SENATE BILL 612

ENROLLED BILL
— Judicial Proceedings/Environment and Transportation and Judiciary —

Introduced by Senator Beidle

Read and Examined by Proofreaders:

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Proofreader.

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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
   Acts and, Enforcement, and Penalties

3 FOR the purpose of altering certain penalties and the points assessments for certain motor
   vehicle violations related to participation in a race or speed contest; prohibiting a
   person from engaging in exhibition driving on any highway or private property that
   is used for driving by the public; prohibiting a person from attending as a spectator
   certain race or speed contests or any engagement of exhibition driving; authorizing
   the towing and impounding of a vehicle involved in certain motor vehicle violations
   related to participation in a race or speed contest or engaging in exhibition driving;
   altering the penalty for certain violations relating to modifying a noise abatement
   device of a motor vehicle; and generally relating to prohibited acts and penalties
   related to participation in a race or speed contest or engaging in exhibition
   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.
BY repealing
   Article – Transportation
   Section 16–402(a)(22)
   Annotated Code of Maryland
   (2020 Replacement Volume and 2021 Supplement)

BY renumbering
   Article – Transportation
   Section 16–402(a)(23) through (33) and (34) through (43) and 21–101(k) through (z),
   respectively
to be Section 16–402(a)(22) through (32) and (35) through (44) and 21–101(l) through
   (aa), respectively
   Annotated Code of Maryland
   (2020 Replacement Volume and 2021 Supplement)

BY adding to
   Article – Transportation
   Section 16–402(a)(33), (34), (45), and (46), 21–101(k), and 21–1116.1
   Annotated Code of Maryland
   (2020 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
   Article – Transportation
   Section 21–101(a)
   Annotated Code of Maryland
   (2020 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
   Article – Transportation
   Section 21–1116 and, and 21–1132(a), and 22–609
   Annotated Code of Maryland
   (2020 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That Section(s) 16–402(a)(22) of Article – Transportation of the Annotated Code of
Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 16–402(a)(23)
through (33) and (34) through (43) and 21–101(k) through (z), respectively, of Article –
Transportation of the Annotated Code of Maryland be renumbered to be Section(s)
16–402(a)(22) through (32) and (35) through (44) and 21–101(l) through (aa), respectively.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
as follows:

Article – Transportation
(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:

(33) Except as provided in item (45) of this subsection, participating in a race or speed contest on a highway ................ 8 POINTS

(34) Except as provided in item (46) of this subsection, engaging in exhibition driving on a highway ..................... 8 POINTS

(45) Participating in a race or speed contest on a highway resulting in serious bodily injury, as defined in § 20–102(c) of this article, or death to another person ................................................. 12 POINTS

(46) Engaging in exhibition driving on a highway resulting in serious bodily injury, as defined in § 20–102(c) of this article, or death to another person ................................................................. 12 POINTS

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

(K) “Exhibition driving” means:

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

(1) The operation of two or more motor vehicles in a reckless manner that results in two or more of the following:

(1) The excessive, abrupt acceleration or deceleration of the motor vehicle;

(II) The skidding, squealing, burning, or smoking of the tires of the motor vehicle;

(III) The swerving or swaying of the motor vehicle from side to side while skidding;

(IV) The engine of the motor vehicle producing an unreasonably loud, raucous, or disturbing noise;
(v) The grinding of the gears of the motor vehicle or the backfiring of the engine of the motor vehicle; or

(vi) Any of the wheels of the motor vehicle losing contact with the ground; or

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

21–1116.

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

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

(c) (3) Except as provided in § 21–1211 of this title, a person may not attend any race or speed contest specified in paragraph (1) of this subsection as a spectator.

(B) A police officer may order the towing and impounding of a vehicle that is the subject of a violation of subsection (a)(1) of this section.

(C) (1) (I) Except as provided in paragraph (2) of this subsection, a person convicted of a violation of this section is subject to imprisonment not exceeding 60 days or a fine not exceeding $1,000 or both.

(ii) A person charged under this paragraph with a violation of this section:

1. Must appear in court; and

2. May not prepay the fine.

(c) (2) A person convicted of a violation of subsection [(a)] (A)(1) of this section that results in serious bodily injury [to another person], as defined in § 20–102(c) of this
article, TO, OR THE DEATH OF, ANOTHER PERSON is subject to imprisonment not exceeding 1 year or a fine not exceeding $1,000 or both.

21–1161.

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

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

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

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

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

1. MUST APPEAR IN COURT; AND

2. MAY NOT PREPAY THE FINE.

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

21–1132.

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

(2) [“Exhibition driving” means:

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

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

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

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

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

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

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

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

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

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

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

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

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22–609.

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

(b) A person may not violate subsection (a) of this section by
24. modifying the exhaust system or any other noise abatement device of a
25. motor vehicle in such a way that the noise emitted by the vehicle
26. exceeds that emitted by the vehicle as originally manufactured.
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EXCEEDS ANY LOCAL LAW LIMITING NOISE LEVELS IN THE LOCAL JURISDICTION IN WHICH THE MODIFICATION OCCURRED SOUND LEVEL LIMITS ESTABLISHED BY THE ADMINISTRATOR UNDER § 22–601 OF THIS SUBTITLE.

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

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

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.