

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 81
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute:

“Revocation of Driving Privileges - Unlawful Taking or
Unauthorized Use of a Motor Vehicle”;

strike in their entirety lines 3 through 9, inclusive, and substitute:

“FOR the purpose of requiring the Motor Vehicle Administration to assess a certain number of points against an individual who has been convicted of certain offenses involving an unlawful taking or unauthorized use of a motor vehicle; expanding a requirement that an adjudication of a child as delinquent by reason of the child’s violation of certain laws includes certain violations involving an unlawful taking or unauthorized use of a motor vehicle; and generally relating to the revocation of an individual’s driving privileges for a violation involving an unlawful taking or unauthorized use of a motor vehicle.

BY adding to

Article - Transportation

Section 16-402(a)(34)

Annotated Code of Maryland

(1992 Replacement Volume and 1996 Supplement)”;

and in line 12, strike “3-820(d)” and substitute “3-824(a)(3)”.

AMENDMENT NO. 2

On page 1, after line 16 insert:

(Over)

“Article - Transportation

16-402.

(a) After the conviction of an individual for a violation of Article 27, § 342A, § 349, § 388, § 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any local authority, points shall be assessed against the individual as of the date of violation and as follows:

- (1) Any moving violation not listed below and not contributing to an accident 1 point
- (2) Following another vehicle too closely 2 points
- (3) Speeding in excess of the posted speed limit by 10 miles an hour or more 2 points
- (4) Driving with an improper class of license 2 points
- (5) Failing to stop for a school vehicle with alternately flashing lights 2 points
- (6) Any violation of § 21-1111 of this article 2 points
- (7) Passing an emergency or police vehicle under the provisions of § 21-405(d) of this article 2 points
- (8) Any moving violation contributing to an accident 3 points
- (9) Driving after suspension of license under the provisions of § 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic laws or regulations of another state as described in § 16-303(i) of this title 3 points
- (10) Any violation, except violations committed on the John F. Kennedy Memorial Highway, of § 21-1411 of this article 3 points
- (11) Reckless driving 4 points
- (12) Speeding in excess of the posted speed limit by 30 miles

- an hour or more 5 points

- (13) Driving while not licensed 5 points

- (14) Failure to report an accident 5 points

- (15) Driving on a learner's permit unaccompanied 5 points

- (16) Any violation of § 17-107 of this article 5 points

- (17) Participating in a race or speed contest on a highway 5 points

- (18) Any violation of § 16-304 or § 16-305 of this title5 points

- (19) Any violation of § 22-404.5 of this article5 points

- (20) Speeding in excess of a posted speed limit of 65 miles an hour by 20 miles an hour or more 5 points

- (21) Driving while under the influence of alcohol or while under influence of a drug, combination of drugs, or combination of drugs and alcohol 8 points

- (22) Turning off lights of a vehicle to avoid identification 8 points

- (23) Failing to stop after accident resulting in damage to attended vehicle or property 8 points

- (24) Failing to stop after accident resulting in damage to unattended vehicle or property 8 points

- (25) Any violation of § 16-815 or § 16-816 of this title 8 points

- (26) Failing to stop after an accident resulting in bodily injury

or death 12 points

(27) Driving after refusal, suspension, cancellation, or revocation of license except for suspensions of license under the provisions of § 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic laws or regulations of another state as described in § 16-303(i) of this title 12 points

(28) Any violation of § 16-301, § 16-302, § 16-804, or § 16-808(1) through (9) of this title 12 points

(29) Homicide, life threatening injury under Article 27, § 388B of the Code, or assault committed by means of a vehicle 12 points

(30) Driving while intoxicated, while intoxicated per se, or while under the influence of illegally used controlled dangerous substance 12 points

(31) Any felony involving use of a vehicle 12 points

(32) Fleeing or attempting to elude a police officer 12 points

(33) The making of a false affidavit or statement under oath, or falsely certifying to the truth of any fact or information to the Administration under the Maryland Vehicle Law or under any law relating to the ownership or operation of motor vehicles 12 points

(34) ANY VIOLATION INVOLVING AN UNLAWFUL TAKING OR UNAUTHORIZED USE OF A MOTOR VEHICLE UNDER ARTICLE 27, § 342A OR § 349, OR § 14-102 OF THIS ARTICLE 12 POINTS”.

AMENDMENT NO. 3

On pages 1 through 3, strike in their entirety the lines beginning with line 18 on page 1 through line 13 on page 3, inclusive, and substitute:

“3-824.

(a) (3) However, an adjudication of a child as delinquent by reason of his violation of the State vehicle laws, INCLUDING A VIOLATION INVOLVING AN UNLAWFUL TAKING OR UNAUTHORIZED USE OF A MOTOR VEHICLE UNDER ARTICLE 27, § 342A OR § 349, OR § 14-102 OF THE TRANSPORTATION ARTICLE shall be reported by the clerk of the court to the Motor Vehicle Administration, which shall assess points against the child under Title 16, Subtitle 4 of the Transportation Article, in the same manner and to the same effect as if the child had been convicted of the offense.”.

(Over)