

SENATE BILL 836

Unofficial Copy
R5

2000 Regular Session
0lr2942

By: **Senator Jimeno**
Introduced and read first time: February 21, 2000
Assigned to: Rules

A BILL ENTITLED

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:

20 **Article - Transportation**

21 16-402.

22 (a) After the conviction of an individual for a violation of Article 27, § 388, §
23 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any
24 local authority, points shall be assessed against the individual as of the date of
25 violation and as follows:

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

2.....

- 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 more2 points
- 4 (4) Driving with an improper class of license2 points
- 5 (5) Failing to stop for a school vehicle with activated alternately
6 flashing red lights.....2 points
- 7 (6) Any violation of § 21-1111 of this article2 points
- 8 (7) Passing an emergency or police vehicle under the provisions
9 of § 21-405(d) of this article2 points
- 10 (8) A violation of § 21-511(a) of this article2 points
- 11 (9) Failure to stop a vehicle for a steady red traffic signal in
12 violation of § 21-202 of this article2 points
- 13 (10) Any moving violation contributing to an accident.....3 points
- 14 (11) 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 title3 points
- 17 (12) Any violation, except violations committed on the John F.
18 Kennedy Memorial Highway, of § 21-1411 of this article3 points
- 19 (13) [Reckless driving4 points
- 20 (14)] Speeding in excess of the posted speed limit by 30 miles an
21 hour or more5 points
- 22 [(15)] (14).....Driving while not licensed 5 points
- 23 [(16)] (15)..... Failure to report an accident 5 points
- 24 [(17)] (16).....Driving on a learner's permit unaccompanied 5 points
- 25 [(18)] (17)..... Any violation of § 17-107 of this article 5 points
- 26 [(19)] (18)..... Participating in a race or speed contest on a highway 5 points
- 27 [(20)] (19)..... Any violation of § 16-304 or § 16-305 of this title 5 points
- 28 [(21)] (20)..... Any violation of § 22-404.5 of this article 5 points
- 29 [(22)] (21) Speeding in excess of a posted speed limit of 65
30 miles an hour by 20 miles an hour or more.....5 points

3.....

1 [(23)] (22) Driving while under the influence of alcohol or
2 while under influence of a drug, combination of drugs, or combination of
3 drugs and alcohol 8 points

4 [(24)] (23) Turning off lights of a vehicle to avoid
5 identification 8 points

6 [(25)] (24) Failing to stop after accident resulting in damage
7 to attended vehicle or property 8 points

8 [(26)] (25) Failing to stop after accident resulting in damage
9 to unattended vehicle or property 8 points

10 [(27)] (26)..... Any violation of § 16-815 or § 16-816 of this title 8 points

11 (27) RECKLESS DRIVING IN VIOLATION OF § 21-901.1(A) OF
12 THIS ARTICLE 8 POINTS

13 (28) Failing to stop after an accident resulting in bodily
14 injury or death 12 points

15 (29) Driving after refusal, suspension, cancellation, or
16 revocation of license except for suspensions of license under the provisions of
17 § 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic
18 laws or regulations of another state as described in § 16-303(i) of this title 12 points

19 (30) Any violation of § 16-301, § 16-302, § 16-804, or §
20 16-808(1) through (9) of this title 12 points

21 (31) Homicide, life threatening injury under Article 27, §
22 388B of the Code, or assault committed by means of a vehicle 12 points

23 (32) Driving while intoxicated, while intoxicated per se, or
24 while under the influence of illegally used controlled dangerous substance 12 points

25 (33) Any felony involving use of a vehicle 12 points

26 (34) Fleeing or attempting to elude a police officer 12 points

27 (35) The making of a false affidavit or statement under oath,
28 or falsely certifying to the truth of any fact or information to the
29 Administration under the Maryland Vehicle Law or under any law relating
30 to the ownership or operation of motor vehicles 12 points

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

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

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

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

4 21-901.1.

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

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

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

9 27-101.

10 (h) Any person who is convicted of a violation of any of the provisions of §
11 15-502(a) of this article ("License required"), § 16-303(a), (b), (c), (d), (e), (f), or (g) of
12 this article ("Driving while license is canceled, suspended, refused, or revoked"), §
13 17-107 of this article ("Prohibitions"), [or] § 17-110 of this article ("Providing false
14 evidence of required security"), OR § 21-901.1(A) OF THIS ARTICLE ("RECKLESS
15 DRIVING") is subject to:

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

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

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