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Introduced and read first time: February 9, 2001  
Assigned to: Commerce and Government Matters

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 20, 2001

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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(e)~~  
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 BY repealing and reenacting, without amendments,

1 Article - Transportation  
 2 Section 27-101(b)  
 3 Annotated Code of Maryland  
 4 (1999 Replacement Volume and 2000 Supplement)

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

7 **Article - Transportation**

8 16-402.

9 (a) After the conviction of an individual for a violation of Article 27, § 388, §  
 10 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any  
 11 local authority, points shall be assessed against the individual as of the date of  
 12 violation and as follows:

- 13 (1) Any moving violation not listed below and not contributing to an  
 14 accident ..... 1 point
- 15 (2) Following another vehicle too closely .....2 points
- 16 (3) Speeding in excess of the posted speed limit by 10 miles an hour or  
 17 more .....2 points
- 18 (4) Driving with an improper class of license .....2 points
- 19 (5) Failing to stop for a school vehicle with activated alternately flashing  
 20 red lights .....3 points
- 21 (6) Any violation of § 21-1111 of this article .....2 points
- 22 (7) Passing an emergency or police vehicle under the provisions of §  
 23 21-405(d) of this article .....2 points
- 24 (8) A violation of § 21-511(a) of this article .....2 points
- 25 (9) Failure to stop a vehicle for a steady red traffic signal in violation of  
 26 § 21-202 of this article.....2 points
- 27 (10) Any moving violation contributing to an accident.....3 points
- 28 (11) Driving after suspension of license under the provisions of § 17-106,  
 29 § 26-204, § 26-206, or § 27-103 of this article, or under the traffic laws or regulations  
 30 of another state as described in § 16-303(i) of this title.....3 points
- 31 (12) Any violation, except violations committed on the John F. Kennedy  
 32 Memorial Highway, of § 21-1411 of this article .....3 points

3.....

- 1           (13)    Speeding in excess of the posted speed limit by 30 miles an hour or  
2 more .....5 points
  
- 3           (14)    Driving while not licensed.....5 points
  
- 4           (15)    Failure to report an accident .....5 points
  
- 5           (16)    Driving on a learner's permit unaccompanied.....5 points
  
- 6           (17)    Any violation of § 17-107 of this article .....5 points
  
- 7           (18)    Participating in a race or speed contest on a highway .....5 points
  
- 8           (19)    Any violation of § 16-304 or § 16-305 of this title .....5 points
  
- 9           (20)    Any violation of § 22-404.5 of this article .....5 points
  
- 10          (21)    Speeding in excess of a posted speed limit of 65 miles an hour by 20  
11 miles an hour or more.....5 points
  
- 12          (22)    AGGRESSIVE DRIVING IN VIOLATION OF § 21-901.2 OF THIS ARTICLE  
13 POINTS
  
- 14          (23)    Reckless driving .....6 points
  
- 15          [(23)] (24)    Driving while under the influence of alcohol or while under  
16 influence of a drug, combination of drugs, or combination of drugs and alcohol .....8 points
  
- 17          [(24)] (25).....Turning off lights of a vehicle to avoid identification           8 points
  
- 18          [(25)] (26)    Failing to stop after accident resulting in damage to attended  
19 vehicle or property .....8 points
  
- 20          [(26)] (27)    Failing to stop after accident resulting in damage to unattended  
21 vehicle or property .....8 points
  
- 22          [(27)] (28)..... Any violation of § 16-815 or § 16-816 of this title           8 points
  
- 23          [(28)] (29)    Failing to stop after an accident resulting in bodily injury or  
24 death.....12 points
  
- 25          [(29)] (30)    Driving after refusal, suspension, cancellation, or revocation of  
26 license except for suspensions of license under the provisions of § 17-106, § 26-204, §  
27 26-206, or § 27-103 of this article, or under the traffic laws or regulations of another  
28 state as described in § 16-303(i) of this title .....12 points
  
- 29          [(30)] (31)    Any violation of § 16-301, § 16-302, § 16-804, or § 16-808(1)  
30 through (9) of this title.....12 points
  
- 31          [(31)] (32)    Homicide, life threatening injury under Article 27, § 388B of the  
32 Code, or assault committed by means of a vehicle.....12 points

4.....

1 [(32)] (33) Driving while intoxicated, while intoxicated per se, or while  
2 under the influence of illegally used controlled dangerous substance..... 12 points

3 [(33)] (34).....Any felony involving use of a vehicle 12 points

4 [(34)] (35)..... Fleeing or attempting to elude a police officer 12 points

5 [(35)] (36) The making of a false affidavit or statement under oath, or  
6 falsely certifying to the truth of any fact or information to the Administration under  
7 the Maryland Vehicle Law or under any law relating to the ownership or operation of  
8 motor vehicles..... 12 points

9 [(36)] (37) Any violation involving an unlawful taking or unauthorized use  
10 of a motor vehicle under Article 27, § 342A or § 349, or § 14-102 of this article..... 12  
11 points

12 21-901.2.

13 A PERSON IS GUILTY OF AGGRESSIVE DRIVING IF THE PERSON COMMITS THREE  
14 OR MORE OF THE FOLLOWING OFFENSES AT THE SAME TIME OR DURING A SINGLE  
15 AND CONTINUOUS PERIOD OF DRIVING IN VIOLATION OF:

16 (1) § 21-202 OF THIS TITLE (TRAFFIC LIGHTS WITH STEADY INDICATION);

17 (2) § 21-303 OF THIS TITLE (OVERTAKING AND PASSING VEHICLES);

18 (3) § 21-304 OF THIS TITLE (PASSING ON RIGHT);

19 (4) § 21-309 OF THIS TITLE (DRIVING ON LANED ROADWAYS);

20 (5) § 21-310 OF THIS TITLE (FOLLOWING TOO CLOSELY);

21 (6) § 21-403 OF THIS TITLE (FAILURE TO YIELD RIGHT-OF-WAY); OR

22 (7) § 21-801.1 OF THIS TITLE (EXCEEDING A MAXIMUM SPEED LIMIT OR  
23 POSTED MAXIMUM SPEED LIMIT).

24 27-101.

25 (b) Except as otherwise provided in this section, any person convicted of a  
26 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is  
27 subject to a fine of not more than \$500.

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

31 (1) ~~§ 12-301(e), (d), (e), or (f) ("Special identification cards: Fraud and~~  
32 ~~misrepresentation prohibited");~~

33 (2) ~~§ 14-102 ("Taking or driving vehicle without consent of owner");~~

- 1           (3)     § 14-104 ("Damaging or tampering with vehicle");
- 2           (4)     § 14-107 ("Removed, falsified, or unauthorized identification number  
3 or registration card or plate");
- 4           (5)     § 14-110 ("Altered or forged documents and plates");
- 5           (6)     § 15-312 ("~~Dealers: Prohibited acts—Vehicle sales transactions~~");
- 6           (7)     § 15-313 ("~~Dealers: Prohibited acts—Advertising practices~~");
- 7           (8)     § 15-314 ("~~Dealers: Prohibited acts—Violation of licensing laws~~");
- 8           (9)     § 15-411 ("~~Vehicle salesmen: Prohibited acts~~");
- 9           (10)    § 15-502(e) ("~~Storage of certain vehicles by unlicensed persons~~  
10 ~~prohibited~~");
- 11          (11)    § 16-113(j) ("~~Violation of alcohol restriction ordered by a court~~");
- 12          (12)    § 16-301 ("~~Unlawful application for or use of license~~");
- 13          (13)    § 16-303(h) ("~~Licenses suspended under certain provisions of Code~~");
- 14          (14)    § 16-303(i) ("~~Licenses suspended under certain provisions of the~~  
15 ~~traffic laws or regulations of another state~~");
- 16          (15)    § 18-106 ("~~Unauthorized use of rented motor vehicle~~");
- 17          (16)    § 20-103 ("~~Driver to remain at scene—Accidents resulting only in~~  
18 ~~damage to attended vehicle or property~~");
- 19          (17)    § 20-104 ("~~Duty to give information and render aid~~");
- 20          (18)    § 20-105 ("~~Duty on striking unattended vehicle or other property~~");
- 21          (19)    § 20-108 ("~~False reports prohibited~~");
- 22          (20)    § 21-206 ("~~Interference with traffic control devices or railroad signs~~  
23 ~~and signals~~");
- 24          (21)    As to a pedestrian in a marked crosswalk, § 21-502(a) ("~~Pedestrians'~~  
25 ~~right-of-way in crosswalks: In general~~");
- 26          (22)    As to another vehicle stopped at a marked crosswalk, § 21-502(e)  
27 ("~~Passing of vehicle stopped for pedestrian prohibited~~");
- 28          (23)    § 21-901.2 ("AGGRESSIVE DRIVING");
- 29          (24)    Except as provided in subsections (f) and (g) of this section, §  
30 21-902(b) ("~~Driving while under the influence of alcohol~~");

1            ~~[(24)]~~ (25)    Except as provided in subsections (f) and (g) of this section, §  
2 ~~21-902(e)~~ ("Driving while under influence of drugs or drugs and alcohol");

3            ~~[(25)]~~ (26)    Except as provided in subsections (f) and (g) of this section, §  
4 ~~21-902(d)~~ ("Driving while under influence of controlled dangerous substance"); or

5            ~~[(26)]~~ (27)    § ~~27-107(d), (e), (f), or (g)~~ ("Prohibited acts – Ignition interlock  
6 ~~systems~~");

7        SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2001.