

HOUSE BILL 1296

R5
HB 699/21 – ENT

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By: **Delegate Jalisi**

Introduced and read first time: February 11, 2022

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Driver’s License and Insurance Offenses – Penalties**

3 FOR the purpose of altering and repealing certain penalties for certain motor vehicle
4 offenses related to driver’s licenses or the privilege to drive in the State; altering and
5 repealing certain penalties for driving, or knowingly allowing another person to
6 drive, under certain circumstances, a motor vehicle that is not covered by the
7 required security; and generally relating to penalties for motor vehicle offenses
8 related to driver’s licenses and insurance requirements.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 16–303 and 17–107
12 Annotated Code of Maryland
13 (2020 Replacement Volume and 2021 Supplement)

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

16 **Article – Transportation**

17 16–303.

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

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

24 (c) A person may not drive a motor vehicle on any highway or on any property

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 specified in § 21–101.1 of this article while the person’s license or privilege to drive is
2 suspended in this State.

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

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

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

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

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

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

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

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

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

29 (j) (1) Except as provided in paragraph (2) of this subsection, any individual
30 who violates a provision of this section shall be assessed the points as provided for in §
31 16–402(a)(35) of this title.

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

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

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

3 (ii) For a second or subsequent offense committed within 3 years of
4 the prior conviction, imprisonment not exceeding 2 years or] a fine not exceeding [\$1,000
5 or both] **\$50**.

6 (2) [(i)] A person charged with a violation of subsection (h) or (i) of this
7 section:

8 [1.] (I) Must appear in court; and

9 [2.] (II) May not prepay the fine.

10 [(ii) A person convicted of a violation of subsection (h) or (i) of this
11 section is subject to a fine not exceeding \$500.]

12 17–107.

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

15 (1) Drive the vehicle; or

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

18 (b) (1) In any prosecution under subsection (a) of this section for a vehicle that
19 is registered in the State, the introduction of the official records of the Motor Vehicle
20 Administration showing the absence of a record that the vehicle is covered by the security
21 required under § 17–104 of this subtitle shall be prima facie evidence that a person knows
22 or has reason to know that a motor vehicle is not covered by the required security.

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

26 (c) An owner or lessee of any motor vehicle registered under Title 13 of this article
27 may not raise the defense of sovereign or governmental immunity as described under §
28 5–524 of the Courts and Judicial Proceedings Article.

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

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

1 (2) For a second or subsequent offense, imprisonment not exceeding 2 years
2 or] a fine not exceeding [\$1,000 or both] **\$50**.

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