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Introduced and read first time: February 2, 1998
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Multiple Moving Violations - Points**

3 FOR the purpose of requiring the Motor Vehicle Administration to assess cumulative
4 points against an individual who is convicted of multiple moving violations
5 arising out of the same incident; and generally relating to motor vehicles and
6 the points that may be assessed against an individual for multiple violations.

7 BY repealing and reenacting, with amendments,
8 Article - Transportation
9 Section 16-402
10 Annotated Code of Maryland
11 (1992 Replacement Volume and 1997 Supplement)

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

14 **Article - Transportation**

15 16-402.

16 (a) After the conviction of an individual for a violation of Article 27, § 388, §
17 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any
18 local authority, points shall be assessed against the individual as of the date of
19 violation and as follows:

- 20 (1) Any moving violation not listed below and not contributing
21 to an accident 1 point
- 22 (2) Following another vehicle too closely.....2 points
- 23 (3) Speeding in excess of the posted speed limit by 10 miles an
24 hour or more2 points
- 25 (4) Driving with an improper class of license2 points

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- 1 (5) Failing to stop for a school vehicle with alternately flashing
2 lights.....2 points

 - 3 (6) Any violation of § 21-1111 of this article2 points

 - 4 (7) Passing an emergency or police vehicle under the provisions
5 of § 21-405(d) of this article.....2 points

 - 6 (8) A violation of § 21-511(a) of this article2 points

 - 7 (9) Any moving violation contributing to an accident.....3 points

 - 8 (10) Driving after suspension of license under the provisions of §
9 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic
10 laws or regulations of another state as described in § 16-303(i) of this title3 points

 - 11 (11) Any violation, except violations committed on the John F.
12 Kennedy Memorial Highway, of § 21-1411 of this article3 points

 - 13 (12) Reckless driving4 points

 - 14 (13) Speeding in excess of the posted speed limit by 30 miles an
15 hour or more5 points

 - 16 (14) Driving while not licensed.....5 points

 - 17 (15) Failure to report an accident5 points

 - 18 (16) Driving on a learner's permit unaccompanied.....5 points

 - 19 (17) Any violation of § 17-107 of this article5 points

 - 20 (18) Participating in a race or speed contest on a highway5 points

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

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

 - 23 (21) Speeding in excess of a posted speed limit of 65 miles an
24 hour by 20 miles an hour or more5 points

 - 25 (22) Driving while under the influence of alcohol or while
26 under influence of a drug, combination of drugs, or combination of drugs and
27 alcohol8 points

 - 28 (23) Turning off lights of a vehicle to avoid identification.....8 points

 - 29 (24) Failing to stop after accident resulting in damage to
30 attended vehicle or property.....8 points

3.....

1 (25) Failing to stop after accident resulting in damage to
2 unattended vehicle or property.....8 points

3 (26) Any violation of § 16-815 or § 16-816 of this title8 points

4 (27) Failing to stop after an accident resulting in bodily
5 injury or death..... 12 points

6 (28) Driving after refusal, suspension, cancellation, or
7 revocation of license except for suspensions of license under the provisions of
8 § 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic
9 laws or regulations of another state as described in § 16-303(i) of this title 12 points

10 (29) Any violation of § 16-301, § 16-302, § 16-804, or §
11 16-808(1) through (9) of this title..... 12 points

12 (30) Homicide, life threatening injury under Article 27, §
13 388B of the Code, or assault committed by means of a vehicle..... 12 points

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

16 (32) Any felony involving use of a vehicle..... 12 points

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

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

22 (35) Any violation involving an unlawful taking or unauthorized
23 use of a motor vehicle under Article 27, § 342A or § 349, or § 14-102 of this
24 article..... 12 points

25 (b) If a conviction occurs on multiple charges based on offenses alleged to have
26 been committed at the same time or arising out of circumstances simultaneous in
27 time and place, the Administration[:] SHALL ASSESS POINTS AGAINST AN
28 INDIVIDUAL ON EACH CHARGE UNDER SUBSECTION (A) OF THIS SECTION.

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

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

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