

ENROLLED BILL
-- Judiciary/Judicial Proceedings --

Introduced by **Delegate Bartlett**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Criminal Vehicle Law - Recording Illegal Activity**

3 FOR the purpose of establishing that it is a crime for a person to ~~conspire to commit~~
4 ~~or engage in an activity that is~~ another person to commit a violation of ~~law~~
5 ~~involving the reckless driving of a motor vehicle or the Maryland Vehicle Law~~
6 ~~that is punishable by a sentence of imprisonment and to make, or the offense of~~
7 ~~reckless driving, for the purpose of making~~ certain recordings of that activity,
8 ~~unless certain written permission is obtained; establishing an exception to the~~
9 ~~application of this Act; establishing criminal penalties for violating certain~~
10 ~~penalties for a violation of this Act; defining a certain term; and generally~~
11 relating to prohibiting the recording of an illegal activity.

12 BY adding to

13 ~~Article~~ Criminal Law

14 ~~Section 10-205~~

15 ~~Annotated Code of Maryland~~

16 ~~(2002 Volume and 2005 Supplement)~~

1 Article - Transportation
 2 Section 21-1126 and 27-101(y)
 3 Annotated Code of Maryland
 4 (2002 Replacement Volume and 2005 Supplement)

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

7 ~~Article—Criminal Law~~

8 ~~40-205.~~

9 (A) ~~A PERSON MAY NOT:~~

10 (1) ~~CONSPIRE TO ENGAGE IN AN ACTIVITY THAT IS A VIOLATION OF~~
 11 ~~LAW:~~

12 (1) ~~INVOLVING THE RECKLESS DRIVING OF A MOTOR VEHICLE; OR~~

13 (1) ~~PUNISHABLE BY A SENTENCE OF IMPRISONMENT; AND~~

14 (2) ~~FILM, VIDEOTAPE, PHOTOGRAPH, AUDIOTAPE, OR OTHERWISE~~
 15 ~~RECORD AN ACTIVITY DESCRIBED IN ITEM (1) OF THIS SUBSECTION.~~

16 (B) ~~THIS SECTION DOES NOT APPLY TO A LAW ENFORCEMENT OFFICER~~
 17 ~~ACTING WITHIN THE SCOPE OF THE OFFICER'S OFFICIAL DUTIES.~~

18 (C) ~~A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR~~
 19 ~~AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A~~
 20 ~~FINE NOT EXCEEDING \$10,000 OR BOTH.~~

21 Article - Transportation

22 21-1126.

23 (A) IN THIS SECTION, "VIOLATION" MEANS:

24 (1) A VIOLATION OF THE MARYLAND VEHICLE LAW THAT IS
 25 PUNISHABLE BY A SENTENCE OF IMPRISONMENT; OR

26 (2) A VIOLATION OF § 21-901.1(A) OF THIS ARTICLE.

27 (B) A PERSON MAY NOT COMMIT OR ENGAGE ANOTHER PERSON TO COMMIT A
 28 VIOLATION FOR THE PURPOSE OF FILMING, VIDEOTAPING, PHOTOGRAPHING, OR
 29 OTHERWISE RECORDING THE VIOLATION UNLESS THE PERSON OBTAINS WRITTEN
 30 PERMISSION FOR THE COMMISSION OF THE VIOLATION FROM:

31 (1) THE SECRETARY OF STATE POLICE, OR THE SECRETARY'S DESIGNEE;
 32 OR

1 (2) THE CHIEF EXECUTIVE OFFICER OF THE GOVERNING BODY OF THE
2 COUNTY IN WHICH THE VIOLATION IS TO OCCUR, OR THE CHIEF EXECUTIVE
3 OFFICER'S DESIGNEE.

4 27-101.

5 (Y) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 21-1126 OF THIS
6 ARTICLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO
7 IMPRISONMENT NOT EXCEEDING ~~3 YEARS~~ 1 YEAR OR A FINE NOT EXCEEDING ~~\$5,000~~
8 \$1,000 OR BOTH.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2006.