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By: **Delegate Dembrow**

Introduced and read first time: January 28, 1998

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Vehicle Laws - Aggressive Driving - Driver Improvement Programs and**  
3                                   **Point System Conferences**

4 FOR the purpose of requiring the inclusion of a certain curriculum concerning  
5 aggressive driving in a driver improvement program that the Motor Vehicle  
6 Administration or a court requires an individual to attend under certain  
7 circumstances; requiring a point system conference for an accumulation of a  
8 certain number of points to address aggressive driving under certain  
9 circumstances; and generally relating to requiring that a driver improvement  
10 program and a point system conference include a certain component concerning  
11 aggressive driving.

12 BY repealing and reenacting, with amendments,  
13 Article - Transportation  
14 Section 16-212  
15 Annotated Code of Maryland  
16 (1992 Replacement Volume and 1997 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 16-212.

21 (a) The Administration may conduct:

- 22 (1) A driver improvement program;
- 23 (2) An alcohol education program; and
- 24 (3) Point system conferences.

25 (b) (1) The purpose of the programs and conferences authorized under this  
26 section is to provide driver rehabilitation.

1           (2)     [The] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE  
2 Administration shall determine the content of the programs and conferences.

3           (3)     (I)     A DRIVER IMPROVEMENT PROGRAM SHALL INCLUDE A  
4 CURRICULUM THAT ADDRESSES A DRIVER'S AGGRESSIVE DRIVING OF A MOTOR  
5 VEHICLE IN A MANNER THAT ENDANGERS OR IS LIKELY TO ENDANGER ANY PERSON  
6 OR PROPERTY.

7                   (II)     A POINT SYSTEM CONFERENCE SHALL ADDRESS A DRIVER'S  
8 AGGRESSIVE DRIVING OF A MOTOR VEHICLE IN A MANNER THAT ENDANGERS OR IS  
9 LIKELY TO ENDANGER ANY PERSON OR PROPERTY.

10                   (III)    THE AGGRESSIVE DRIVING COMPONENT OF A DRIVER  
11 IMPROVEMENT PROGRAM OR A POINT SYSTEM CONFERENCE REQUIRED UNDER THIS  
12 PARAGRAPH SHALL:

13                           1.     RAISE A DRIVER'S AWARENESS OF AGGRESSIVE DRIVING  
14 BEHAVIOR, INCLUDING SPEEDING, FOLLOWING TOO CLOSELY, CHANGING LANES  
15 IMPROPERLY, FAILING TO YIELD THE RIGHT-OF-WAY, FAILING TO OBEY TRAFFIC  
16 CONTROL DEVICES, AND VIOLATIONS OF OTHER RELEVANT RULES OF THE ROAD  
17 UNDER TITLE 21 OF THIS ARTICLE;

18                           2.     AIM AT MODIFYING AGGRESSIVE DRIVING BEHAVIOR;  
19 AND

20                           3.     PROVIDE INFORMATION ON ALTERNATIVE METHODS FOR  
21 DEALING WITH IMPATIENCE, FRUSTRATION, ANGER, AND INTOLERANCE  
22 EXPERIENCED WHILE DRIVING A MOTOR VEHICLE.

23     (c)     If an individual is convicted of 1 or more moving violations:

24           (1)     After a conference or a hearing as provided in Title 12, Subtitle 2 of  
25 this article, as a condition of reinstatement of a driver's license, or if an individual  
26 fails to attend a conference as required by § 16-404(a)(2) of this title, the  
27 Administration may require an individual to attend a driver improvement program or  
28 alcohol education program; or

29           (2)     A court may require an individual to attend a driver improvement  
30 program or alcohol education program.

31     (d)     In carrying out an order of the court, a probation officer or health  
32 department officer may assign an individual to attend a driver improvement program  
33 or alcohol education program.

34     (e)     (1)     An individual who attends a program or conference under this section  
35 shall pay, in advance, a fee as provided in this subsection.

36           (2)     The Administration shall set a reasonable fee based on the costs of  
37 operating the programs and conferences authorized by this section.

1           (3)       The funds collected by the Administration under this subsection may  
2 not be credited to the Gasoline and Motor Vehicle Revenue Account for distribution  
3 under § 8-403 or § 8-404 of this article.

4       (f)       (1)       The Administration may waive attendance at an alcohol education  
5 program conducted by the Administration if an individual attends a private alcohol  
6 education program or an alcohol education program provided by a political  
7 subdivision of the State that is approved by the Alcohol and Drug Abuse  
8 Administration and the Administration.

9           (2)       The Administration may waive attendance at a driver improvement  
10 program conducted by the Administration if an individual attends a private driver  
11 improvement program or a driver improvement program provided by a political  
12 subdivision of the State that is approved by the Administration.

13          (3)       The Administration may waive attendance at a point system  
14 conference conducted by the Administration if an individual attends a point system  
15 conference conducted by a private provider that is approved by the Administration.

16          (4)       The Administration shall establish criteria for approving private  
17 providers of point system conferences and alcohol education or driver improvement  
18 programs and alcohol education or driver improvement programs provided by a  
19 political subdivision of the State.

20          (5)       Upon application for approval to provide the programs and  
21 conferences allowed under this section, a private provider shall pay an application fee  
22 established by the Administration.

23       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 1998.