

Chapter 612

(House Bill 115)

AN ACT concerning

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

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

BY repealing and reenacting, without amendments,

Article – Transportation

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

Annotated Code of Maryland

(2020 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation

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

Annotated Code of Maryland

(2020 Replacement Volume)

~~BY adding to~~

~~Article – Transportation~~

~~Section 16–402(a–1)~~

~~Annotated Code of Maryland~~

~~(2020 Replacement Volume)~~

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

Article – Transportation

16–301.

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

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

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

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

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

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

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

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

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

16-303.

(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:

(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.

(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, 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:

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].

16-402.

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

(16) A violation of § [16-301(h)] **16-301(C), (D), (E), (H)**, (i), [or] **OR** (j), ~~OR, SUBJECT TO SUBSECTION (A-1) OF THIS SECTION, (D) OR (E)~~ of this title3 points

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

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

~~(2) AN INDIVIDUAL WHO IS CONVICTED OF A VIOLATION OF § 16-301(D) OR (E) OF THIS TITLE SHALL BE ASSESSED 12 POINTS UNDER~~

~~SUBSECTION (A)(36) OF THIS SECTION IF THE UNDERLYING SUSPENSION OR REVOCATION WAS IMPOSED UNDER:~~

~~(I) § 16 205 OF THIS TITLE FOR A VIOLATION OF § 21 902 OF THIS ARTICLE;~~

~~(II) § 16 205.1 OF THIS TITLE FOR REFUSAL TO SUBMIT TO A TEST; OR~~

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

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.