
By: **Delegates Malone and Moe**

Introduced and read first time: February 2, 2001

Assigned to: Judiciary

A BILL ENTITLED

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 2000 Supplement)

15 BY adding to
16 Article - Transportation
17 Section 21-901.2
18 Annotated Code of Maryland
19 (1999 Replacement Volume and 2000 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 to an
2 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 hour or
5 more2 points
- 6 (4) Driving with an improper class of license2 points
- 7 (5) Failing to stop for a school vehicle with activated alternately flashing
8 red lights.....3 points
- 9 (6) Any violation of § 21-1111 of this article2 points
- 10 (7) Passing an emergency or police vehicle under the provisions of §
11 21-405(d) of this article2 points
- 12 (8) A violation of § 21-511(a) of this article2 points
- 13 (9) Failure to stop a vehicle for a steady red traffic signal in violation of
14 § 21-202 of this article.....2 points
- 15 (10) Any moving violation contributing to an accident.....3 points
- 16 (11) Driving after suspension of license under the provisions of § 17-106,
17 § 26-204, § 26-206, or § 27-103 of this article, or under the traffic laws or regulations
18 of another state as described in § 16-303(i) of this title.....3 points
- 19 (12) Any violation, except violations committed on the John F. Kennedy
20 Memorial Highway, of § 21-1411 of this article3 points
- 21 (13) Speeding in excess of the posted speed limit by 30 miles an hour or
22 more5 points
- 23 (14) Driving while not licensed.....5 points
- 24 (15) Failure to report an accident5 points
- 25 (16) Driving on a learner's permit unaccompanied.....5 points
- 26 (17) Any violation of § 17-107 of this article5 points
- 27 (18) Participating in a race or speed contest on a highway5 points
- 28 (19) Any violation of § 16-304 or § 16-305 of this title5 points
- 29 (20) Any violation of § 22-404.5 of this article5 points
- 30 (21) Speeding in excess of a posted speed limit of 65 miles an hour by 20
31 miles an hour or more.....5 points

3.....

- 1 (22) AGGRESSIVE DRIVING IN VIOLATION OF § 21-901.2 OF THIS
2 ARTICLE.....5 POINTS

- 3 (23) Reckless driving6 points

- 4 [(23)] (24) Driving while under the influence of alcohol or while under
5 influence of a drug, combination of drugs, or combination of drugs and
6 alcohol.....8 points

- 7 [(24)] (25).....Turning off lights of a vehicle to avoid identification 8 points

- 8 [(25)] (26) Failing to stop after accident resulting in damage to attended
9 vehicle or property8 points

- 10 [(26)] (27) Failing to stop after accident resulting in damage to unattended
11 vehicle or property8 points

- 12 [(27)] (28)..... Any violation of § 16-815 or § 16-816 of this title 8 points

- 13 [(28)] (29) Failing to stop after an accident resulting in bodily injury or
14 death.....12 points

- 15 [(29)] (30) Driving after refusal, suspension, cancellation, or revocation of
16 license except for suspensions of license under the provisions of § 17-106, § 26-204, §
17 26-206, or § 27-103 of this article, or under the traffic laws or regulations of another
18 state as described in § 16-303(i) of this title12 points

- 19 [(30)] (31) Any violation of § 16-301, § 16-302, § 16-804, or § 16-808(1)
20 through (9) of this title.....12 points

- 21 [(31)] (32) Homicide, life threatening injury under Article 27, § 388B of the
22 Code, or assault committed by means of a vehicle.....12 points

- 23 [(32)] (33) Driving while intoxicated, while intoxicated per se, or while
24 under the influence of illegally used controlled dangerous substance12 points

- 25 [(33)] (34).....Any felony involving use of a vehicle 12 points

- 26 [(34)] (35)..... Fleeing or attempting to elude a police officer 12 points

- 27 [(35)] (36) The making of a false affidavit or statement under oath, or
28 falsely certifying to the truth of any fact or information to the Administration under
29 the Maryland Vehicle Law or under any law relating to the ownership or operation of
30 motor vehicles.....12 points

- 31 [(36)] (37) Any violation involving an unlawful taking or unauthorized use
32 of a motor vehicle under Article 27, § 342A or § 349, or § 14-102 of this
33 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 subsections (f) and (q) of this section, §
19 21-902(b) ("Driving while under the influence of alcohol");
- 20 [(24)] (25) Except as provided in subsections (f) and (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 subsections (f) and (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 interlock
25 systems").
- 26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2001.