

(PRE-FILED)

By: ~~Senator Baker~~ Senators Baker, Colburn, Forehand, Green, Kelley, and Middlebrooks

Requested: October 31, 1996

Introduced and read first time: January 8, 1997

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 22, 1997

CHAPTER ____

1 AN ACT concerning

2 **Motor Vehicles - Failure to Stop for a Red Light - Penalties**

3 FOR the purpose of increasing the number of points that must be assessed by the Motor
4 Vehicle Administration against a person who fails to stop for a steady red light;
5 increasing the maximum fine that may be imposed on a person who is convicted of
6 failing to stop for a steady red light; and generally relating to motor vehicles and
7 penalties for failing to stop for a steady red light.

8 BY repealing and reenacting, with amendments,
9 Article - Transportation
10 Section 16-402 and 27-101(g)
11 Annotated Code of Maryland
12 (1992 Replacement Volume and 1996 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article - Transportation
15 Section 21-202(h)
16 Annotated Code of Maryland
17 (1992 Replacement Volume and 1996 Supplement)

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

2

1 **Article - Transportation**

2 16-402.

3 (a) After the conviction of an individual for a violation of Article 27, § 388, §
4 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any
5 local authority, points shall be assessed against the individual as of the date of violation
6 and as follows:

- 7 (1) Any moving violation not listed below and not contributing to an
8 accident..... 1 point
- 9 (2) Following another vehicle too closely..... 2 points
- 10 (3) Speeding in excess of the posted speed limit by 10 miles an hour or
11 more..... 2 points
- 12 (4) Driving with an improper class of license..... 2 points
- 13 (5) Failing to stop for a school vehicle with alternately flashing
14 lights..... 2 points
- 15 (6) Any violation of § 21-1111 of this article..... 2 points
- 16 (7) Passing an emergency or police vehicle under the provisions of § 21-405
17 (d) of this article 2 points
- 18 (8) FAILING TO STOP FOR A STEADY RED SIGNAL IN VIOLATION OF §
19 21-202(H) OF THIS ARTICLE..... 2 POINTS
- 20 (9) Any moving violation contributing to an accident..... 3 points
- 21 [(9)] (10) Driving after suspension of license under the provisions of §
22 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic laws or
23 regulations of another state as described in § 16-303(i) of this title 3 points
- 24 [(10)] (11) Any violation, except violations committed on the John F.
25 Kennedy Memorial Highway, of § 21-1411 of this article..... 3 points
- 26 [(11)] (12) Reckless driving..... 4 points
- 27 [(12)] (13) Speeding in excess of the posted speed limit by 30 miles an hour or
28 more..... 5 points
- 29 [(13)] (14) Driving while not licensed..... 5 points
- 30 [(14)] (15) Failure to report an accident..... 5 points
- 31 [(15)] (16) Driving on a learner's permit unaccompanied..... 5 points
- 32 [(16)] (17) Any violation of § 17-107 of this article..... 5 points
- 33 [(17)] (18) Participating in a race or speed contest on a highway..... 5 points
- 34 [(18)] (19) Any violation of § 16-304 or § 16-305 of this title..... 5 points

3

1 [(19)] (20) Any violation of § 22-404.5 of this article..... 5 points

2 [(20)] (21) Speeding in excess of a posted speed limit of 65 miles an hour by
3 20 miles an hour or more..... 5 points

4 [(21)] (22) Driving while under the influence of alcohol or while under
5 influence of a drug, combination of drugs, or combination of drugs and alcohol..... 8 points

6 [(22)] (23) Turning off lights of a vehicle to avoid identification..... 8 points

7 [(23)] (24) Failing to stop after accident resulting in damage to attended
8 vehicle or property..... 8 points

9 [(24)] (25) Failing to stop after accident resulting in damage to unattended
10 vehicle or property..... 8 points

11 [(25)] (26) Any violation of § 16-815 or § 16-816 of this title..... 8 points

12 [(26)] (27) Failing to stop after an accident resulting in bodily injury or
13 death..... 12 points

14 [(27)] (28) Driving after refusal, suspension, cancellation, or revocation of
15 license except for suspensions of license under the provisions of § 17-106, § 26-204, §
16 26-206, or § 27-103 of this article, or under the traffic laws or regulations of another state
17 as described in § 16-303(i) of this title..... 12 points

18 [(28)] (29) Any violation of § 16-301, § 16-302, § 16-804, or § 16-808(1)
19 through (9) of this title..... 12 points

20 [(29)] (30) Homicide, life threatening injury under Article 27, § 388B of the
21 Code, or assault committed by means of a vehicle..... 12 points

22 [(30)] (31) Driving while intoxicated, while intoxicated per se, or while under
23 the influence of illegally used controlled dangerous substance..... 12 points

24 [(31)] (32) Any felony involving use of a vehicle..... 12 points

25 [(32)] (33) Fleeing or attempting to elude a police officer..... 12 points

26 [(33)] (34) The making of a false affidavit or statement under oath, or falsely
27 certifying to the truth of any fact or information to the Administration under the
28 Maryland Vehicle Law or under any law relating to the ownership or operation of motor
29 vehicles..... 12 points

30 (b) If a conviction occurs on multiple charges based on offenses alleged to have
31 been committed at the same time or arising out of circumstances simultaneous in time
32 and place, the Administration:

33 (1) Shall assess points against the individual convicted only on the charge
34 that has the highest point assessment; and

35 (2) May not assess points on the remainder of the multiple charges.

4

1 21-202.

2 (h) Vehicular traffic facing a steady red signal alone:

3 (1) Shall stop at the near side of the intersection:

4 (i) At a clearly marked stop line;

5 (ii) If there is no clearly marked stop line, before entering any
6 crosswalk; or

7 (iii) If there is no crosswalk, before entering the intersection; and

8 (2) Except as provided in subsections (i), (j), and (k) of this section, shall
9 remain stopped until a signal to proceed is shown.

10 27-101.

11 (g) Any person who is convicted of a violation of any of the provisions of [§
12 13-704] THE FOLLOWING SECTIONS of this article is subject to a fine of not more than
13 \$1,000:

14 (1) § 13-704 OF THIS ARTICLE (FRAUD IN APPLICATION FOR
15 CERTIFICATE OF TITLE); OR

16 (2) § 21-202(H) OF THIS ARTICLE (FAILURE TO STOP FOR A STEADY RED
17 SIGNAL).

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 1997.