

# SENATE BILL 940

R5

4r3195  
CF 4r3196

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By: **Senator King**

Introduced and read first time: February 2, 2024

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Allowing Unauthorized Use of a Motor Vehicle and Reckless,**  
3 **Negligent, and Aggressive Driving**

4 FOR the purpose of altering the penalties for the offenses of allowing the unauthorized use  
5 of a motor vehicle and reckless, negligent, and aggressive driving; adding certain  
6 motor vehicle offenses as elements that may contribute to charges for reckless or  
7 aggressive driving; and generally relating to motor vehicle offenses.

8 BY repealing and reenacting, with amendments,

9 Article – Transportation

10 Section 16–305, 21–901.1, and 21–901.2

11 Annotated Code of Maryland

12 (2020 Replacement Volume and 2023 Supplement)

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

14 That the Laws of Maryland read as follows:

15 **Article – Transportation**

16 16–305.

17 (a) A person may not knowingly permit a motor vehicle owned by him to be driven  
18 on any highway by any person:

19 (1) If the person is not authorized by this title to drive; or

20 (2) Otherwise in violation of any of the provisions of this title.

21 (b) A person may not knowingly permit a motor vehicle under the person’s control  
22 to be driven on any highway by any person:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) If the person is not authorized by this title to drive; or

2 (2) Otherwise in violation of any of the provisions of this title.

3 (C) **A PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT TO**  
4 **A FINE NOT EXCEEDING \$1,000.**

5 21-901.1.

6 (a) A person is guilty of reckless driving if [he] **THE PERSON** drives a motor  
7 vehicle:

8 (1) In wanton or willful disregard for the safety of persons or property; [or]

9 (2) In a manner that indicates a wanton or willful disregard for the safety  
10 of persons or property; **OR**

11 **(3) AT A SPEED EXCEEDING 90 MILES PER HOUR.**

12 (b) A person is guilty of negligent driving if [he] **THE PERSON** drives a motor  
13 vehicle in a careless or imprudent manner that endangers any property or the life or person  
14 of any individual.

15 (c) **(1)** A person convicted of a violation of subsection (a) of this section is  
16 subject to **IMPRISONMENT NOT EXCEEDING 1 YEAR OR** a fine not exceeding **[\$1,000]**  
17 **\$5,000 OR BOTH.**

18 **(2) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B) OF**  
19 **THIS SECTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 MONTHS OR A FINE**  
20 **NOT EXCEEDING \$3,000 OR BOTH.**

21 21-901.2.

22 (A) A person is guilty of aggressive driving if the person commits three or more of  
23 the following offenses at the same time or during a single and continuous period of driving  
24 in violation of:

25 (1) **§ 21-201 OF THIS TITLE (FAILURE TO OBEY TRAFFIC CONTROL**  
26 **DEVICE OR LEAVING ROADWAY TO AVOID TRAFFIC CONTROL DEVICE);**

27 **(2)** § 21-202 of this title (Traffic lights with steady indication);

28 **[(2)] (3)** § 21-303 of this title (Overtaking and passing vehicles);

29 **[(3)] (4)** § 21-304 of this title (Passing on right);

1           **(5) § 21-305 OF THIS TITLE (DRIVING LEFT OF CENTER OF ROADWAY**  
2 **IN OVERTAKING AND PASSING VEHICLE);**

3           **(6) § 21-307 OF THIS TITLE (DRIVING ON LEFT IN NO-PASSING ZONE);**

4           **[(4)] (7) § 21-309 of this title (Driving on laned roadways);**

5           **[(5)] (8) § 21-310 of this title (Following too closely);**

6           **[(6)] (9) § 21-403 of this title (Failure to yield right-of-way); [or]**

7           **(10) § 21-502(A)(2) OF THIS TITLE (FAILURE TO STOP FOR**  
8 **PEDESTRIAN IN CROSSWALK);**

9           **(11) § 21-502(C) OF THIS TITLE (OVERTAKING AND PASSING VEHICLE**  
10 **STOPPED FOR PEDESTRIAN IN CROSSWALK);**

11           **(12) § 21-706 OF THIS TITLE (OVERTAKING AND PASSING SCHOOL**  
12 **VEHICLE STOPPED AND OPERATING ALTERNATELY FLASHING RED LIGHTS);**

13           **(13) § 21-707 OF THIS TITLE (STOP SIGNS AND YIELD SIGNS);**

14           **[(7)] (14) § 21-801.1 of this title (Exceeding [a] maximum speed limit or**  
15 **posted maximum speed limit);**

16           **(15) § 21-1117 OF THIS TITLE (SKIDDING, SPINNING WHEELS, AND**  
17 **EXCESSIVE NOISE);**

18           **(16) § 21-1131 OF THIS TITLE (DISCHARGING DIESEL EMISSIONS ONTO**  
19 **ANOTHER);**

20           **(17) § 21-1209(A) OF THIS TITLE (AVOIDING COLLISION AND**  
21 **OVERTAKING AND PASSING BICYCLE, EPAMD, OR MOTOR SCOOTER);**

22           **(18) § 21-1303(C) OF THIS TITLE (MOTORCYCLE OVERTAKING AND**  
23 **PASSING IN SAME LANE AS ANOTHER VEHICLE); OR**

24           **(19) § 21-1303(D) OF THIS TITLE (MOTORCYCLE OPERATING**  
25 **BETWEEN LANES OF TRAFFIC OR VEHICLES).**

26           **(B) A PERSON IS GUILTY OF AGGRESSIVE DRIVING IF THE PERSON COMMITS**  
27 **TWO OR MORE OF THE OFFENSES ENUMERATED IN SUBSECTION (A) OF THIS**  
28 **SECTION AT THE SAME TIME OR DURING A SINGLE AND CONTINUOUS PERIOD OF**

1 **DRIVING IN A HIGHWAY WORK ZONE, AS DEFINED IN § 21-802.1 OF THIS TITLE, OR A**  
2 **SCHOOL ZONE, AS DEFINED IN § 21-809 OF THIS TITLE.**

3 **(C) A PERSON CHARGED WITH A FIRST OFFENSE FOR A VIOLATION OF THIS**  
4 **SECTION:**

5 **(1) MUST APPEAR IN COURT; AND**

6 **(2) MAY NOT PREPAY THE FINE.**

7 **(D) A PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT**  
8 **TO:**

9 **(1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$1,000;**

10 **(2) FOR A SECOND OFFENSE, IMPRISONMENT NOT EXCEEDING 2**  
11 **MONTHS OR A FINE NOT EXCEEDING \$2,000 OR BOTH; AND**

12 **(3) FOR A THIRD OR SUBSEQUENT OFFENSE, IMPRISONMENT NOT**  
13 **EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$3,000 OR BOTH.**

14 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
15 **October 1, 2024.**