
By: Delegates Vallario, Taylor, Cummings, Hurson, Busch, Guns, Hixson, and Rawlings

Requested: November 15, 1995

Introduced and read first time: January 10, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Eluding Police - Penalties**

3 FOR the purpose of making it a felony if injury or death to another person results from
4 a driver of a vehicle attempting to elude a police officer by willfully failing to stop
5 the vehicle under certain circumstances; increasing the maximum fine and term of
6 imprisonment; and generally relating to penalties for eluding police officers.

7 BY repealing and reenacting, without amendments,
8 Article - Transportation
9 Section 21-904
10 Annotated Code of Maryland
11 (1992 Replacement Volume and 1995 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - Transportation
14 Section 27-101(p)
15 Annotated Code of Maryland
16 (1992 Replacement Volume and 1995 Supplement)

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

19 **Article - Transportation**

20 21-904.

21 (a) In this section "visual or audible signal" includes a signal by hand, voice,
22 emergency light or siren.

23 (b) If a police officer gives a visual or audible signal to stop and the police officer
24 is in uniform, prominently displaying the police officer's badge or other insignia of office,
25 a driver of a vehicle may not attempt to elude the police officer by willfully failing to stop
26 the driver's vehicle.

27 (c) If a police officer gives a visual or audible signal to stop and the police officer
28 is in uniform, prominently displaying the police officer's badge or other insignia of office,
29 a driver may not attempt to elude the police officer by fleeing on foot.

1 (d) If a police officer gives a visual or audible signal to stop and the police officer
2 is in uniform, prominently displaying the police officer's badge or other insignia of office,
3 a driver may not attempt to elude the police officer by any other means.

4 (e) If a police officer gives a visual or audible signal to stop and the police officer,
5 whether or not in uniform, is in a vehicle appropriately marked as an official police
6 vehicle, a driver of a vehicle may not attempt to elude the police officer by willfully failing
7 to stop the driver's vehicle.

8 (f) If a police officer gives a visual or audible signal to stop and the police officer,
9 whether or not in uniform, is in a vehicle appropriately marked as an official police
10 vehicle, a driver of a vehicle may not attempt to elude the police officer by fleeing on foot.

11 (g) If a police officer gives a visual or audible signal to stop and the police officer,
12 whether or not in uniform, is in a vehicle appropriately marked as an official police
13 vehicle, a driver of a vehicle may not attempt to elude the police officer by any other
14 means.

15 27-101.

16 (p) (1) Except as provided in paragraphs (2) and (3) of this subsection, any
17 person who is convicted of a violation of any of the provisions of § 21-904 of this article
18 ("Fleeing or eluding police") is subject to:

19 (i) For a first offense, a fine of not more than \$1,000, or imprisonment
20 for not more than 1 year, or both; and

21 (ii) For any subsequent offense, a fine of not more than \$1,000, or
22 imprisonment for not more than 2 years, or both.

23 (2) Any person who [is convicted of a violation of] VIOLATES § 21-904(b)
24 or (e) of this article [that results] RESULTING in bodily injury to another person is
25 GUILTY OF A FELONY AND UPON CONVICTION IS subject to a fine of not more than
26 [\$3,000] \$5,000, or imprisonment for not more than [3] 5 years, or both.

27 (3) Any person who [is convicted of a violation of] VIOLATES § 21-904(b)
28 or (e) of this article that results in a death of another person is GUILTY OF A FELONY
29 AND UPON CONVICTION IS subject to a fine of not more than [\$5,000] \$10,000, or
30 imprisonment for not more than [5] 10 years, or both.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 1996.