

HOUSE BILL 655

R5

2lr1139

By: **Delegate Boyce**

Introduced and read first time: January 31, 2022

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Driving Without Required Security – Repeal of Incarceration Penalties**

3 FOR the purpose of repealing certain incarceration penalties for the offenses of driving or
4 knowingly allowing to be driven a motor vehicle that is not covered by the required
5 security; and generally relating to penalties for the offense of driving without
6 required security.

7 BY repealing and reenacting, with amendments,
8 Article – Transportation
9 Section 17–107
10 Annotated Code of Maryland
11 (2020 Replacement Volume and 2021 Supplement)

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

14 **Article – Transportation**

15 17–107.

16 (a) A person who knows or has reason to know that a motor vehicle is not covered
17 by the required security may not:

18 (1) Drive the vehicle; or

19 (2) If the person is an owner of the vehicle, knowingly permit another
20 person to drive it.

21 (b) (1) In any prosecution under subsection (a) of this section for a vehicle that
22 is registered in the State, the introduction of the official records of the Motor Vehicle
23 Administration showing the absence of a record that the vehicle is covered by the security

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 required under § 17–104 of this subtitle shall be prima facie evidence that a person knows
2 or has reason to know that a motor vehicle is not covered by the required security.

3 (2) The introduction of evidence of the records of the Administration may
4 not limit the introduction of other evidence bearing upon whether the vehicle was covered
5 by the required security.

6 (c) An owner or lessee of any motor vehicle registered under Title 13 of this article
7 may not raise the defense of sovereign or governmental immunity as described under §
8 5–524 of the Courts and Judicial Proceedings Article.

9 (d) A person convicted of a violation of this section is subject to[:

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

12 (2) For a second or subsequent offense, imprisonment not exceeding 2 years
13 or] a fine not exceeding \$1,000 [or both].

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2022.