
By: **Senator Mooney**

Introduced and read first time: February 11, 2005

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Driving While License Is Suspended - Penalties**

3 FOR the purpose of repealing a certain provision of law establishing separate
4 penalties for driving a motor vehicle while a person's license or privilege to drive
5 is suspended under certain provisions relating to the lapse of required security,
6 noncompliance with traffic citations, and nonpayment of fines; establishing that
7 the suspension of a person's license or privilege to drive for certain violations is
8 subject to the same penalties as certain other suspensions of a person's license
9 or privilege to drive in the State; prohibiting a person from causing an accident
10 that results in bodily injury to or the death of another while operating a motor
11 vehicle while the person's license is suspended; establishing a certain penalty;
12 and generally relating to driving while a license is suspended.

13 BY repealing and reenacting, with amendments,
14 Article - Transportation
15 Section 16-303, 16-402(a)(11) and (30), and 27-101(c)
16 Annotated Code of Maryland
17 (2002 Replacement Volume and 2004 Supplement)

18 BY adding to
19 Article - Transportation
20 Section 20-114 and 27-101(x)
21 Annotated Code of Maryland
22 (2002 Replacement Volume and 2004 Supplement)

23 BY repealing and reenacting, without amendments,
24 Article - Transportation
25 Section 27-101(h)
26 Annotated Code of Maryland
27 (2002 Replacement Volume and 2004 Supplement)

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

1

Article - Transportation

2 16-303.

3 (a) A person may not drive a motor vehicle on any highway or on any property
4 specified in § 21-101.1 of this article while the person's license or privilege to drive is
5 refused in this State or any other state.

6 (b) A person may not drive a motor vehicle on any highway or on any property
7 specified in § 21-101.1 of this article while the person's license or privilege to drive is
8 canceled in this State.

9 (c) A person may not drive a motor vehicle on any highway or on any property
10 specified in § 21-101.1 of this article while the person's license or privilege to drive is
11 suspended in this State.

12 (d) A person may not drive a motor vehicle on any highway or on any property
13 specified in § 21-101.1 of this article while the person's license or privilege to drive is
14 revoked in this State.

15 (e) A person may not drive a motor vehicle on any highway or on any property
16 specified in § 21-101.1 of this article while the person's license issued by any other
17 state is canceled.

18 (f) A person may not drive a motor vehicle on any highway or on any property
19 specified in § 21-101.1 of this article while the person's license issued by any other
20 state is suspended.

21 (g) A person may not drive a motor vehicle on any highway or on any property
22 specified in § 21-101.1 of this article while the person's license issued by any other
23 state is revoked.

24 (h) [A person may not drive a motor vehicle on any highway or on any
25 property specified in § 21-101.1 of this article while the person's license or privilege to
26 drive is suspended under § 17-106, § 26-204, § 26-206, or § 27-103 of this article.

27 (i)] (1) This subsection applies only to a person whose license or privilege to
28 drive is suspended under the traffic laws or regulations of another state for:

29 (i) Failure to comply with a notice to appear in a court of that state
30 contained in a traffic citation issued to the person; or

31 (ii) Failure to pay a fine for a violation of any traffic laws or
32 regulations of that state.

33 (2) A person may not drive a motor vehicle on any highway or on any
34 property specified in § 21-101.1 of this article while the person's license or privilege to
35 drive is suspended under the traffic laws or regulations of any other state as
36 described in paragraph (1) of this subsection.

1 [j] (I) (1) Except as provided in paragraph (2) of this subsection, any
 2 individual who violates a provision of this section shall be assessed the points as
 3 provided for in § 16-402(a)(30) of this title.

4 (2) Any individual who violates a provision of subsection (h) [or
 5 subsection (i)] of this section shall be assessed the points as provided for in §
 6 16-402(a)(11) of this title.

7 16-402.

8 (a) After the conviction of an individual for a violation of Title 2, Subtitle 5, §
 9 2-209, or § 3-211 of the Criminal Law Article, or of the vehicle laws or regulations of
 10 this State or of any local authority, points shall be assessed against the individual as
 11 of the date of violation and as follows:

12 (11) Driving after suspension of license [under the provisions of § 17-106,
 13 § 26-204, § 26-206, or § 27-103 of this article, or] under the traffic laws or
 14 regulations of another state as described in [§ 16-303(i)] § 16-303(H) of this title 3
 15 points

16 (30) Driving after refusal, suspension, cancellation, or revocation of
 17 license except for suspensions of license [under the provisions of § 17-106, § 26-204,
 18 § 26-206, or § 27-103 of this article, or] under the traffic laws or regulations of
 19 another state as described in [§ 16-303(i)] § 16-303(H) of this title 12 points

20 20-114.

21 A PERSON MAY NOT CAUSE AN ACCIDENT THAT RESULTS IN BODILY INJURY TO
 22 OR THE DEATH OF ANOTHER WHILE THE PERSON IS OPERATING A MOTOR VEHICLE
 23 IN VIOLATION OF § 16-303(C) OF THIS ARTICLE.

24 27-101.

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

28 (1) § 12-301(c), (d), (e), or (f) ("Special identification cards: Fraud and
 29 misrepresentation prohibited");

30 (2) § 14-102 ("Taking or driving vehicle without consent of owner");

31 (3) § 14-104 ("Damaging or tampering with vehicle");

32 (4) § 14-107 ("Removed, falsified, or unauthorized identification number
 33 or registration card or plate");

34 (5) § 14-110 ("Altered or forged documents and plates");

35 (6) § 15-312 ("Dealers: Prohibited acts - Vehicle sales transactions");

- 1 (7) § 15-313 ("Dealers: Prohibited acts - Advertising practices");
- 2 (8) § 15-314 ("Dealers: Prohibited acts - Violation of licensing laws");
- 3 (9) § 15-411 ("Vehicle salesmen: Prohibited acts");
- 4 (10) § 15-502(c) ("Storage of certain vehicles by unlicensed persons
5 prohibited");
- 6 (11) § 16-113(j) ("Violation of alcohol restriction ordered by a court");
- 7 (12) § 16-301 ("Unlawful application for or use of license");
- 8 (13) § 16-303(h) [("Licenses suspended under certain provisions of
9 Code");
- 10 (14) § 16-303(i) ("Licenses suspended under certain provisions of the
11 traffic laws or regulations of another state");
- 12 [(15)] (14) § 18-106 ("Unauthorized use of rented motor vehicle");
- 13 [(16)] (15) § 20-103 ("Driver to remain at scene - Accidents resulting only
14 in damage to attended vehicle or property");
- 15 [(17)] (16) § 20-104 ("Duty to give information and render aid");
- 16 [(18)] (17) § 20-105 ("Duty on striking unattended vehicle or other
17 property");
- 18 [(19)] (18) § 20-108 ("False reports prohibited");
- 19 [(20)] (19) § 21-206 ("Interference with traffic control devices or railroad
20 signs and signals");
- 21 [(21)] (20) As to a pedestrian in a marked crosswalk, § 21-502(a)
22 ("Pedestrians' right-of-way in crosswalks: In general"), if the violation contributes to
23 an accident;
- 24 [(22)] (21) As to another vehicle stopped at a marked crosswalk, §
25 21-502(c) ("Passing of vehicle stopped for pedestrian prohibited"), if the violation
26 contributes to an accident;
- 27 [(23)] (22) Except as provided in subsections (f) and (q) of this section, §
28 21-902(b) ("Driving while impaired by alcohol");
- 29 [(24)] (23) Except as provided in subsections (f) and (q) of this section, §
30 21-902(c) ("Driving while impaired by drugs or drugs and alcohol");
- 31 [(25)] (24) § 21-902.1 ("Driving within 12 hours after arrest"); or

1 [(26)] (25) § 27-107(d), (e), (f), or (g) ("Prohibited acts - Ignition interlock
2 systems").

3 (h) Any person who is convicted of a violation of any of the provisions of §
4 16-303(a), (b), (c), (d), (e), (f), or (g) of this article ("Driving while license is canceled,
5 suspended, refused, or revoked"), § 17-107 of this article ("Prohibitions"), or § 17-110
6 of this article ("Providing false evidence of required security") is subject to:

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

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

11 27-101.

12 (X) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 20-114 OF THIS
13 ARTICLE IS SUBJECT TO A FINE OF NOT MORE THAN \$5,000 OR IMPRISONMENT FOR
14 NOT MORE THAN 5 YEARS OR BOTH.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2005.