

HOUSE BILL 227

Unofficial Copy
R5
HB 293/98 - CGM

1999 Regular Session
9r1206

By: **Delegates Dembrow and Bronrott**

Introduced and read first time: February 1, 1999

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Failure to Stop at Red Light - Points**

3 FOR the purpose of increasing, under certain circumstances, the number of points
4 required to be assessed by the Motor Vehicle Administration against an
5 individual convicted of failing to stop a vehicle as directed by a traffic control
6 signal displaying a steady red light; making conforming changes; and generally
7 relating to the assessment of points for red light violations.

8 BY repealing and reenacting, with amendments,
9 Article - Transportation
10 Section 16-303(j), 16-402(a), 16-404(c)(2), and 16-404.1(b)(3)(i) and (4)(ii) and
11 (iii)
12 Annotated Code of Maryland
13 (1998 Replacement Volume and 1998 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article - Transportation
16 Section 21-202(h), (i), (j), and (m)
17 Annotated Code of Maryland
18 (1998 Replacement Volume and 1998 Supplement)

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

21 **Article - Transportation**

22 16-303.

23 (j) (1) Except as provided in paragraph (2) of this subsection, any individual
24 who violates a provision of this section shall be assessed the points as provided for in
25 [§ 16-402(a)(28)] § 16-402(A)(30) of this title.

26 (2) Any individual who violates a provision of subsection (h) or
27 subsection (i) of this section shall be assessed the points as provided for in §
28 16-402(a)(10) of this title.

1 16-402.

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

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

8 (2) Following another vehicle too closely.....2 points

9 (3) Speeding in excess of the posted speed limit by 10 miles an
10 hour or more2 points

11 (4) Driving with an improper class of license2 points

12 (5) Failing to stop for a school vehicle with alternately flashing
13 red warning lights.....2 points

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

15 (7) Passing an emergency or police vehicle under the provisions
16 of § 21-405(d) of this article2 points

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

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

19 (10) Driving after suspension of license under the provisions of §
20 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic
21 laws or regulations of another state as described in § 16-303(i) of this title3 points

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

24 (12) FAILURE TO STOP A VEHICLE FOR A STEADY RED TRAFFIC
25 SIGNAL IN VIOLATION OF § 21-202 OF THIS ARTICLE IF THE TRAFFIC SIGNAL
26 WAS RED FOR MORE THAN 3 SECONDS BUT LESS THAN 5 SECONDS BEFORE
27 THE DRIVER UNLAWFULLY ENTERED THE INTERSECTION CONTROLLED BY
28 THE TRAFFIC CONTROL SIGNAL.....3 POINTS

29 [(12)] (13)..... Reckless driving 4 points

30 [(13)] (14) Speeding in excess of the posted speed limit by 30
31 miles an hour or more..... 5 points

32 [(14)] (15)..... Driving while not licensed 5 points

33 [(15)] (16)..... Failure to report an accident 5 points

| | | | | |
|----|--|--|---|-----------|
| 1 | [(16)] | (17)..... | Driving on a learner's permit unaccompanied | 5 points |
| 2 | [(17)] | (18)..... | Any violation of § 17-107 of this article | 5 points |
| 3 | [(18)] | (19) | Participating in a race or speed contest on a | |
| 4 | highway | | | 5 points |
| 5 | [(19)] | (20)..... | Any violation of § 16-304 or § 16-305 of this title | 5 points |
| 6 | (21) | FAILURE TO STOP A VEHICLE FOR A STEADY RED TRAFFIC | | |
| 7 | SIGNAL IN VIOLATION OF § 21-202 OF THIS ARTICLE IF THE TRAFFIC SIGNAL | | | |
| 8 | WAS RED FOR 5 SECONDS OR MORE BEFORE THE DRIVER UNLAWFULLY | | | |
| 9 | ENTERED THE INTERSECTION CONTROLLED BY THE TRAFFIC CONTROL | | | |
| 10 | SIGNAL | | | 5 POINTS |
| 11 | [(20)] | (22)..... | Any violation of § 22-404.5 of this article | 5 points |
| 12 | [(21)] | (23) | Speeding in excess of a posted speed limit of 65 miles | |
| 13 | an hour by 20 miles an hour or more..... | | | 5 points |
| 14 | [(22)] | (24) | Driving while under the influence of alcohol or while | |
| 15 | under influence of a drug, combination of drugs, or combination of drugs and | | | |
| 16 | alcohol | | | 8 points |
| 17 | [(23)] | (25)..... | Turning off lights of a vehicle to avoid identification | 8 points |
| 18 | [(24)] | (26) | Failing to stop after accident resulting in damage to | |
| 19 | attended vehicle or property..... | | | 8 points |
| 20 | [(25)] | (27) | Failing to stop after accident resulting in damage to | |
| 21 | unattended vehicle or property..... | | | 8 points |
| 22 | [(26)] | (28)..... | Any violation of § 16-815 or § 16-816 of this title | 8 points |
| 23 | [(27)] | (29) | Failing to stop after an accident resulting in bodily | |
| 24 | injury or death..... | | | 12 points |
| 25 | [(28)] | (30) | Driving after refusal, suspension, cancellation, or | |
| 26 | revocation of license except for suspensions of license under the provisions of | | | |
| 27 | § 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the | | | |
| 28 | traffic laws or regulations of another state as described in § 16-303(i) of this | | | |
| 29 | title | | | 12 points |
| 30 | [(29)] | (31) | Any violation of § 16-301, § 16-302, § 16-804, or § | |
| 31 | 16-808(1) through (9) of this title..... | | | 12 points |
| 32 | [(30)] | (32) | Homicide, life threatening injury under Article 27, § | |
| 33 | 388B of the Code, or assault committed by means of a vehicle..... | | | 12 points |
| 34 | [(31)] | (33) | Driving while intoxicated, while intoxicated per se, | |
| 35 | or while under the influence of illegally used controlled dangerous | | | |

- 1 substance 12 points
- 2 [(32)] (34)..... Any felony involving use of a vehicle 12 points
- 3 [(33)] (35)..... Fleeing or attempting to elude a police officer 12 points
- 4 [(34)] (36) The making of a false affidavit or statement under
- 5 oath, or falsely certifying to the truth of any fact or information to the
- 6 Administration under the Maryland Vehicle Law or under any law relating
- 7 to the ownership or operation of motor vehicles 12 points
- 8 [(35)] (37) Any violation involving an unlawful taking or unauthorized
- 9 use of a motor vehicle under Article 27, § 342A or § 349, or § 14-102 of this
- 10 article..... 12 points

11 16-404.

12 (c) (2) Subject to the provisions of paragraph (3) of this subsection, the

13 following suspension periods may apply to a suspension for an accumulation of points

14 under [§ 16-402(a)(22)] § 16-402(A)(24) of this subtitle for a violation of § 21-902(b) or

15 (c) of this article or a suspension imposed under § 16-404.1(b)(4)(iii) of this subtitle:

16 (i) For a first conviction, not more than 6 months;

17 (ii) For a second conviction at least 5 years after the date of the

18 first conviction, not more than 9 months;

19 (iii) For a second conviction less than 5 years after the date of the

20 first conviction or for a third conviction, not more than 12 months; and

21 (iv) For a fourth or subsequent conviction, not more than 24

22 months.

23 16-404.1.

24 (b) (3) An individual may be a participant if:

25 (i) The individual's license is suspended or revoked for a violation

26 of § 21-902(a), (b), or (c) of this article or an accumulation of points under [§

27 16-402(a)(22) or (31)] § 16-402(A)(24) OR (33) of this subtitle;

28 (4) The Administration may:

29 (ii) Reinstate the driver's license of a participant whose license has

30 been revoked for a violation of § 21-902(a), (b), or (c) of this article or revoked for an

31 accumulation of points under [§ 16-402(a)(31)] § 16-402(A)(33) of this subtitle for a

32 violation of § 21-902(a) of this article; and

33 (iii) Notwithstanding any other provision of law, impose on a

34 participant a period of suspension in accordance with § 16-404(c)(2) and (3) of this

35 subtitle in lieu of a license revocation for:

1 (j) If a sign permitting any other turn is in place, vehicular traffic facing a
2 steady red signal, after stopping as required by subsection (h) of this section,
3 cautiously may enter the intersection and make the turn indicated by the sign.

4 (m) Except for those provisions of this section that by their very nature cannot
5 apply, this section applies to a traffic control signal placed at a location other than an
6 intersection. Each stop required by the signal shall be made at a sign or marking on
7 the pavement indicating where the stop shall be made or, if there is no sign or
8 marking, at the signal.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 1999.