

SENATE BILL 690

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R5

1998 Regular Session
8r2211
CF 8r2209

By: **Senators Stone and Kelley**
Introduced and read first time: February 13, 1998
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles - Reckless and Negligent Driving**

3 FOR the purpose of increasing the number of points that the Motor Vehicle
4 Administration is required to assess against an individual who is convicted of
5 reckless driving; requiring that the Motor Vehicle Administration assess a
6 certain number of points against a person who is convicted of reckless
7 endangerment committed by means of a motor vehicle, reckless driving that
8 contributes to a motor vehicle accident that results in the death of another
9 person, or negligent driving that contributes to a motor vehicle accident that
10 results in the death of another person; increasing the penalty that may be
11 imposed on a person who is convicted of reckless driving; and generally relating
12 to motor vehicles and negligent and reckless driving.

13 BY repealing and reenacting, with amendments,
14 Article - Transportation
15 Section 16-402(a) and 27-101(h)
16 Annotated Code of Maryland
17 (1992 Replacement Volume and 1997 Supplement)

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

20 **Article - Transportation**

21 16-402.

22 (a) After the conviction of an individual for a violation of ARTICLE 27, § 12A-2
23 OF THE CODE THAT IS COMMITTED BY MEANS OF A MOTOR VEHICLE, Article 27, §
24 388, § 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State
25 or of any local authority, points shall be assessed against the individual as of the date
26 of violation and as follows:

27 (1) Any moving violation not listed below and not contributing
28 to an accident..... 1 point

1	(2)	Following another vehicle too closely.....	2 points
2	(3)	Speeding in excess of the posted speed limit by 10 miles an	
3		hour or more.....	2 points
4	(4)	Driving with an improper class of license.....	2 points
5	(5)	Failing to stop for a school vehicle with alternately flashing	
6		lights.....	2 points
7	(6)	Any violation of § 21-1111 of this article.....	2 points
8	(7)	Passing an emergency or police vehicle under the provisions	
9		of § 21-405(d) of this article.....	2 points
10	(8)	A violation of § 21-511(a) of this article.....	2 points
11	(9)	Any moving violation contributing to an accident.....	3 points
12	(10)	Driving after suspension of license under the provisions of §	
13		17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic	
14		laws or regulations of another state as described in § 16-303(i) of this title.....	3 points
15	(11)	Any violation, except violations committed on the John F.	
16		Kennedy Memorial Highway, of § 21-1411 of this article.....	3 points
17	[(12)]	Reckless driving.....	4 points
18	(13)] (12)	Speeding in excess of the posted speed limit by 30	
19		miles an hour or more.....	5 points
20	[(14)] (13)	Driving while not licensed.....	5 points
21	[(15)] (14)	Failure to report an accident.....	5 points
22	[(16)] (15)	Driving on a learner's permit unaccompanied.....	5 points
23	[(17)] (16)	Any violation of § 17-107 of this article.....	5 points
24	[(18)] (17)	Participating in a race or speed contest on a highway.....	5 points
25	[(19)] (18)	Any violation of § 16-304 or § 16-305 of this title.....	5 points
26	[(20)] (19)	Any violation of § 22-404.5 of this article.....	5 points
27	[(21)] (20)	Speeding in excess of a posted speed limit of 65 miles	
28		an hour by 20 miles an hour or more.....	5 points
29	[(22)] (21)	Driving while under the influence of alcohol or while	
30		under influence of a drug, combination of drugs, or combination of drugs and	
31		alcohol.....	8 points

3.....

- 1 [(23)] (22) Turning off lights of a vehicle to avoid identification 8 points
- 2 [(24)] (23) Failing to stop after accident resulting in damage to
- 3 attended vehicle or property..... 8 points
- 4 [(25)] (24) Failing to stop after accident resulting in damage to
- 5 unattended vehicle or property..... 8 points
- 6 [(26)] (25) Any violation of § 16-815 or § 16-816 of this title..... 8 points
- 7 (26) ANY VIOLATION OF § 21-901.1(A) OF THIS ARTICLE
- 8 ("RECKLESS DRIVING")..... 8 POINTS
- 9 (27) Failing to stop after an accident resulting in bodily injury or
- 10 death..... 12 points
- 11 (28) Driving after refusal, suspension, cancellation, or revocation
- 12 of license except for suspensions of license under the provisions of § 17-106,
- 13 § 26-204, § 26-206, or § 27-103 of this article, or under the traffic laws or
- 14 regulations of another state as described in § 16-303(i) of this title 12 points
- 15 (29) Any violation of § 16-301, § 16-302, § 16-804, or § 16-808(1)
- 16 through (9) of this title..... 12 points
- 17 (30) Homicide, life threatening injury under Article 27, § 388B of
- 18 the Code, [or] assault committed by means of a vehicle OR RECKLESS
- 19 ENDANGERMENT UNDER ARTICLE 27, § 12A-2 OF THE CODE COMMITTED BY
- 20 MEANS OF A MOTOR VEHICLE 12 POINTS
- 21 (31) Driving while intoxicated, while intoxicated per se, or while
- 22 under the influence of illegally used controlled dangerous substance 12 points
- 23 (32) Any felony involving use of a vehicle..... 12 points
- 24 (33) Fleeing or attempting to elude a police officer 12 points
- 25 (34) The making of a false affidavit or statement under oath, or
- 26 falsely certifying to the truth of any fact or information to the Administration
- 27 under the Maryland Vehicle Law or under any law relating to the ownership
- 28 or operation of motor vehicles 12 points
- 29 (35) Any violation involving an unlawful taking or unauthorized
- 30 use of a motor vehicle under Article 27, § 342A or § 349, or § 14-102 of this
- 31 article..... 12 points
- 32 (36) ANY VIOLATION OF § 21-901.1(A) OF THIS ARTICLE ("RECKLESS
- 33 DRIVING") THAT CONTRIBUTES TO A MOTOR VEHICLE ACCIDENT THAT RESULTS IN
- 34 THE DEATH OF ANOTHER PERSON..... 12 POINTS
- 35 (37) ANY VIOLATION OF § 21-901.1(B) OF THIS ARTICLE ("NEGLIGENT
- 36 DRIVING") THAT CONTRIBUTES TO A MOTOR VEHICLE ACCIDENT THAT RESULTS IN

1 THE DEATH OF ANOTHER PERSON 12 POINTS

2 27-101.

3 (h) Any person who is convicted of a violation of any of the provisions of §
4 15-502(a) of this article ("License required"), § 16-303(a), (b), (c), (d), (e), (f), or (g) of
5 this article ("Driving while license is canceled, suspended, refused, or revoked"), §
6 17-107 of this article ("Prohibitions"), [or] § 17-110 of this article ("Providing false
7 evidence of required security"), OR § 21-901.1(A) OF THIS ARTICLE ("RECKLESS
8 DRIVING") is subject to:

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

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

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