808(1)
30 through (9) of this title 12 points

31 [(31)] (32) Homicide, life threatening injury under Article 27, § 388B of the
32 Code, or assault committed by means of a vehicle 12 points

1 [(32)] (33) Driving while intoxicated, while intoxicated per se, or while
2 under the influence of illegally used controlled dangerous substance 12 points

3 [(33)] (34).....Any felony involving use of a vehicle 12 points

4 [(34)] (35).....Fleeing or attempting to elude a police officer 12 points

5 [(35)] (36) The making of a false affidavit or statement under oath, or
6 falsely certifying to the truth of any fact or information to the Administration under
7 the Maryland Vehicle Law or under any law relating to the ownership or operation of
8 motor vehicles..... 12 points

9 [(36)] (37) Any violation involving an unlawful taking or unauthorized use
10 of a motor vehicle under Article 27, § 342A or § 349, or § 14-102 of this article.....12
11 points

12 21-901.2.

13 A PERSON IS GUILTY OF AGGRESSIVE DRIVING IF THE PERSON COMMITS THREE
14 OR MORE OF THE FOLLOWING OFFENSES AT THE SAME TIME OR DURING A SINGLE
15 AND CONTINUOUS PERIOD OF DRIVING IN VIOLATION OF:

16 (1) § 21-202 OF THIS TITLE (TRAFFIC LIGHTS WITH STEADY INDICATION);

17 (2) § 21-303 OF THIS TITLE (OVERTAKING AND PASSING VEHICLES);

18 (3) § 21-304 OF THIS TITLE (PASSING ON RIGHT);

19 (4) § 21-309 OF THIS TITLE (DRIVING ON LANED ROADWAYS);

20 (5) § 21-310 OF THIS TITLE (FOLLOWING TOO CLOSELY);

21 (6) § 21-403 OF THIS TITLE (FAILURE TO YIELD RIGHT-OF-WAY); OR

22 (7) § 21-801.1 OF THIS TITLE (EXCEEDING A MAXIMUM SPEED LIMIT OR
23 POSTED MAXIMUM SPEED LIMIT).

24 27-101.

25 (b) Except as otherwise provided in this section, any person convicted of a
26 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is
27 subject to a fine of not more than \$500.

28 (e) ~~Any person who is convicted of a violation of any of the provisions of the~~
29 ~~following sections of this article is subject to a fine of not more than \$500 or~~
30 ~~imprisonment for not more than 2 months or both:~~

31 (1) ~~§ 12-301(e), (d), (e), or (f) ("Special identification cards: Fraud and~~
32 ~~misrepresentation prohibited");~~

33 (2) ~~§ 14-102 ("Taking or driving vehicle without consent of owner");~~

- 1 (3) § 14-104 ("Damaging or tampering with vehicle");
- 2 (4) § 14-107 ("Removed, falsified, or unauthorized identification number
3 or registration card or plate");
- 4 (5) § 14-110 ("Altered or forged documents and plates");
- 5 (6) § 15-312 ("~~Dealers: Prohibited acts—Vehicle sales transactions~~");
- 6 (7) § 15-313 ("~~Dealers: Prohibited acts—Advertising practices~~");
- 7 (8) § 15-314 ("~~Dealers: Prohibited acts—Violation of licensing laws~~");
- 8 (9) § 15-411 ("~~Vehicle salesmen: Prohibited acts~~");
- 9 (10) § 15-502(c) ("~~Storage of certain vehicles by unlicensed persons~~
10 prohibited");
- 11 (11) § 16-113(j) ("~~Violation of alcohol restriction ordered by a court~~");
- 12 (12) § 16-301 ("~~Unlawful application for or use of license~~");
- 13 (13) § 16-303(h) ("~~Licenses suspended under certain provisions of Code~~");
- 14 (14) § 16-303(i) ("~~Licenses suspended under certain provisions of the~~
15 traffic laws or regulations of another state");
- 16 (15) § 18-106 ("~~Unauthorized use of rented motor vehicle~~");
- 17 (16) § 20-103 ("~~Driver to remain at scene—Accidents resulting only in~~
18 damage to attended vehicle or property");
- 19 (17) § 20-104 ("~~Duty to give information and render aid~~");
- 20 (18) § 20-105 ("~~Duty on striking unattended vehicle or other property~~");
- 21 (19) § 20-108 ("~~False reports prohibited~~");
- 22 (20) § 21-206 ("~~Interference with traffic control devices or railroad signs~~
23 and signals");
- 24 (21) As to a pedestrian in a marked crosswalk, § 21-502(a) ("~~Pedestrians'~~
25 right of way in crosswalks: In general");
- 26 (22) As to another vehicle stopped at a marked crosswalk, § 21-502(c)
27 ("~~Passing of vehicle stopped for pedestrian prohibited~~");
- 28 (23) § 21-901.2 ("~~AGGRESSIVE DRIVING~~");
- 29 (24) Except as provided in subsections (f) and (g) of this section, §
30 21-902(b) ("~~Driving while under the influence of alcohol~~");

1 ~~[(24)]~~ (25) Except as provided in subsections (f) and (g) of this section, §
2 ~~21-902(e)~~ ("Driving while under influence of drugs or drugs and alcohol");

3 ~~[(25)]~~ (26) Except as provided in subsections (f) and (g) of this section, §
4 ~~21-902(d)~~ ("Driving while under influence of controlled dangerous substance"); or

5 ~~[(26)]~~ (27) § ~~27-107(d), (e), (f), or (g)~~ ("Prohibited acts—Ignition interlock
6 systems");

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2001.