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By: **Senator Baker**  
Introduced and read first time: February 22, 1999  
Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Aggressive Driving - Penalties**

3 FOR the purpose of prohibiting aggressive driving of a motor vehicle under certain  
4 circumstances; requiring the Motor Vehicle Administration to assess a certain  
5 number of points against a person who is convicted of aggressive driving;  
6 providing that a person is guilty of aggressive driving if the person commits a  
7 certain number of certain offenses under certain circumstances; establishing  
8 certain penalties; and generally relating to prohibiting aggressive driving of a  
9 motor vehicle under certain circumstances.

10 BY repealing and reenacting, with amendments,  
11 Article - Transportation  
12 Section 16-402(a) and 27-101(c)  
13 Annotated Code of Maryland  
14 (1998 Replacement Volume and 1998 Supplement)

15 BY adding to  
16 Article - Transportation  
17 Section 21-901.2  
18 Annotated Code of Maryland  
19 (1998 Replacement Volume and 1998 Supplement)

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

22 **Article - Transportation**

23 16-402.

24 (a) After the conviction of an individual for a violation of Article 27, § 388, §  
25 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any  
26 local authority, points shall be assessed against the individual as of the date of  
27 violation and as follows:

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

3.....

- 1           (22)    AGGRESSIVE DRIVING IN VIOLATION OF § 21-901.2 ...8 POINTS
  
- 2           (23)    Driving while under the influence of alcohol or while under  
3 influence of a drug, combination of drugs, or combination of drugs and  
4 alcohol .....8 points
  
- 5           [(23)]   (24)..... Turning off lights of a vehicle to avoid identification           8 points
  
- 6           [(24)]   (25)    Failing to stop after accident resulting in damage to  
7 attended vehicle or property.....8 points
  
- 8           [(25)]   (26)    Failing to stop after accident resulting in damage to  
9 unattended vehicle or property.....8 points
  
- 10          [(26)]   (27)..... Any violation of § 16-815 or § 16-816 of this title           8 points
  
- 11          [(27)]   (28)    Failing to stop after an accident resulting in bodily  
12 injury or death..... 12 points
  
- 13          [(28)]   (29)    Driving after refusal, suspension, cancellation, or  
14 revocation of license except for suspensions of license under the provisions of  
15 § 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic  
16 laws or regulations of another state as described in § 16-303(i) of this title ..... 12 points
  
- 17          [(29)]   (30)    Any violation of § 16-301, § 16-302, § 16-804, or §  
18 16-808(1) through (9) of this title..... 12 points
  
- 19          [(30)]   (31)    Homicide, life threatening injury under Article 27, §  
20 388B of the Code, or assault committed by means of a vehicle..... 12 points
  
- 21          [(31)]   (32)    Driving while intoxicated, while intoxicated per se,  
22 or while under the influence of illegally used controlled dangerous  
23 substance ..... 12 points
  
- 24          [(32)]   (33)..... Any felony involving use of a vehicle           12 points
  
- 25          [(33)]   (34)..... Fleeing or attempting to elude a police officer           12 points
  
- 26          [(34)]   (35)    The making of a false affidavit or statement under  
27 oath, or falsely certifying to the truth of any fact or information to the  
28 Administration under the Maryland Vehicle Law or under any law relating  
29 to the ownership or operation of motor vehicles ..... 12 points
  
- 30          [(35)]   (36)    Any violation involving an unlawful taking or  
31 unauthorized use of a motor vehicle under Article 27, § 342A or § 349, or §  
32 14-102 of this article ..... 12 points

1 21-901.2.

2 A PERSON IS GUILTY OF AGGRESSIVE DRIVING IF THE PERSON COMMITS THE  
3 FOLLOWING OFFENSES AT THE SAME TIME OR DURING A SINGLE AND CONTINUOUS  
4 PERIOD OF DRIVING:

5 (1) EXCEEDING A MAXIMUM SPEED LIMIT OR POSTED MAXIMUM SPEED  
6 LIMIT IN VIOLATION OF § 21-801.1 OF THIS TITLE; AND

7 (2) VIOLATING TWO OR MORE OF THE FOLLOWING OFFENSES:

8 (I) § 21-202 (TRAFFIC LIGHTS WITH STEADY INDICATION);

9 (II) § 21-303 (OVERTAKING AND PASSING VEHICLES);

10 (III) § 21-304 (PASSING ON RIGHT);

11 (IV) § 21-310 (FOLLOWING TOO CLOSELY); OR

12 (V) § 21-403 (FAILURE TO YIELD RIGHT-OF-WAY).

13 27-101.

14 (c) Any person who is convicted of a violation of any of the provisions of the  
15 following sections of this article is subject to a fine of not more than \$500 or  
16 imprisonment for not more than 2 months or both:

17 (1) § 12-301(c), (d), (e), or (f) ("Special identification cards: Fraud and  
18 misrepresentation prohibited");

19 (2) § 14-102 ("Taking or driving vehicle without consent of owner");

20 (3) § 14-104 ("Damaging or tampering with vehicle");

21 (4) § 14-107 ("Removed, falsified, or unauthorized identification number  
22 or registration card or plate");

23 (5) § 14-110 ("Altered or forged documents and plates");

24 (6) § 15-312 ("Dealers: Prohibited acts - Vehicle sales transactions");

25 (7) § 15-313 ("Dealers: Prohibited acts - Advertising practices");

26 (8) § 15-314 ("Dealers: Prohibited acts - Violation of licensing laws");

27 (9) § 15-411 ("Vehicle salesmen: Prohibited acts");

28 (10) § 15-502(c) ("Storage of certain vehicles by unlicensed persons  
29 prohibited");

30 (11) § 16-113(j) ("Violation of alcohol restriction ordered by a court");

- 1 (12) § 16-301 ("Unlawful application for or use of license");
- 2 (13) § 16-303(h) ("Licenses suspended under certain provisions of Code");
- 3 (14) § 16-303(i) ("Licenses suspended under certain provisions of the  
4 traffic laws or regulations of another state");
- 5 (15) § 18-106 ("Unauthorized use of rented motor vehicle");
- 6 (16) § 20-103 ("Driver to remain at scene - Accidents resulting only in  
7 damage to attended vehicle or property");
- 8 (17) § 20-104 ("Duty to give information and render aid");
- 9 (18) § 20-105 ("Duty on striking unattended vehicle or other property");
- 10 (19) § 20-108 ("False reports prohibited");
- 11 (20) § 21-206 ("Interference with traffic control devices or railroad signs  
12 and signals");
- 13 (21) As to a pedestrian in a marked crosswalk, § 21-502(a) ("Pedestrians'  
14 right-of-way in crosswalks: In general");
- 15 (22) As to another vehicle stopped at a marked crosswalk, § 21-502(c)  
16 ("Passing of vehicle stopped for pedestrian prohibited");
- 17 (23) § 21-901.2 ("AGGRESSIVE DRIVING");
- 18 (24) Except as provided in subsection (q) of this section, § 21-902(b)  
19 ("Driving while under the influence of alcohol");
- 20 [(24)] (25) Except as provided in subsection (q) of this section, §  
21 21-902(c) ("Driving while under influence of drugs or drugs and alcohol");
- 22 [(25)] (26) Except as provided in subsection (q) of this section, §  
23 21-902(d) ("Driving while under influence of controlled dangerous substance"); or
- 24 [(26)] (27) § 27-107(d), (e), (f), or (g) ("Prohibited acts - Ignition  
25 interlock systems").
- 26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
27 effect October 1, 1999.