

SENATE BILL 408

R5, R6

1lr1810
CF HB 178

By: **Senators Kramer and Zucker**

Introduced and read first time: January 15, 2021

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Reckless Driving, Speed Contests, Registration Plates, and Noise**
3 **Abatement – Penalties**

4 FOR the purpose of prohibiting a person from knowingly obscuring a registration plate for
5 the purpose of evading certain enforcement of the Maryland Vehicle Law, subject to
6 a certain penalty; altering the points assessments for certain motor vehicle violations
7 related to reckless driving or participation in a race or speed contest; establishing
8 that a person charged with reckless driving or violations related to participation in
9 a race or speed contest must appear in court and may not prepay the fine; altering
10 the penalty for a person convicted of certain violations related to participation in a
11 race or speed contest or motor vehicle noise abatement; authorizing the publisher of
12 the Annotated Code of Maryland to make certain corrections in a certain manner;
13 and generally relating to penalties for violations of the Maryland Vehicle Law.

14 BY renumbering

15 Article – Transportation
16 Section 16–402(a)(30) through (43), respectively
17 to be Section 16–402(a)(29) through (42), respectively
18 Annotated Code of Maryland
19 (2020 Replacement Volume)

20 BY repealing and reenacting, with amendments,

21 Article – Transportation
22 Section 13–411(c), 16–402(a)(22), (28), and (29), 21–901.1, 21–1116, and 22–609
23 Annotated Code of Maryland
24 (2020 Replacement Volume)

25 BY adding to

26 Article – Transportation
27 Section 16–402(a)(43) and (44)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2020 Replacement Volume)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
4 That Section(s) 16–402(a)(30) through (43), respectively, of Article – Transportation of the
5 Annotated Code of Maryland be renumbered to be Section(s) 16–402(a)(29) through (42),
6 respectively.

7 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
8 as follows:

9 **Article – Transportation**

10 13–411.

11 (c) (1) At all times, each registration plate shall be:

12 (i) Maintained free from foreign materials, including registration
13 plate covers as defined in § 13–411.1 of this subtitle, and in a condition to be clearly legible;
14 and

15 (ii) Securely fastened to the vehicle for which it is issued:

- 16 1. In a horizontal position;
- 17 2. In a manner that prevents the plate from swinging; and
- 18 3. In a place and position to be clearly visible.

19 (2) For a violation **UNDER PARAGRAPH (1) OF THIS SUBSECTION**
20 involving the placement of an object framing or bordering the edges of a registration plate,
21 a police officer may enforce this subsection only as a secondary action when the police officer
22 detains a driver of a motor vehicle for a suspected violation of another provision of the Code.

23 **(3) (I) A PERSON MAY NOT KNOWINGLY OBSCURE A REGISTRATION**
24 **PLATE FOR THE PURPOSE OF EVADING AUTOMATED ENFORCEMENT OF THE**
25 **MARYLAND VEHICLE LAW.**

26 **(II) A PERSON CONVICTED OF A VIOLATION OF THIS**
27 **PARAGRAPH IS SUBJECT TO A FINE OF \$500.**

28 16–402.

29 (a) After the conviction of an individual for a violation of Title 2, Subtitle 5, §
30 2–209, § 3–211, or § 10–110 of the Criminal Law Article, or of the vehicle laws or regulations

1 of this State or of any local authority, points shall be assessed against the individual as of
2 the date of violation and as follows:

3 (22) [Participating] **EXCEPT AS PROVIDED IN ITEM (44) OF THIS**
4 **SUBSECTION, PARTICIPATING** in a race or speed contest on a highway..... 5 points

5 (28) [Reckless driving..... 6 points

6 (29)] Driving while impaired by alcohol or while impaired by a drug,
7 combination of drugs, or a combination of one or more drugs and alcohol, or driving within
8 12 hours after arrest under § 21-902.1 of this article..... ..8 points

9 **(43) RECKLESS DRIVING12 POINTS**

10 **(44) PARTICIPATING IN A RACE OR SPEED CONTEST ON A HIGHWAY**
11 **RESULTING IN SERIOUS BODILY INJURY, AS DEFINED IN § 20-102(C) OF THIS**
12 **ARTICLE, TO ANOTHER PERSON.....12 POINTS**

13 21-901.1.

14 (a) A person is guilty of reckless driving if he drives a motor vehicle:

15 (1) In wanton or willful disregard for the safety of persons or property; or

16 (2) In a manner that indicates a wanton or willful disregard for the safety
17 of persons or property.

18 (b) A person is guilty of negligent driving if he drives a motor vehicle in a careless
19 or imprudent manner that endangers any property or the life or person of any individual.

20 (c) **A PERSON CHARGED WITH A VIOLATION OF THIS SECTION:**

21 **(1) MUST APPEAR IN COURT; AND**

22 **(2) MAY NOT PREPAY THE FINE.**

23 **(D)** A person convicted of a violation of subsection (a) of this section is subject to a
24 fine not exceeding \$1,000.

25 21-1116.

26 (a) Except as provided in § 21-1211 of this title, on any highway or on any private
27 property that is used by the public in general, a person may not drive a vehicle in a race or
28 speed contest, whether or not on a wager or for a prize or reward.

1 (b) Except as provided in § 21–1211 of this title, a person may not participate as
2 a timekeeper or flagman in any race or speed contest specified in subsection (a) of this
3 section.

4 (c) **A PERSON CHARGED WITH A VIOLATION OF THIS SECTION:**

5 (1) **MUST APPEAR IN COURT; AND**

6 (2) **MAY NOT PREPAY THE FINE.**

7 (D) (1) **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**
8 **PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT TO A FINE NOT**
9 **EXCEEDING \$1,000.**

10 (2) A person convicted of a violation of subsection (a) of this section that
11 results in serious bodily injury to another person, as defined in § 20–102(c) of this article,
12 is subject to imprisonment not exceeding 1 year or a fine not exceeding \$1,000 or both.

13 22–609.

14 (a) A person may not modify the exhaust system or any other noise abatement
15 device of a motor vehicle driven or to be driven on any highway in this State in such a way
16 that the noise emitted by the vehicle exceeds that emitted by the vehicle as originally
17 manufactured.

18 (b) A person may not drive on any highway in this State a motor vehicle with an
19 exhaust system or noise abatement device modified in a way prohibited by subsection (a) of
20 this section.

21 (C) **A PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT TO**
22 **A FINE OF \$200.**

23 SECTION 3. AND BE IT FURTHER ENACTED, That the publisher of the
24 Annotated Code of Maryland, in consultation with and subject to the approval of the
25 Department of Legislative Services, shall correct, with no further action required by the
26 General Assembly, cross–references and terminology rendered incorrect by this Act or by
27 any other Act of the General Assembly of 2021 that affects provisions enacted by this Act.
28 The publisher shall adequately describe such correction in an editor’s note following this
29 section affected.

30 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2021.