
By: **Delegate Bartlett**

Introduced and read first time: February 2, 2006

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2006

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)~~

17 Article - Transportation

18 Section 21-1126 and 27-101(y)

19 Annotated Code of Maryland

20 (2002 Replacement Volume and 2005 Supplement)

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

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~~Article - Criminal Law~~2 ~~10-205.~~3 (A) ~~A PERSON MAY NOT:~~4 (1) ~~CONSPIRE TO ENGAGE IN AN ACTIVITY THAT IS A VIOLATION OF~~
5 ~~LAW:~~6 (I) ~~INVOLVING THE RECKLESS DRIVING OF A MOTOR VEHICLE; OR~~7 (II) ~~PUNISHABLE BY A SENTENCE OF IMPRISONMENT; AND~~8 (2) ~~FILM, VIDEOTAPE, PHOTOGRAPH, AUDIOTAPE, OR OTHERWISE~~
9 ~~RECORD AN ACTIVITY DESCRIBED IN ITEM (1) OF THIS SUBSECTION.~~10 (B) ~~THIS SECTION DOES NOT APPLY TO A LAW ENFORCEMENT OFFICER~~
11 ~~ACTING WITHIN THE SCOPE OF THE OFFICER'S OFFICIAL DUTIES.~~12 (C) ~~A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR~~
13 ~~AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A~~
14 ~~FINE NOT EXCEEDING \$10,000 OR BOTH.~~

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Article - Transportation16 21-1126.17 (A) IN THIS SECTION, "VIOLATION" MEANS:18 (1) A VIOLATION OF THE MARYLAND VEHICLE LAW THAT IS
19 PUNISHABLE BY A SENTENCE OF IMPRISONMENT; OR20 (2) A VIOLATION OF § 21-901.1(A) OF THIS ARTICLE.21 (B) A PERSON MAY NOT COMMIT OR ENGAGE ANOTHER PERSON TO COMMIT A
22 VIOLATION FOR THE PURPOSE OF FILMING, VIDEOTAPING, PHOTOGRAPHING, OR
23 OTHERWISE RECORDING THE VIOLATION UNLESS THE PERSON OBTAINS WRITTEN
24 PERMISSION FOR THE COMMISSION OF THE VIOLATION FROM:25 (1) THE SECRETARY OF STATE POLICE, OR THE SECRETARY'S DESIGNEE;
26 OR27 (2) THE CHIEF EXECUTIVE OFFICER OF THE GOVERNING BODY OF THE
28 COUNTY IN WHICH THE VIOLATION IS TO OCCUR, OR THE CHIEF EXECUTIVE
29 OFFICER'S DESIGNEE.30 27-101.31 (Y) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 21-1126 OF THIS
32 ARTICLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO

1 IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$5,000 OR
2 BOTH.

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