

SENATE BILL 836

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2000 Regular Session
0lr2942

By: ~~Senator Jimeno~~ **Senators Jimeno and Forehand**

Introduced and read first time: February 21, 2000

Assigned to: Rules

Re-referred to: Judicial Proceedings, February 25, 2000

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 21, 2000

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:

- | | | | |
|----|--|---|----------|
| 7 | (1) | Any moving violation not listed below and not contributing | |
| 8 | to an accident..... | | 1 point |
| 9 | (2) | Following another vehicle too closely..... | 2 points |
| 10 | (3) | Speeding in excess of the posted speed limit by 10 miles an | |
| 11 | hour or more | | 2 points |
| 12 | (4) | Driving with an improper class of license | 2 points |
| 13 | (5) | Failing to stop for a school vehicle with activated alternately | |
| 14 | flashing red lights..... | | 2 points |
| 15 | (6) | Any violation of § 21-1111 of this article | 2 points |
| 16 | (7) | Passing an emergency or police vehicle under the provisions | |
| 17 | of § 21-405(d) of this article | | 2 points |
| 18 | (8) | A violation of § 21-511(a) of this article | 2 points |
| 19 | (9) | Failure to stop a vehicle for a steady red traffic signal in | |
| 20 | violation of § 21-202 of this article | | 2 points |
| 21 | (10) | Any moving violation contributing to an accident..... | 3 points |
| 22 | (11) | Driving after suspension of license under the provisions of § | |
| 23 | 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic | | |
| 24 | laws or regulations of another state as described in § 16-303(i) of this title | | 3 points |
| 25 | (12) | Any violation, except violations committed on the John F. | |
| 26 | Kennedy Memorial Highway, of § 21-1411 of this article | | 3 points |
| 27 | (13) | [Reckless driving | 4 points |
| 28 | (14)] | Speeding in excess of the posted speed limit by 30 miles an | |
| 29 | hour or more | | 5 points |
| 30 | [(15)] | (14).....Driving while not licensed | 5 points |
| 31 | [(16)] | (15).....Failure to report an accident | 5 points |
| 32 | [(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	
6		miles an hour by 20 miles an hour or more.....	5 points
7	[(23)]	(22) Driving while under the influence of alcohol or	
8		while under influence of a drug, combination of drugs, or combination of	
9		drugs and alcohol	8 points
10	[(24)]	(23) Turning off lights of a vehicle to avoid	
11		identification	8 points
12	[(25)]	(24) Failing to stop after accident resulting in damage	
13		to attended vehicle or property.....	8 points
14	[(26)]	(25) Failing to stop after accident resulting in damage	
15		to unattended vehicle or property.....	8 points
16	[(27)]	(26)..... Any violation of § 16-815 or § 16-816 of this title	8 points
17	(27)	RECKLESS DRIVING IN VIOLATION OF § 21-901.1(A) OF	
18		THIS ARTICLE	8 POINTS
19	(28)	Failing to stop after an accident resulting in bodily	
20		injury or death.....	12 points
21	(29)	Driving after refusal, suspension, cancellation, or	
22		revocation of license except for suspensions of license under the provisions of	
23		§ 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic	
24		laws or regulations of another state as described in § 16-303(i) of this title	12 points
25	(30)	Any violation of § 16-301, § 16-302, § 16-804, or §	
26		16-808(1) through (9) of this title.....	12 points
27	(31)	Homicide, life threatening injury under Article 27, §	
28		388B of the Code, or assault committed by means of a vehicle.....	12 points
29	(32)	Driving while intoxicated, while intoxicated per se, or	
30		while under the influence of illegally used controlled dangerous substance.....	12 points
31	(33)	Any felony involving use of a vehicle.....	12 points
32	(34)	Fleeing or attempting to elude a police officer	12 points

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

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

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

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

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

14 21-901.1.

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

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

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

19 27-101.

20 (h) Any person who is convicted of a violation of any of the provisions of §
21 15-502(a) of this article ("License required"), § 16-303(a), (b), (c), (d), (e), (f), or (g) of
22 this article ("Driving while license is canceled, suspended, refused, or revoked"), §
23 17-107 of this article ("Prohibitions"), [or] § 17-110 of this article ("Providing false
24 evidence of required security"), OR § 21-901.1(A) OF THIS ARTICLE ("RECKLESS
25 DRIVING") is subject to:

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

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

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

