

# SENATE BILL 462

R7  
HB 347/16 – JUD

9lr2320

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By: **Senator Carter**

Introduced and read first time: February 4, 2019

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Driving Without a License or While License is Suspended –**  
3 **Penalties**

4 FOR the purpose of altering the maximum penalty for driving on a highway without a  
5 license; altering the maximum penalty for driving a motor vehicle while a person's  
6 license or privilege to drive is suspended under certain provisions of State law  
7 relating to nonpayment of child support, noncompliance with an order to attend a  
8 certain driver improvement program, lapse of required security, noncompliance with  
9 traffic citations, and nonpayment of fines; altering the maximum penalty for driving  
10 a motor vehicle while a person's license or privilege to drive is suspended by another  
11 state for failure to comply with a certain notice to appear in court or to pay a certain  
12 fine; and generally relating to penalties for driving without a license or while a  
13 person's license or privilege to drive is suspended.

14 BY repealing and reenacting, with amendments,  
15 Article – Transportation  
16 Section 16–101 and 16–303(k)  
17 Annotated Code of Maryland  
18 (2012 Replacement Volume and 2018 Supplement)

19 BY repealing and reenacting, without amendments,  
20 Article – Transportation  
21 Section 16–303(h) and (i)  
22 Annotated Code of Maryland  
23 (2012 Replacement Volume and 2018 Supplement)

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

26 **Article – Transportation**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 16–101.

2 (a) (1) An individual may not drive or attempt to drive a motor vehicle on any  
3 highway in this State unless:

4 (i) The individual holds a driver’s license issued under this title;

5 (ii) The individual is expressly exempt from the licensing  
6 requirements of this title; or

7 (iii) The individual otherwise is specifically authorized by this title to  
8 drive vehicles of the class that the individual is driving or attempting to drive.

9 (2) On portions of a highway in the State where driving an all–terrain  
10 vehicle or a snowmobile is authorized by this article, an individual may not drive or attempt  
11 to drive an all–terrain vehicle or a snowmobile on the highway unless:

12 (i) The individual holds a driver’s license issued under this title; or

13 (ii) The individual is expressly exempt from the licensing  
14 requirements of this title.

15 (b) Each individual operating on any highway in this State a moped, as defined  
16 in § 11–134.1 of this article or a motor scooter, as defined in § 11–134.5 of this article, shall  
17 have with the individual:

18 (1) A driver’s license issued to the individual under this title, which license  
19 may be of any class issued by the Administration;

20 (2) If the individual is a nonresident of this State, a license to drive issued  
21 to the individual by the state or country of the individual’s residence, which license may be  
22 for any class of vehicle; or

23 (3) A moped operator’s permit issued to the individual under this subtitle.

24 (c) A person convicted of a violation of this section is subject to:

25 (1) For a first offense, imprisonment not exceeding 60 days [or a fine not  
26 exceeding \$500 or both]; and

27 (2) For a second or subsequent offense, imprisonment not exceeding [1  
28 year] **60 DAYS** or a fine not exceeding \$500 or both.

29 16–303.

30 (h) A person may not drive a motor vehicle on any highway or on any property  
31 specified in § 21–101.1 of this article while the person’s license or privilege to drive is

1 suspended under § 16–203, § 16–206(a)(2) for failure to attend a driver improvement  
2 program, § 17–106, § 26–204, § 26–206, or § 27–103 of this article.

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

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

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

9 (2) A person may not drive a motor vehicle on any highway or on any  
10 property specified in § 21–101.1 of this article while the person’s license or privilege to drive  
11 is suspended under the traffic laws or regulations of any other state as described in  
12 paragraph (1) of this subsection.

13 (k) (1) Except as provided in paragraph (2) of this subsection, a person  
14 convicted of a violation of this section is subject to:

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

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

19 (2) A person convicted of a violation of subsection (h) or (i) of this section:

20 (i) Is subject to:

21 **1. FOR A FIRST OFFENSE, a fine not exceeding \$500; AND**

22 **2. FOR A SECOND OR SUBSEQUENT OFFENSE,**  
23 **IMPRISONMENT NOT EXCEEDING 60 DAYS OR A FINE NOT EXCEEDING \$500 OR BOTH;**

24 (ii) Must appear in court; and

25 (iii) May not prepay the fine.

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