

SENATE BILL 612

R5

2lr1348

By: **Senator Beidle**

Introduced and read first time: February 2, 2022

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Street Racing and Exhibition Driving – Prohibited Acts and Enforcement**

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

12 BY repealing

13 Article – Transportation

14 Section 16–402(a)(22)

15 Annotated Code of Maryland

16 (2020 Replacement Volume and 2021 Supplement)

17 BY renumbering

18 Article – Transportation

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

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

23 Annotated Code of Maryland

24 (2020 Replacement Volume and 2021 Supplement)

25 BY adding to

26 Article – Transportation

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

28 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2020 Replacement Volume and 2021 Supplement)

2 BY repealing and reenacting, without amendments,
3 Article – Transportation
4 Section 21–101(a)
5 Annotated Code of Maryland
6 (2020 Replacement Volume and 2021 Supplement)

7 BY repealing and reenacting, with amendments,
8 Article – Transportation
9 Section 21–1116 and 21–1132(a)
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 Section(s) 16–402(a)(22) of Article – Transportation of the Annotated Code of
14 Maryland be repealed.

15 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 16–402(a)(23)
16 through (33) and (34) through (43), and 21–101(k) through (z), respectively, of Article –
17 Transportation of the Annotated Code of Maryland be renumbered to be Section(s)
18 16–402(a)(22) through (32) and (35) through (44) and 21–101(l) through (aa), respectively.

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

21 **Article – Transportation**

22 16–402.

23 (a) After the conviction of an individual for a violation of Title 2, Subtitle 5, §
24 2–209, § 3–211, or § 10–110 of the Criminal Law Article, or of the vehicle laws or regulations
25 of this State or of any local authority, points shall be assessed against the individual as of
26 the date of violation and as follows:

27 **(33) EXCEPT AS PROVIDED IN ITEM (45) OF THIS SUBSECTION,**
28 **PARTICIPATING IN A RACE OR SPEED CONTEST ON A HIGHWAY 8 POINTS**

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

31 **(45) PARTICIPATING IN A RACE OR SPEED CONTEST ON A HIGHWAY**
32 **RESULTING IN SERIOUS BODILY INJURY, AS DEFINED IN § 20–102(C) OF THIS**
33 **ARTICLE, OR DEATH TO ANOTHER PERSON 12 POINTS**

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

4 21-101.

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

7 (K) "EXHIBITION DRIVING" MEANS:

8 (1) THE OPERATION OF A MOTOR VEHICLE IN A MANNER THAT
9 RESULTS IN:

10 (I) THE EXCESSIVE, ABRUPT ACCELERATION OR
11 DECELERATION OF THE MOTOR VEHICLE;

12 (II) THE SKIDDING, SQUEALING, BURNING, OR SMOKING OF THE
13 TIRES OF THE MOTOR VEHICLE;

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

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

18 (V) THE GRINDING OF THE GEARS OF THE MOTOR VEHICLE OR
19 THE BACKFIRING OF THE ENGINE OF THE MOTOR VEHICLE; OR

20 (VI) ANY OF THE WHEELS OF THE MOTOR VEHICLE LOSING
21 CONTACT WITH THE GROUND; OR

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

25 21-1116.

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

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

4 **(3) EXCEPT AS PROVIDED IN § 21–1211 OF THIS TITLE, A PERSON MAY**
5 **NOT ATTEND ANY RACE OR SPEED CONTEST SPECIFIED IN PARAGRAPH (1) OF THIS**
6 **SUBSECTION AS A SPECTATOR.**

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

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

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

18 **21–1116.1.**

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

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

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

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

31 **(2) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (A)(1) OF**
32 **THIS SECTION THAT RESULTS IN SERIOUS BODILY INJURY, AS DEFINED IN §**
33 **20–102(C) OF THIS ARTICLE, TO, OR THE DEATH OF, ANOTHER PERSON IS SUBJECT**

1 TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR
2 BOTH.

3 21-1132.

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

5 (2) ["Exhibition driving" means:

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

7 1. The excessive, abrupt acceleration or deceleration of the
8 motor vehicle;

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

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

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

15 5. The grinding of the gears of the motor vehicle or the
16 backfiring of the engine of the motor vehicle; or

17 6. Any of the wheels of the motor vehicle losing contact with
18 the ground; or

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

21 (3) "Special event" means any automotive or motor vehicle event occurring
22 on or in close proximity to a highway that:

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

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

27 [(4)] (3) (i) "Special event zone" means an area on or along a highway
28 that is marked by appropriate warning signs or other traffic control devices designating the
29 area as a special event zone, indicating that a special event is in progress, and stating that
30 a person who violates this section is subject to arrest.

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

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

10 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect June
11 1, 2022.