

HOUSE BILL 105

R5

11r0098

By: **Chair, Judiciary Committee (By Request – Departmental – State Police)**

Introduced and read first time: January 24, 2011

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Races and Speed Contests – Enforcement and Penalties**

3 FOR the purpose of authorizing a police officer to arrest without a warrant a person
4 who participates in a certain race or speed contest under certain circumstances;
5 altering the penalty for a conviction of participating in a certain race or speed
6 contest; and generally relating to the prohibition against participating in
7 certain races or speed contests.

8 BY repealing and reenacting, without amendments,
9 Article – Transportation
10 Section 21–1116
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2010 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section 26–202(a)
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2010 Supplement)

18 BY adding to
19 Article – Transportation
20 Section 27–101(ee)
21 Annotated Code of Maryland
22 (2009 Replacement Volume and 2010 Supplement)

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

25 **Article – Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 21-1116.

2 (a) Except as provided in § 21-1211 of this title, on any highway or on any
3 private property that is used by the public in general, a person may not drive a vehicle
4 in a race or speed contest, whether or not on a wager or for a prize or reward.

5 (b) Except as provided in § 21-1211 of this title, a person may not participate
6 as a timekeeper or flagman in any race or speed contest specified in subsection (a) of
7 this section.

8 26-202.

9 (a) A police officer may arrest without a warrant a person for a violation of
10 the Maryland Vehicle Law, including any rule or regulation adopted under it, or for a
11 violation of any traffic law or ordinance of any local authority of this State, if:

12 (1) The person has committed or is committing the violation within
13 the view or presence of the officer, and the violation is any of the following:

14 (i) A violation of § 21-1411 or § 22-409 of this article, relating
15 to vehicles transporting hazardous materials; or

16 (ii) A violation of § 24-111 or § 24-111.1 of this article, relating
17 to the failure or refusal to submit a vehicle to a weighing or to remove excess weight
18 from it;

19 (2) The person has committed or is committing the violation within
20 the view or presence of the officer, and either:

21 (i) The person does not furnish satisfactory evidence of identity;
22 or

23 (ii) The officer has reasonable grounds to believe that the person
24 will disregard a traffic citation;

25 (3) The officer has probable cause to believe that the person has
26 committed the violation, and the violation is any of the following offenses:

27 (i) Driving or attempting to drive while under the influence of
28 alcohol, while impaired by alcohol, or in violation of an alcohol restriction;

29 (ii) Driving or attempting to drive while impaired by any drug,
30 any combination of drugs, or any combination of one or more drugs and alcohol or
31 while impaired by any controlled dangerous substance;

32 (iii) Failure to stop, give information, or render reasonable
33 assistance, as required by §§ 20-102 and 20-104 of this article, in the event of an
34 accident resulting in bodily injury to or death of any person;

1 (iv) Driving or attempting to drive a motor vehicle while the
2 driver's license or privilege to drive is suspended or revoked;

3 (v) Failure to stop or give information, as required by §§ 20–103
4 through 20–105 of this article, in the event of an accident resulting in damage to a
5 vehicle or other property;

6 (vi) Any offense that caused or contributed to an accident
7 resulting in bodily injury to or death of any person;

8 (vii) Fleeing or attempting to elude a police officer;

9 (viii) Driving or attempting to drive a vehicle in violation of §
10 16–101 of this article; [or]

11 (ix) A violation of § 14–110(b), (c), (d), or (e) of this article; **OR**

12 **(X) A VIOLATION OF § 21–1116 OF THIS ARTICLE;**

13 (4) The person is a nonresident and the officer has probable cause to
14 believe that:

15 (i) The person has committed the violation; and

16 (ii) The violation contributed to an accident; or

17 (5) The officer has probable cause to believe that the person has
18 committed the violation, and, subject to the procedures set forth in § 26–203 of this
19 subtitle, the person is issued a traffic citation and refuses to acknowledge its receipt by
20 signature.

21 27–101.

22 **(EE) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 21–1116 OF**
23 **THIS ARTICLE IS SUBJECT TO:**

24 **(1) A FINE OF NOT MORE THAN \$500 OR IMPRISONMENT FOR NOT**
25 **MORE THAN 60 DAYS OR BOTH; OR**

26 **(2) IF THE VIOLATION RESULTS IN SERIOUS BODILY INJURY TO**
27 **ANOTHER PERSON AS DEFINED IN § 27–113 OF THIS TITLE, A FINE OF NOT MORE**
28 **THAN \$1,000 OR IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR BOTH.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2011.