

HOUSE BILL 881

R5
HB 333/17 – ENV

8lr3306

By: **Delegates C. Howard, Folden, Angel, D. Barnes, Barron, Fennell, Frush, Jackson, Knotts, J. Lewis, Pena–Melnyk, Proctor, Sanchez, Tarlau, Walker, and A. Washington**

Introduced and read first time: February 5, 2018
Assigned to: Environment and Transportation

Committee Report: Favorable
House action: Adopted
Read second time: March 11, 2018

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicles – Aggressive Driving**

3 FOR the purpose of altering the motor vehicle offense of aggressive driving to include the
4 commission of a certain number of an alternate set of certain motor vehicle offenses
5 under certain circumstances; establishing that certain persons charged with a
6 violation for aggressive driving must appear in court and may not prepay the fine;
7 and generally relating to aggressive driving.

8 BY repealing and reenacting, without amendments,
9 Article – Transportation
10 Section 16–402(a)(25) and 21–905
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2017 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section 21–901.2
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2017 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Transportation

16–402.

(a) After the conviction of an individual for a violation of Title 2, Subtitle 5, § 2–209, § 3–211, or § 10–110 of the Criminal Law Article, 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:

(25) Aggressive driving in violation of § 21–901.2 of this article.....5 points

21–901.2.

(A) A person is guilty of aggressive driving if [the person commits three or more of the following offenses], at the same time or during a single and continuous period of driving [in violation of], THE PERSON VIOLATES:

(1) THREE OR MORE OF THE FOLLOWING PROVISIONS:

[(1)] (I) § 21–202 of this title (Traffic lights with steady indication);

[(2)] (II) § 21–303 of this title (Overtaking and passing vehicles);

[(3)] (III) § 21–304 of this title (Passing on right);

[(4)] (IV) § 21–309 of this title (Driving on laned roadways);

[(5)] (V) § 21–310 of this title (Following too closely);

[(6)] (VI) § 21–403 of this title (Failure to yield right-of-way); or

[(7)] (VII) § 21–801.1 of this title (Exceeding a maximum speed limit or posted maximum speed limit); OR

(2) TWO OR MORE OF THE FOLLOWING PROVISIONS:

(I) § 21–202 OF THIS TITLE (TRAFFIC LIGHTS WITH STEADY INDICATION);

(II) § 21–304(C) OF THIS TITLE (DRIVING OFF ROADWAY TO PASS ON RIGHT);

(III) § 21–310 OF THIS TITLE (FOLLOWING TOO CLOSELY);

1 (IV) § 21-403 OF THIS TITLE (FAILURE TO YIELD
2 RIGHT-OF-WAY); OR

3 (V) § 21-801.1 OF THIS TITLE FOR EXCEEDING A MAXIMUM
4 SPEED LIMIT OR POSTED MAXIMUM SPEED LIMIT BY 20 MILES AN HOUR OR MORE.

5 (B) A PERSON WHO IS CHARGED WITH A VIOLATION OF SUBSECTION (A)(2)
6 OF THIS SECTION:

7 (1) MUST APPEAR IN COURT; AND

8 (2) MAY NOT PREPAY THE FINE.

9 21-905.

10 (a) A holder of a provisional driver's license who is under the age of 18 years is
11 guilty of high-risk driving if the holder of the provisional license commits any of the
12 following violations:

13 (1) § 21-901.1 of this subtitle (Reckless and negligent driving);

14 (2) § 21-901.2 of this subtitle (Aggressive driving); or

15 (3) § 21-1116 of this title (Race or speed contest prohibited).

16 (b) (1) If the individual is convicted of a violation specified in subsection (a) of
17 this section, the Administration shall suspend the individual's driver's license:

18 (i) For a first offense, for 6 months; and

19 (ii) For a second or subsequent offense, for 1 year.

20 (2) An individual subject to a license suspension under this subsection may
21 request a hearing as provided for a suspension or revocation under Title 12, Subtitle 2 of
22 this article.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2018.