

SENATE BILL 426

R5

9lr1640

By: **Senators Jacobs, Astle, Colburn, Glassman, Greenip, Harris, Klausmeier, and Mooney**

Introduced and read first time: February 2, 2009

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Reckless Driving While License Is Suspended or Revoked**
3 **– Penalty for Serious Bodily Injury**

4 FOR the purpose of establishing a certain penalty for a person who, while in violation
5 of certain provisions related to driving while a license is canceled, suspended,
6 refused, or revoked, commits a violation of a certain prohibition against reckless
7 driving that results in serious bodily injury or death; and generally relating to
8 reckless driving while a license is canceled, suspended, refused, or revoked.

9 BY repealing and reenacting, without amendments,
10 Article – Transportation
11 Section 16–303 and 21–901.1(a)
12 Annotated Code of Maryland
13 (2006 Replacement Volume and 2008 Supplement)

14 BY adding to
15 Article – Transportation
16 Section 27–101(cc)
17 Annotated Code of Maryland
18 (2006 Replacement Volume and 2008 Supplement)

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

21 **Article – Transportation**

22 16–303.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) A person may not drive a motor vehicle on any highway or on any
2 property specified in § 21–101.1 of this article while the person’s license or privilege to
3 drive is refused in this State or any other state.

4 (b) A person may not drive a motor vehicle on any highway or on any
5 property specified in § 21–101.1 of this article while the person’s license or privilege to
6 drive is canceled in this State.

7 (c) A person may not drive a motor vehicle on any highway or on any
8 property specified in § 21–101.1 of this article while the person’s license or privilege to
9 drive is suspended in this State.

10 (d) A person may not drive a motor vehicle on any highway or on any
11 property specified in § 21–101.1 of this article while the person’s license or privilege to
12 drive is revoked in this State.

13 (e) A person may not drive a motor vehicle on any highway or on any
14 property specified in § 21–101.1 of this article while the person’s license issued by any
15 other state is canceled.

16 (f) A person may not drive a motor vehicle on any highway or on any
17 property specified in § 21–101.1 of this article while the person’s license issued by any
18 other state is suspended.

19 (g) A person may not drive a motor vehicle on any highway or on any
20 property specified in § 21–101.1 of this article while the person’s license issued by any
21 other state is revoked.

22 (h) A person may not drive a motor vehicle on any highway or on any
23 property specified in § 21–101.1 of this article while the person’s license or privilege to
24 drive is suspended under § 17–106, § 26–204, § 26–206, or § 27–103 of this article.

25 (i) (1) This subsection applies only to a person whose license or privilege
26 to drive is suspended under the traffic laws or regulations of another state for:

27 (i) Failure to comply with a notice to appear in a court of that
28 state contained in a traffic citation issued to the person; or

29 (ii) Failure to pay a fine for a violation of any traffic laws or
30 regulations of that state.

31 (2) A person may not drive a motor vehicle on any highway or on any
32 property specified in § 21–101.1 of this article while the person’s license or privilege to
33 drive is suspended under the traffic laws or regulations of any other state as described
34 in paragraph (1) of this subsection.

1 (j) (1) Except as provided in paragraph (2) of this subsection, any
2 individual who violates a provision of this section shall be assessed the points as
3 provided for in § 16-402(a)(30) of this title.

4 (2) Any individual who violates a provision of subsection (h) or
5 subsection (i) of this section shall be assessed the points as provided for in § 16-402(a)
6 (11) of this title.

7 21-901.1.

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

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

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

13 27-101.

14 (CC) ANY PERSON WHO, WHILE IN VIOLATION OF § 16-303 OF THIS
15 ARTICLE (“DRIVING WHILE LICENSE IS CANCELED, SUSPENDED, REFUSED, OR
16 REVOKED”), COMMITS A VIOLATION OF § 21-901.1(A) OF THIS ARTICLE
17 (“RECKLESS DRIVING”) THAT RESULTS IN DEATH OR SERIOUS BODILY INJURY
18 AS DEFINED IN § 27-113 OF THIS TITLE IS SUBJECT TO A FINE OF NOT MORE
19 THAN \$1,000, OR IMPRISONMENT FOR NOT MORE THAN 3 YEARS, OR BOTH.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2009.