

---

By: **Senator Green**

Introduced and read first time: January 21, 2004

Assigned to: Judicial Proceedings

---

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Law - Driving without Authorization - Penalties**

3 FOR the purpose of increasing the penalties for a violation of driving or attempting to  
4 drive a motor vehicle on a highway in the State without holding a certain  
5 driver's license or otherwise without authorization to drive a motor vehicle in  
6 the State to include a potential maximum term of imprisonment; and generally  
7 relating to penalties for driving a motor vehicle without authorization in the  
8 State.

9 BY repealing and reenacting, without amendments,  
10 Article - Transportation  
11 Section 16-101(a) and 27-101(a) and (b)  
12 Annotated Code of Maryland  
13 (2002 Replacement Volume and 2003 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article - Transportation  
16 Section 27-101(c)  
17 Annotated Code of Maryland  
18 (2002 Replacement Volume and 2003 Supplement)

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

21 **Article - Transportation**

22 16-101.

23 (a) An individual may not drive or attempt to drive a motor vehicle on any  
24 highway in this State unless:

25 (1) The individual holds a driver's license issued under this title;

26 (2) The individual is expressly exempt from the licensing requirements  
27 of this title; or

1 (3) The individual otherwise is specifically authorized by this title to  
2 drive vehicles of the class that the individual is driving or attempting to drive.

3 27-101.

4 (a) It is a misdemeanor for any person to violate any of the provisions of the  
5 Maryland Vehicle Law unless the violation:

6 (1) Is declared to be a felony by the Maryland Vehicle Law or by any  
7 other law of this State; or

8 (2) Is punishable by a civil penalty under the applicable provision of the  
9 Maryland Vehicle Law.

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

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

16 (1) § 12-301(c), (d), (e), or (f) ("Special identification cards: Fraud and  
17 misrepresentation prohibited");

18 (2) § 14-102 ("Taking or driving vehicle without consent of owner");

19 (3) § 14-104 ("Damaging or tampering with vehicle");

20 (4) § 14-107 ("Removed, falsified, or unauthorized identification number  
21 or registration card or plate");

22 (5) § 14-110 ("Altered or forged documents and plates");

23 (6) § 15-312 ("Dealers: Prohibited acts - Vehicle sales transactions");

24 (7) § 15-313 ("Dealers: Prohibited acts - Advertising practices");

25 (8) § 15-314 ("Dealers: Prohibited acts - Violation of licensing laws");

26 (9) § 15-411 ("Vehicle salesmen: Prohibited acts");

27 (10) § 15-502(c) ("Storage of certain vehicles by unlicensed persons  
28 prohibited");

29 (11) § 16-101(A) ("DRIVING A MOTOR VEHICLE WITHOUT  
30 AUTHORIZATION");

31 (12) § 16-113(j) ("Violation of alcohol restriction ordered by a court");

32 [(12)] (13) § 16-301 ("Unlawful application for or use of license");

1 [(13)] (14) § 16-303(h) ("Licenses suspended under certain provisions of  
2 Code");

3 [(14)] (15) § 16-303(i) ("Licenses suspended under certain provisions of the  
4 traffic laws or regulations of another state");

5 [(15)] (16) § 18-106 ("Unauthorized use of rented motor vehicle");

6 [(16)] (17) § 20-103 ("Driver to remain at scene - Accidents resulting only  
7 in damage to attended vehicle or property");

8 [(17)] (18) § 20-104 ("Duty to give information and render aid");

9 [(18)] (19) § 20-105 ("Duty on striking unattended vehicle or other  
10 property");

11 [(19)] (20) § 20-108 ("False reports prohibited");

12 [(20)] (21) § 21-206 ("Interference with traffic control devices or railroad  
13 signs and signals");

14 [(21)] (22) As to a pedestrian in a marked crosswalk, § 21-502(a)  
15 ("Pedestrians' right-of-way in crosswalks: In general");

16 [(22)] (23) As to another vehicle stopped at a marked crosswalk, §  
17 21-502(c) ("Passing of vehicle stopped for pedestrian prohibited");

18 [(23)] (24) Except as provided in subsections (f) and (q) of this section, §  
19 21-902(b) ("Driving while impaired by alcohol");

20 [(24)] (25) Except as provided in subsections (f) and (q) of this section, §  
21 21-902(c) ("Driving while impaired by 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 impaired by controlled dangerous substance");

24 [(26)] (27) § 21-902.1 ("Driving within 12 hours after arrest"); or

25 [(27)] (28) § 27-107(d), (e), (f), or (g) ("Prohibited acts - Ignition interlock  
26 systems").

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2004.