

SENATE BILL 612

R5

(2lr1348)

ENROLLED BILL

— Judicial Proceedings/Environment and Transportation and Judiciary —

Introduced by **Senator Beidle**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Street Racing and, and Exhibition Driving, and Noise Abatement – Prohibited**
3 **Acts and, Enforcement, and Penalties**

4 FOR the purpose of altering certain penalties and the points assessments for certain motor
5 vehicle violations related to participation in a race or speed contest; prohibiting a
6 person from engaging in exhibition driving on any highway or private property that
7 is used for driving by the public; ~~prohibiting a person from attending as a spectator~~
8 ~~certain race or speed contests or any engagement of exhibition driving;~~ authorizing
9 the towing and impounding of a vehicle involved in certain motor vehicle violations
10 related to participation in a race or speed contest or engaging in exhibition driving;
11 ~~altering the penalty for certain violations relating to modifying a noise abatement~~
12 ~~device of a motor vehicle;~~ and generally relating to prohibited acts and penalties
13 related to participation in a race or speed contest ~~or,~~ or engaging in exhibition
14 driving, ~~or motor vehicle noise abatement.~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing

2 Article – Transportation

3 Section 16–402(a)(22)

4 Annotated Code of Maryland

5 (2020 Replacement Volume and 2021 Supplement)

6 BY renumbering

7 Article – Transportation

8 Section 16–402(a)(23) through (33) and (34) through (43) and 21–101(k) through (z),

9 respectively

10 to be Section 16–402(a)(22) through (32) and (35) through (44) and 21–101(l) through

11 (aa), respectively

12 Annotated Code of Maryland

13 (2020 Replacement Volume and 2021 Supplement)

14 BY adding to

15 Article – Transportation

16 Section 16–402(a)(33), (34), (45), and (46), 21–101(k), and 21–1116.1

17 Annotated Code of Maryland

18 (2020 Replacement Volume and 2021 Supplement)

19 BY repealing and reenacting, without amendments,

20 Article – Transportation

21 Section 21–101(a)

22 Annotated Code of Maryland

23 (2020 Replacement Volume and 2021 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – Transportation

26 Section 21–1116 ~~and~~, *and* 21–1132(a), ~~and 22–609~~

27 Annotated Code of Maryland

28 (2020 Replacement Volume and 2021 Supplement)

29 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

30 That Section(s) 16–402(a)(22) of Article – Transportation of the Annotated Code of

31 Maryland be repealed.

32 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 16–402(a)(23)

33 through (33) and (34) through (43) and 21–101(k) through (z), respectively, of Article –

34 Transportation of the Annotated Code of Maryland be renumbered to be Section(s)

35 16–402(a)(22) through (32) and (35) through (44) and 21–101(l) through (aa), respectively.

36 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read

37 as follows:

38 **Article – Transportation**

1 16-402.

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

6 (33) EXCEPT AS PROVIDED IN ITEM (45) OF THIS SUBSECTION,
7 PARTICIPATING IN A RACE OR SPEED CONTEST ON A HIGHWAY.....8 POINTS

8 (34) EXCEPT AS PROVIDED IN ITEM (46) OF THIS SUBSECTION,
9 ENGAGING IN EXHIBITION DRIVING ON A HIGHWAY.....8 POINTS

10 (45) 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, OR DEATH TO ANOTHER PERSON.....12 POINTS

13 (46) ENGAGING IN EXHIBITION DRIVING ON A HIGHWAY RESULTING IN
14 SERIOUS BODILY INJURY, AS DEFINED IN § 20-102(C) OF THIS ARTICLE, OR DEATH
15 TO ANOTHER PERSON.....12 POINTS

16 21-101.

17 (a) In this title and Title 25 of this article the following words have the meanings
18 indicated.

19 (K) "EXHIBITION DRIVING" MEANS:

20 ~~(1) THE OPERATION OF A MOTOR VEHICLE IN A MANNER THAT~~
21 ~~RESULTS IN:~~

22 (1) THE OPERATION OF TWO OR MORE MOTOR VEHICLES IN A
23 RECKLESS MANNER THAT RESULTS IN TWO OR MORE OF THE FOLLOWING:

24 (I) THE EXCESSIVE, ABRUPT ACCELERATION OR
25 DECELERATION OF THE MOTOR VEHICLE;

26 (II) THE SKIDDING, SQUEALING, BURNING, OR SMOKING OF THE
27 TIRES OF THE MOTOR VEHICLE;

28 (III) THE SWERVING OR SWAYING OF THE MOTOR VEHICLE FROM
29 SIDE TO SIDE WHILE SKIDDING;

30 (IV) THE ENGINE OF THE MOTOR VEHICLE PRODUCING AN
31 UNREASONABLY LOUD, RAUCOUS, OR DISTURBING NOISE;

1 (V) THE GRINDING OF THE GEARS OF THE MOTOR VEHICLE OR
2 THE BACKFIRING OF THE ENGINE OF THE MOTOR VEHICLE; OR

3 (VI) ANY OF THE WHEELS OF THE MOTOR VEHICLE LOSING
4 CONTACT WITH THE GROUND; OR

5 (2) THE TRANSPORTATION OF A PASSENGER ON OR IN AN AREA OF A
6 MOTOR VEHICLE THAT IS NOT DESIGNED OR INTENDED FOR PASSENGER
7 TRANSPORT, SUCH AS THE HOOD OR ROOF.

8 21-1116.

9 (a) (1) Except as provided in § 21-1211 of this title, on any highway or on any
10 private property that is used by the public in general, a person may not drive a vehicle in a
11 race or speed contest, whether or not on a wager or for a prize or reward.

12 [(b)] (2) Except as provided in § 21-1211 of this title, a person may not
13 participate as a timekeeper or flagman in any race or speed contest specified in [subsection
14 (a) of this section] PARAGRAPH (1) OF THIS SUBSECTION.

15 ~~(3) EXCEPT AS PROVIDED IN § 21-1211 OF THIS TITLE, A PERSON MAY~~
16 ~~NOT ATTEND ANY RACE OR SPEED CONTEST SPECIFIED IN PARAGRAPH (1) OF THIS~~
17 ~~SUBSECTION AS A SPECTATOR.~~

18 (B) A POLICE OFFICER MAY ORDER THE TOWING AND IMPOUNDING OF A
19 VEHICLE THAT IS THE SUBJECT OF A VIOLATION OF SUBSECTION (A)(1) OF THIS
20 SECTION.

21 (C) (1) (I) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
22 SUBSECTION, A PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT
23 TO ~~IMPRISONMENT NOT EXCEEDING 60 DAYS OR A FINE NOT EXCEEDING \$1,000 OR~~
24 ~~BOTH.~~

25 (II) A PERSON CHARGED UNDER THIS PARAGRAPH WITH A
26 VIOLATION OF THIS SECTION:

27 1. MUST APPEAR IN COURT; AND

28 2. MAY NOT PREPAY THE FINE.

29 [(c)] (2) A person convicted of a violation of subsection [(a)] (A)(1) of this section
30 that results in serious bodily injury [to another person], as defined in § 20-102(c) of this

1 article, **TO, OR THE DEATH OF, ANOTHER PERSON** is subject to imprisonment not
2 exceeding 1 year or a fine not exceeding \$1,000 or both.

3 **21-1116.1.**

4 (A) ~~(1)~~ **ON ANY HIGHWAY OR ON ANY PRIVATE PROPERTY THAT IS USED**
5 **FOR DRIVING BY THE PUBLIC IN GENERAL, A PERSON MAY NOT ENGAGE IN**
6 **EXHIBITION DRIVING.**

7 ~~(2) A PERSON MAY NOT ATTEND ANY ENGAGEMENT OF EXHIBITION~~
8 ~~DRIVING AS A SPECTATOR.~~

9 (B) **A POLICE OFFICER MAY ORDER THE TOWING AND IMPOUNDING OF A**
10 **VEHICLE THAT IS THE SUBJECT OF A VIOLATION ~~OF SUBSECTION (A)(1)~~ OF THIS**
11 **SECTION.**

12 (C) (1) (I) **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
13 **SUBSECTION, A PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT**
14 **TO ~~IMPRISONMENT NOT EXCEEDING 60 DAYS OR~~ A FINE NOT EXCEEDING \$1,000 ~~OR~~**
15 **BOTH.**

16 (II) A PERSON CHARGED UNDER THIS PARAGRAPH WITH A
17 VIOLATION OF THIS SECTION:

18 1. MUST APPEAR IN COURT; AND

19 2. MAY NOT PREPAY THE FINE.

20 (2) **A PERSON CONVICTED OF A VIOLATION ~~OF SUBSECTION (A)(1)~~ OF**
21 **THIS SECTION THAT RESULTS IN SERIOUS BODILY INJURY, AS DEFINED IN §**
22 **20-102(C) OF THIS ARTICLE, TO, OR THE DEATH OF, ANOTHER PERSON IS SUBJECT**
23 **TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR**
24 **BOTH.**

25 **21-1132.**

26 (a) (1) In this section the following words have the meanings indicated.

27 (2) ["Exhibition driving" means:

28 (i) The operation of a motor vehicle in a manner that results in:

29 1. The excessive, abrupt acceleration or deceleration of the
30 motor vehicle;

1 2. The skidding, squealing, burning, or smoking of the tires
2 of the motor vehicle;

3 3. The swerving or swaying of the motor vehicle from side to
4 side while skidding;

5 4. The engine of the motor vehicle producing an
6 unreasonably loud, raucous, or disturbing noise;

7 5. The grinding of the gears of the motor vehicle or the
8 backfiring of the engine of the motor vehicle; or

9 6. Any of the wheels of the motor vehicle losing contact with
10 the ground; or

11 (ii) The transportation of a passenger on or in an area of a motor
12 vehicle that is not designed or intended for passenger transport such as the hood or roof.

13 (3)] “Special event” means any automotive or motor vehicle event occurring
14 on or in close proximity to a highway that:

15 (i) Has been permitted or approved by a unit of local government; or

16 (ii) Is expected to have 1,000 or more individuals in attendance,
17 regardless of whether the event has been permitted or approved by a unit of local
18 government.

19 [(4)] (3) (i) “Special event zone” means an area on or along a highway
20 that is marked by appropriate warning signs or other traffic control devices designating the
21 area as a special event zone, indicating that a special event is in progress, and stating that
22 a person who violates this section is subject to arrest.

23 (ii) “Special event zone” includes a parking structure, a parking lot,
24 a street, or any other property, private or public, immediately adjacent to the marked area
25 on or along the marked area.

26 ~~22-609.~~

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

31 ~~(B) A PERSON MAY NOT VIOLATE SUBSECTION (A) OF THIS SECTION BY
32 MODIFYING THE EXHAUST SYSTEM OR ANY OTHER NOISE ABATEMENT DEVICE OF A
33 MOTOR VEHICLE IN SUCH A WAY THAT THE NOISE EMITTED BY THE VEHICLE~~

1 ~~EXCEEDS ANY LOCAL LAW LIMITING NOISE LEVELS IN THE LOCAL JURISDICTION IN~~
2 ~~WHICH THE MODIFICATION OCCURRED SOUND LEVEL LIMITS ESTABLISHED BY THE~~
3 ~~ADMINISTRATOR UNDER § 22-601 OF THIS SUBTITLE.~~

4 ~~(b)(C) A person may not drive on any highway in this State a motor vehicle~~
5 ~~with an exhaust system or noise abatement device modified in a way prohibited by~~
6 ~~subsection (a) OR (B) of this section.~~

7 ~~(D) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B) OF THIS~~
8 ~~SECTION IS SUBJECT TO A FINE OF \$200.~~

9 SECTION 4. AND BE IT FURTHER ENACTED, That the publisher of the
10 Annotated Code of Maryland, in consultation with and subject to the approval of the
11 Department of Legislative Services, shall correct, with no further action required by the
12 General Assembly, cross-references and terminology rendered incorrect by this Act. The
13 publisher shall adequately describe any correction that is made in an editor’s note following
14 the section affected.

15 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect June
16 1, 2022.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.