

SB0114/108275/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 114  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Conviction**” insert “**and Subsequent Offender Penalties**”; in line 6, after “revoked;” insert “providing that a person is subject to a certain enhanced penalty for a subsequent conviction for driving while the person’s license or privilege to drive is canceled, suspended, refused, or revoked only in a certain circumstance; making a technical correction;”; in line 7, strike “expungement” and substitute “driving while privilege is canceled, suspended, refused, or revoked”; and after line 12, insert:

“BY repealing and reenacting, with amendments,

Article - Transportation

Section 16-303

Annotated Code of Maryland

(2020 Replacement Volume)”.

AMENDMENT NO. 2

On page 5, after line 16, insert:

**“Article – Transportation**

16–303.

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

(Over)

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

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

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

(e) A person may not drive a motor vehicle on any highway or on any property specified in § 21–101.1 of this article while the person’s license issued by any other state is canceled.

(f) A person may not drive a motor vehicle on any highway or on any property specified in § 21–101.1 of this article while the person’s license issued by any other state is suspended.

(g) A person may not drive a motor vehicle on any highway or on any property specified in § 21–101.1 of this article while the person’s license issued by any other state is revoked.

(h) A person may not drive a motor vehicle on any highway or on any property specified in § 21–101.1 of this article while the person’s license or privilege to drive is suspended under § 16–203, § 16–206(a)(2) for failure to attend a driver improvement program, § 17–106, § 26–204, § 26–206, or § 27–103 of this article.

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

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

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

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

(j) (1) Except as provided in paragraph (2) of this subsection, any individual who violates a provision of this section shall be assessed the points as provided for in § 16–402(a)(35) of this title.

(2) Any individual who violates a provision of subsection (h) or (i) of this section shall be assessed the points as provided for in § 16–402(a)(14) of this title.

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

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

(ii) For a second or subsequent offense **COMMITTED WITHIN 3 YEARS OF THE PRIOR CONVICTION**, imprisonment not exceeding 2 years or a fine not exceeding \$1,000 or both.

(2) **(I) A PERSON CHARGED WITH A VIOLATION OF SUBSECTION (H) OR (I) OF THIS SECTION:**

(Over)

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**1. MUST APPEAR IN COURT; AND**

**2. MAY NOT PREPAY THE FINE.**

**(II) A person convicted of a violation of subsection (h) or (i) of this section**]:

**(i) Is] IS subject to a fine not exceeding \$500**];

**(ii) Must appear in court; and**

**(iii) May not prepay the fine].”**