

SENATE BILL 217

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SB 710/99 - JPR

2000 Regular Session
0lr1501

By: ~~Senator Baker~~ **Senators Baker, Green, Colburn, Ferguson, Forehand,
Haines, and Jimeno**

Introduced and read first time: January 25, 2000
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 15, 2000

CHAPTER _____

1 AN ACT concerning

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

3 FOR the purpose of providing that a person is guilty of aggressive driving of a motor
4 vehicle under certain circumstances; requiring the Motor Vehicle
5 Administration to assess a certain number of points against a person who is
6 convicted of aggressive driving; providing that a person is guilty of aggressive
7 driving if the person commits a certain number of certain offenses under certain
8 circumstances; establishing certain penalties; and generally relating to
9 prohibiting aggressive driving of a 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 (1999 Replacement Volume and 1999 Supplement)

15 BY adding to
16 Article - Transportation
17 Section 21-901.2
18 Annotated Code of Maryland
19 (1999 Replacement Volume and 1999 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 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 more2 points

(4) Driving with an improper class of license2 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 article2 points

(7) Passing an emergency or police vehicle under the provisions of § 21-405(d) of this article2 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 article3 points

(13) Reckless driving4 points

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

(15) Driving while not licensed.....5 points

(16) Failure to report an accident5 points

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

1	(18)	Any violation of § 17-107 of this article	5 points
2	(19)	Participating in a race or speed contest on a highway	5 points
3	(20)	Any violation of § 16-304 or § 16-305 of this title	5 points
4	(21)	Any violation of § 22-404.5 of this article	5 points
5	(22)	Speeding in excess of a posted speed limit of 65 miles an hour by 20	
6		miles an hour or more.....	5 points
7	(23)	AGGRESSIVE DRIVING IN VIOLATION OF § 21-901.2 OF THIS	
8		ARTICLE.....	5 POINTS
9	(24)	Driving while under the influence of alcohol or while under influence	
10		of a drug, combination of drugs, or combination of drugs and alcohol	8 points
11	[(24)]	(25)..... Turning off lights of a vehicle to avoid identification	8 points
12	[(25)]	(26) Failing to stop after accident resulting in damage to attended	
13		vehicle or property	8 points
14	[(26)]	(27) Failing to stop after accident resulting in damage to unattended	
15		vehicle or property	8 points
16	[(27)]	(28)..... Any violation of § 16-815 or § 16-816 of this title	8 points
17	[(28)]	(29) Failing to stop after an accident resulting in bodily injury or	
18		death.....	12 points
19	[(29)]	(30) 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)]	(31) Any violation of § 16-301, § 16-302, § 16-804, or § 16-808(1)	
24		through (9) of this title.....	12 points
25	[(31)]	(32) Homicide, life threatening injury under Article 27, § 388B of the	
26		Code, or assault committed by means of a vehicle.....	12 points
27	[(32)]	(33) Driving while intoxicated, while intoxicated per se, or while	
28		under the influence of illegally used controlled dangerous substance	12 points
29	[(33)]	(34).....Any felony involving use of a vehicle	12 points
30	[(34)]	(35)..... Fleeing or attempting to elude a police officer	12 points
31	[(35)]	(36) The making of a false affidavit or statement under oath, or	
32		falsely certifying to the truth of any fact or information to the Administration under	

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

3 [(36)] (37) Any violation involving an unlawful taking or unauthorized
4 use of a motor vehicle under Article 27, § 342A or § 349, or § 14-102 of this
5 article..... 12 points

6 21-901.2.

7 A PERSON IS GUILTY OF AGGRESSIVE DRIVING IF THE PERSON COMMITS THE
8 FOLLOWING OFFENSES AT THE SAME TIME OR DURING A SINGLE AND CONTINUOUS
9 PERIOD OF DRIVING:

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

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

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

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

15 (III) § 21-304 (PASSING ON RIGHT);

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

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

18 27-101.

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

22 (1) § 12-301(c), (d), (e), or (f) ("Special identification cards: Fraud and
23 misrepresentation prohibited");

24 (2) § 14-102 ("Taking or driving vehicle without consent of owner");

25 (3) § 14-104 ("Damaging or tampering with vehicle");

26 (4) § 14-107 ("Removed, falsified, or unauthorized identification number
27 or registration card or plate");

28 (5) § 14-110 ("Altered or forged documents and plates");

29 (6) § 15-312 ("Dealers: Prohibited acts - Vehicle sales transactions");

30 (7) § 15-313 ("Dealers: Prohibited acts - Advertising practices");

31 (8) § 15-314 ("Dealers: Prohibited acts - Violation of licensing laws");

- 1 (9) § 15-411 ("Vehicle salesmen: Prohibited acts");
- 2 (10) § 15-502(c) ("Storage of certain vehicles by unlicensed persons
3 prohibited");
- 4 (11) § 16-113(j) ("Violation of alcohol restriction ordered by a court");
- 5 (12) § 16-301 ("Unlawful application for or use of license");
- 6 (13) § 16-303(h) ("Licenses suspended under certain provisions of Code");
- 7 (14) § 16-303(i) ("Licenses suspended under certain provisions of the
8 traffic laws or regulations of another state");
- 9 (15) § 18-106 ("Unauthorized use of rented motor vehicle");
- 10 (16) § 20-103 ("Driver to remain at scene - Accidents resulting only in
11 damage to attended vehicle or property");
- 12 (17) § 20-104 ("Duty to give information and render aid");
- 13 (18) § 20-105 ("Duty on striking unattended vehicle or other property");
- 14 (19) § 20-108 ("False reports prohibited");
- 15 (20) § 21-206 ("Interference with traffic control devices or railroad signs
16 and signals");
- 17 (21) As to a pedestrian in a marked crosswalk, § 21-502(a) ("Pedestrians'
18 right-of-way in crosswalks: In general");
- 19 (22) As to another vehicle stopped at a marked crosswalk, § 21-502(c)
20 ("Passing of vehicle stopped for pedestrian prohibited");
- 21 (23) § 21-901.2 ("AGGRESSIVE DRIVING");
- 22 (24) Except as provided in subsections (f) and (q) of this section, §
23 21-902(b) ("Driving while under the influence of alcohol");
- 24 [(24)] (25) Except as provided in subsections (f) and (q) of this section, §
25 21-902(c) ("Driving while under influence of drugs or drugs and alcohol");
- 26 [(25)] (26) Except as provided in subsections (f) and (q) of this section, §
27 21-902(d) ("Driving while under influence of controlled dangerous substance"); or
- 28 [(26)] (27) § 27-107(d), (e), (f), or (g) ("Prohibited acts - Ignition interlock
29 systems").

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

