

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 878

(Senator Carozza, *et al.*)

Judicial Proceedings

Environment and Transportation

Worcester County - Special Event Zones - Prohibitions

This emergency bill prohibits a person from engaging in “exhibition driving” within a special event zone in Worcester County. A violator is subject to imprisonment for up to 60 days, a fine of up to \$1,000, or both. The bill also subjects specified violations of the Maryland Vehicle Law to higher maximum fines when such violations occur in special event zones in Worcester County.

Fiscal Summary

State Effect: General fund revenues may increase minimally due to higher maximum fines in the affected areas. Enforcement can be handled with existing resources.

Local Effect: Minimal increase in Worcester County expenditures due to the bill’s penalty provisions. Enforcement can be handled with existing resources. Revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary: The bill modifies the definition of “special event zone” so that such areas must state that a person who violates the bill’s prohibitions is subject to arrest. The bill defines “exhibition driving” as (1) the transportation of a passenger on (or in) an area of a motor vehicle that is not designed (or intended) for passenger transport such as the hood or roof or (2) the operation of a motor vehicle in a manner that results in:

- the excessive, abrupt acceleration or deceleration of the motor vehicle;
- the skidding, squealing, burning, or smoking of the tires of the motor vehicle;

- the swerving or swaying of the motor vehicle from side to side while skidding;
- the engine of the motor vehicle producing an unreasonably loud, raucous, or disturbing noise;
- the grinding of the gears or the backfiring of the engine of the motor vehicle; or
- any of the wheels of the motor vehicle losing contact with the ground.

The bill also modifies the penalties associated with several existing violations. The current and proposed penalties are shown in **Exhibit 1**.

Exhibit 1
Current and Proposed Penalties for
Violations Occurring in a Special Event Zone in Worcester County

<u>Violation</u>	<u>Maximum Fine</u>		<u>Maximum Prison Time</u>	
	<u>Current Law</u>	<u>The Bill</u>	<u>Current Law</u>	<u>The Bill</u>
Exhibition driving	None	\$1,000	None	60 days
Speeding	\$1,000	\$1,000	None	None
Negligent driving	500	1,000	None	None
Driving in a race or speed contest (if no bodily injury occurs)	500	1,000	None	None
Participating in a race or speed contest as a timekeeper or flagman	500	1,000	None	None

Source: Department of Legislative Services

Current Law:

Special Event Zones

A “special event” is any automotive or motor vehicle event occurring on (or in close proximity to) a highway that (1) has been permitted or approved by a unit of local government or (2) is expected to have 1,000 or more individuals in attendance, regardless of whether the event has been permitted or approved by a unit of local government. A

“special event zone” is an area on (or alongside) a highway that is appropriately marked by warning signs or traffic control devices.

Chapter 325 of 2018 authorizes the State Highway Administration (SHA), on its own initiative or at the request of a local authority, to designate an area on a State highway in Worcester County as a special event zone. Likewise, a local authority in Worcester County may designate an area on a highway under its jurisdiction as a special event zone. In either case, SHA or the local authority may reduce speed limits in the affected location after a determination that the change is necessary for public safety. Chapter 325 also establishes a new prohibition on speeding within such zones, which is punishable by a fine of up to \$1,000. The lower speed limit for a special event zone takes effect when posted.

Negligent Driving

A person is guilty of negligent driving if the motor vehicle is driven in a careless or imprudent manner that endangers any property or the life or safety of any individual. A violation is a misdemeanor, subject to a maximum fine of \$500. Upon conviction, the Motor Vehicle Administration (MVA) must assess one point against the driver’s license, or three points if the offense contributes to an accident. The District Court assesses a prepayment penalty of \$140 for this offense or \$180 if the offense contributes to an accident.

Racing, Skidding, Wheel Spinning, and Excessive Noise

On any highway or private property used by the general public, a person may not drive a vehicle in a race or speed contest (or participate as a timekeeper or flagman in those events). A violation is a misdemeanor, subject to a maximum fine of \$500. Upon conviction, MVA must assess five points against the driver’s license. The District Court assesses a prepayment penalty of \$290 for these offenses. In addition, if the violation results in serious bodily injury to another person, the person must appear in court, is subject to imprisonment for up to one year, a fine of up to \$1,000, or both.

In addition, a person may not drive a motor vehicle in any improper manner intended to cause skidding, spinning of wheels, or excessive noise. These violations are a misdemeanor, subject to a maximum fine of \$500. Upon conviction, MVA must assess one point against the driver’s license or three points if the offense contributes to an accident. The District Court assesses a prepayment penalty of \$70 for these offenses or \$110 if the offenses contribute to an accident.

Local Expenditures: Worcester County expenditures increase as a result of the bill’s incarceration penalties. Counties pay the full cost of incarceration for people in their

facilities for the first 12 months of the sentence. Per diem operating costs of local detention facilities have ranged from approximately \$40 to \$170 per inmate in recent years.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 1493 (Delegate Hartman, *et al.*) - Environment and Transportation.

Information Source(s): Worcester County; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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