

HOUSE BILL 1368

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R5

2000 Regular Session  
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By: ~~Delegate Hutchins~~ Delegates Hutchins, Mandel, Clagett, W. Baker, Barkley, Barve, Benson, Bobo, Bronrott, Cryor, Dypski, Frush, Grosfeld, Heller, Howard, Hubbard, Hubers, Kagan, Kopp, Menes, Moe, Petzold, Sophocleus, Stern, Turner, Conroy, Swain, Boutin, Goldwater, and Pitkin

Introduced and read first time: February 23, 2000  
Assigned to: Rules and Executive Nominations  
Re-referred to: Judiciary, March 6, 2000

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 25, 2000

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Motor Vehicles - Reckless Driving - Penalties**

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; ~~increasing the criminal penalties that may be imposed on a~~  
6 ~~person who is convicted of reckless driving;~~ and generally relating to reckless  
7 driving penalties.

8 BY repealing and reenacting, with amendments,  
9 Article - Transportation  
10 Section 16-402 ~~and 27-101(h)~~  
11 Annotated Code of Maryland  
12 (1999 Replacement Volume and 1999 Supplement)

13 BY repealing and reenacting, without amendments,  
14 Article - Transportation  
15 Section 21-901.1(a)  
16 Annotated Code of Maryland  
17 (1999 Replacement Volume and 1999 Supplement)

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

Article - Transportation

16-402.

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

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

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

(3) Speeding in excess of the posted speed limit by 10 miles an hour or more .....2 points

(4) Driving with an improper class of license .....2 points

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

(6) Any violation of § 21-1111 of this article .....2 points

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

(8) A violation of § 21-511(a) of this article .....2 points

(9) Failure to stop a vehicle for a steady red traffic signal in violation of § 21-202 of this article.....2 points

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

(11) Driving after suspension of license under the provisions of § 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic laws or regulations of another state as described in § 16-303(i) of this title.....3 points

(12) Any violation, except violations committed on the John F. Kennedy Memorial Highway, of § 21-1411 of this article .....3 points

(13) [Reckless driving .....4 points

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

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

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

[(17)] (16).....Driving on a learner's permit unaccompanied 5 points

- 1            [(18)]    (17)..... Any violation of § 17-107 of this article            5 points
- 2            [(19)]    (18)..... Participating in a race or speed contest on a highway            5 points
- 3            [(20)]    (19)..... Any violation of § 16-304 or § 16-305 of this title            5 points
- 4            [(21)]    (20)..... Any violation of § 22-404.5 of this article            5 points
- 5            [(22)]    (21)    Speeding in excess of a posted speed limit of 65 miles an hour by  
6 20 miles an hour or more ..... 5 points
- 7            (22)    RECKLESS DRIVING.....6 POINTS
- 8            {(23)}    ~~(22)~~    Driving while under the influence of alcohol or while under  
9 influence of a drug, combination of drugs, or combination of drugs and alcohol .....8 points
- 10            {(24)}    ~~(23)~~    Turning off lights of a vehicle to avoid identification.....8 points
- 11            {(25)}    ~~(24)~~    Failing to stop after accident resulting in damage to attended  
12 vehicle or property ..... 8 points
- 13            {(26)}    ~~(25)~~    Failing to stop after accident resulting in damage to unattended  
14 vehicle or property ..... 8 points
- 15            {(27)}    ~~(26)~~    Any violation of § 16-815 or § 16-816 of this title.....8 points
- 16            ~~(27)~~    ANY VIOLATION OF § 21-901.1(A) OF THIS ARTICLE ...8 POINTS
- 17            (28)    Failing to stop after an accident resulting in bodily injury or death..... 12  
18 points
- 19            (29)    Driving after refusal, suspension, cancellation, or revocation of  
20 license except for suspensions of license under the provisions of § 17-106, § 26-204, §  
21 26-206, or § 27-103 of this article, or under the traffic laws or regulations of another  
22 state as described in § 16-303(i) of this title ..... 12 points
- 23            (30)    Any violation of § 16-301, § 16-302, § 16-804, or § 16-808(1) through  
24 (9) of this title ..... 12 points
- 25            (31)    Homicide, life threatening injury under Article 27, § 388B of the  
26 Code, or assault committed by means of a vehicle..... 12 points
- 27            (32)    Driving while intoxicated, while intoxicated per se, or while under  
28 the influence of illegally used controlled dangerous substance..... 12 points
- 29            (33)    Any felony involving use of a vehicle..... 12 points
- 30            (34)    Fleeing or attempting to elude a police officer ..... 12 points
- 31            (35)    The making of a false affidavit or statement under oath, or falsely  
32 certifying to the truth of any fact or information to the Administration under the

1 Maryland Vehicle Law or under any law relating to the ownership or operation of  
2 motor vehicles..... 12 points

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

5 (b) If a conviction occurs on multiple charges based on offenses alleged to have  
6 been committed at the same time or arising out of circumstances simultaneous in  
7 time and place, the Administration:

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

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

11 21-901.1.

12 (a) A person is guilty of reckless driving if he drives a motor vehicle:

13 (1) In wanton or willful disregard for the safety of persons or property; or

14 (2) In a manner that indicates a wanton or willful disregard for the  
15 safety of persons or property.

16 ~~27-101.~~

17 (h) ~~Any person who is convicted of a violation of any of the provisions of §~~  
18 ~~15-502(a) of this article ("License required"), § 16-303(a), (b), (c), (d), (e), (f), or (g) of~~  
19 ~~this article ("Driving while license is canceled, suspended, refused, or revoked"), §~~  
20 ~~17-107 of this article ("Prohibitions"), [or] § 17-110 of this article ("Providing false~~  
21 ~~evidence of required security"), OR §21-901.1(A) OF THIS ARTICLE ("RECKLESS~~  
22 ~~DRIVING") is subject to:~~

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

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

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2000.

