

SENATE BILL 20

R5

(PRE-FILED)

1r0766
CF HB 115

By: **Senator Carter**

Requested: September 28, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Canceled, Revoked, and Suspended Driver’s Licenses – Penalties**

3 FOR the purpose of altering certain penalties for a person who displays a canceled, revoked,
4 or suspended driver’s license; making a certain technical correction; and generally
5 relating to penalties for violations related to canceled, revoked, or suspended driver’s
6 licenses.

7 BY repealing and reenacting, without amendments,

8 Article – Transportation

9 Section 16–301(c), (d), (e), and (r)(1) and 16–303(h) and (i)

10 Annotated Code of Maryland

11 (2020 Replacement Volume)

12 BY repealing and reenacting, with amendments,

13 Article – Transportation

14 Section 16–301(r)(3), 16–303(k), and 16–402(a)(16) and (36)

15 Annotated Code of Maryland

16 (2020 Replacement Volume)

17 BY adding to

18 Article – Transportation

19 Section 16–402(a–1)

20 Annotated Code of Maryland

21 (2020 Replacement Volume)

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

24 **Article – Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 16-301.

2 (c) A person may not display or cause or permit to be displayed any canceled
3 license.

4 (d) A person may not display or cause or permit to be displayed any revoked
5 license.

6 (e) A person may not display or cause or permit to be displayed any suspended
7 license.

8 (r) (1) Except as provided in paragraphs (2) and (3) of this subsection, a person
9 convicted of a violation of this section is subject to imprisonment not exceeding 2 months
10 or a fine not exceeding \$500 or both.

11 (3) (I) A person convicted of a violation of subsection (C), (h), (i), or (j)
12 of this section is subject to a fine not exceeding \$500.

13 (II) **A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (D)**
14 **OR (E) OF THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$500, IF THE**
15 **UNDERLYING SUSPENSION OR REVOCATION WAS NOT IMPOSED UNDER:**

16 1. **§ 16-205 OF THIS TITLE FOR A VIOLATION OF § 21-902**
17 **OF THIS ARTICLE;**

18 2. **§ 16-205.1 OF THIS TITLE FOR REFUSAL TO SUBMIT**
19 **TO A TEST; OR**

20 3. **§ 16-404 OF THIS TITLE FOR AN ACCUMULATION OF**
21 **POINTS UNDER § 16-402(A)(29) OR (38) OF THIS TITLE.**

22 16-303.

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

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

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

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

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

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

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

9 (ii) For a second or subsequent offense, imprisonment not exceeding
10 2 years or a fine not exceeding \$1,000 or both.

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

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

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

15 (II) A person convicted of a violation of subsection (h) or (i) of this
16 section[:

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

18 (ii) Must appear in court; and

19 (iii) May not prepay the fine].

20 16-402.

21 (a) After the conviction of an individual for a violation of Title 2, Subtitle 5, §
22 2-209, § 3-211, or § 10-110 of the Criminal Law Article, or of the vehicle laws or regulations
23 of this State or of any local authority, points shall be assessed against the individual as of
24 the date of violation and as follows:

25 (16) A violation of § [16-301(h)] **16-301(C), (H), (i), [or] (j), OR, SUBJECT**
26 **TO SUBSECTION (A-1) OF THIS SECTION, (D) OR (E)** of this title 3 points

27 (36) Any violation of § 16-301(a) [through (g) or], **(B), (F), (G), (k) through**
28 **(q), OR, SUBJECT TO SUBSECTION (A-1) OF THIS SECTION, (D) OR (E), § 16-302, §**
29 **16-804, or § 16-808(a)(1) through (9) or (b) of this**
30 **title.....12 points**

1 **(A-1) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
2 **AN INDIVIDUAL WHO IS CONVICTED OF A VIOLATION OF § 16-301(D) OR (E) OF THIS**
3 **TITLE SHALL BE ASSESSED 3 POINTS UNDER SUBSECTION (A)(16) OF THIS SECTION.**

4 **(2) AN INDIVIDUAL WHO IS CONVICTED OF A VIOLATION OF §**
5 **16-301(D) OR (E) OF THIS TITLE SHALL BE ASSESSED 12 POINTS UNDER**
6 **SUBSECTION (A)(36) OF THIS SECTION IF THE UNDERLYING SUSPENSION OR**
7 **REVOCAION WAS IMPOSED UNDER:**

8 **(I) § 16-205 OF THIS TITLE FOR A VIOLATION OF § 21-902 OF**
9 **THIS ARTICLE;**

10 **(II) § 16-205.1 OF THIS TITLE FOR REFUSAL TO SUBMIT TO A**
11 **TEST; OR**

12 **(III) § 16-404 OF THIS SUBTITLE FOR AN ACCUMULATION OF**
13 **POINTS UNDER SUBSECTION (A)(29) OR (38) OF THIS SECTION.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2021.