

SENATE BILL 113

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SB 217/00 - JPR

2001 Regular Session  
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CF 11r2409

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By: ~~Senators Baker and Hooper~~ , **Hooper, Colburn, Forehand, Haines, and Jimeno** and Chairman, **Judicial Proceedings Committee (Departmental - Transportation and the State Highway Administration)**

Introduced and read first time: January 15, 2001  
Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 8, 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(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:

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 more .....2 points

(4) Driving with an improper class of license .....2 points

(5) Failing to stop for a school vehicle with activated alternately flashing red lights.....3 points

(6) Any violation of § 21-1111 of this article .....2 points

(7) Passing an emergency or police vehicle under the provisions of § 21-405(d) of this article .....2 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 article .....3 points

(13) Speeding in excess of the posted speed limit by 30 miles an hour or more .....5 points

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

(15) Failure to report an accident .....5 points

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

(17) Any violation of § 17-107 of this article .....5 points

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1 (18) Participating in a race or speed contest on a highway .....5 points

2 (19) Any violation of § 16-304 or § 16-305 of this title .....5 points

3 (20) Any violation of § 22-404.5 of this article .....5 points

4 (21) Speeding in excess of a posted speed limit of 65 miles an hour by 20  
5 miles an hour or more.....5 points

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

8 (23) Reckless driving .....6 points

9 [(23)] (24) Driving while under the influence of alcohol or while under  
10 influence of a drug, combination of drugs, or combination of drugs and  
11 alcohol .....8 points

12 [(24)] (25)..... Turning off lights of a vehicle to avoid identification 8 points

13 [(25)] (26) Failing to stop after accident resulting in damage to attended  
14 vehicle or property .....8 points

15 [(26)] (27) Failing to stop after accident resulting in damage to unattended  
16 vehicle or property .....8 points

17 [(27)] (28)..... Any violation of § 16-815 or § 16-816 of this title 8 points

18 [(28)] (29) Failing to stop after an accident resulting in bodily injury or  
19 death..... 12 points

20 [(29)] (30) Driving after refusal, suspension, cancellation, or revocation of  
21 license except for suspensions of license under the provisions of § 17-106, § 26-204, §  
22 26-206, or § 27-103 of this article, or under the traffic laws or regulations of another  
23 state as described in § 16-303(i) of this title ..... 12 points

24 [(30)] (31) Any violation of § 16-301, § 16-302, § 16-804, or § 16-808(1)  
25 through (9) of this title..... 12 points

26 [(31)] (32) Homicide, life threatening injury under Article 27, § 388B of the  
27 Code, or assault committed by means of a vehicle..... 12 points

28 [(32)] (33) Driving while intoxicated, while intoxicated per se, or while  
29 under the influence of illegally used controlled dangerous substance ..... 12 points

30 [(33)] (34).....Any felony involving use of a vehicle 12 points

31 [(34)] (35)..... Fleeing or attempting to elude a police officer 12 points

32 [(35)] (36) The making of a false affidavit or statement under oath, or  
33 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 use  
4 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, 2001.

