



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony of Senator Jill P. Carter
In Favor of SB465
- Vehicle Laws - Licenses and Permits - Prohibited Acts -
Before the Judicial Committee
On February 17, 2022**

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee:

Senate Bill 465 is another attempt to modernize the state's Transportation Article by closing a vaguely written loophole that allows for the incarceration or fining of individuals who violate a potential universe of undefined acts under Title 16 of the Article.

Currently, Section 16-301 of the Article, which governs driver's licenses and moped operator permits, provides that a person, upon conviction of certain identified acts in the title, can be imprisoned for up to two (2) months or fined up to \$500, and assessed 12 points against their driver's license, if they "do any act forbidden or fail to perform any act required by this title."

Not only is this language vague and ambiguous, leaving it ripe for abuse by law enforcement, it also contradicts a bill that I sponsored last year, which the Senate passed unanimously, and the House passed with all but four votes. Senate Bill 20, enacted in May 2021, explicitly eliminated imprisonment and fines for individuals convicted of displaying a canceled, revoked, or suspended license. But this

catch-all provision, which allows for the arrest, prosecution, imprisonment, and fining of *any* act or omission that violates the title, effectively acts as a loophole to current law, and is still being enforced. According to the fiscal note, there were 1,882 violations of this provision in fiscal year 2021. However, only one (1) of the nearly 2,000 violations - or 0.0005 percent - ended in a guilty disposition. Further, according to the MVA, there were only 112 convictions on record over a period of 45 years, from 1977 through 2021.

Senate Bill 465 closes this vague loophole and removes the requirement that persons charged with violating this provision appear in court to defend themselves, which can be costly in both money and time. This is a common sense bill that builds on what we did last year, and it will have a negligible impact on fine revenue.

As such, I ask you to give a favorable report on Senate Bill 465.

Respectfully,

A handwritten signature in blue ink that reads "Jill P. Carter". The signature is written in a cursive, flowing style.

Jill P. Carter