

HOUSE BILL 675

R4

9lr0491

By: **Delegates Wells, Acevero, Anderson, Bagnall, D. Barnes, Barron, Bartlett, Boyce, Bridges, Cain, Charkoudian, Charles, Conaway, Cullison, Feldmark, Fennell, Gaines, Gilchrist, Ivey, Kerr, Korman, Lehman, J. Lewis, R. Lewis, Lierman, Lopez, Love, Luedtke, McIntosh, Moon, Mosby, Pena–Melnik, Shetty, Smith, Solomon, Stewart, Terrasa, Washington, and Wilkins**

Introduced and read first time: February 7, 2019

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Operation of Uninsured Motor Vehicle – Criminal Penalties**

3 FOR the purpose of repealing the term of imprisonment that may be imposed on a person
4 who operates or allows to be operated a motor vehicle that the person knows or has
5 reason to know is not covered by the required security; reducing the maximum fine
6 that may be imposed on a person for a first offense for operating or knowingly
7 allowing to be operated a motor vehicle that the person knows or has reason to know
8 is not covered by the required security; and generally relating to criminal penalties
9 for the operation of uninsured vehicles.

10 BY repealing and reenacting, with amendments,
11 Article – Transportation
12 Section 17–107
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2018 Supplement)

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

17 **Article – Transportation**

18 17–107.

19 (a) A person who knows or has reason to know that a motor vehicle is not covered
20 by the required security may not:

21 (1) Drive the vehicle; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) If the person is an owner of the vehicle, knowingly permit another
2 person to drive it.

3 (b) (1) In any prosecution under subsection (a) of this section for a vehicle that
4 is registered in the State, the introduction of the official records of the Motor Vehicle
5 Administration showing the absence of a record that the vehicle is covered by the security
6 required under § 17–104 of this subtitle shall be prima facie evidence that a person knows
7 or has reason to know that a motor vehicle is not covered by the required security.

8 (2) The introduction of evidence of the records of the Administration may
9 not limit the introduction of other evidence bearing upon whether the vehicle was covered
10 by the required security.

11 (c) An owner or lessee of any motor vehicle registered under Title 13 of this article
12 may not raise the defense of sovereign or governmental immunity as described under §
13 5–524 of the Courts and Judicial Proceedings Article.

14 (d) A person convicted of a violation of this section is subject to:

15 (1) For a first offense, [imprisonment not exceeding 1 year or] a fine not
16 exceeding [\$1,000 or both] **\$500**; and

17 (2) For a second or subsequent offense, [imprisonment not exceeding 2
18 years or] a fine not exceeding \$1,000 [or both].

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2019.