

# **HB206 - Vehicle Laws and Permits - Prohibited Acts**

Uploaded by: Doyle Niemann

Position: FAV



St., Baltimore, MD 21201  
800-492-1964  
| tdd 410-539-3186

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**To:** Members of The House Environment and Transportation Committee

**From:** Doyle Niemann, Chair, Legislative Committee, Criminal Law and Practice Section

**Date:** January 28, 2022

**Subject:** **HB206 – Vehicle Laws – Licenses and Permits – Prohibited Acts**

**Position:** **Support**

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The Legislative Committee of the Criminal Law & Practice Section of the Maryland State Bar Association (MSBA) **Supports HB206 – Vehicle Laws – Licenses and Permits – Prohibited Acts.**

This bill removes an overly broad provision in the current statute that has led to confusion and abuse.

That provision encompasses any action or failure to act forbidden by any other section of the Transportation Article. Almost by definition, it duplicates other parts of the code, each of which carries its own penalty. Its inclusion here, however, in Section 16-301 can leave someone who commits some other action facing a more severe penalty, including the imposition of 12 points, an amount that can imperil their license status.

We believe that statutes should be clear and well-defined. The current statute does not satisfy this test.

For the reasons stated, we **Support HB206.**

If you have questions about the position of the Criminal Law and Practice Section's Legislative Committee, please feel free to address them to me at 240-606-1298 or at [doyleniemann@verizon.net](mailto:doyleniemann@verizon.net).

**MOPD Statement of Support HB 206.pdf**

Uploaded by: Elizabeth Hilliard

Position: FAV



**PAUL DeWOLFE**  
PUBLIC DEFENDER

**KEITH LOTRIDGE**  
DEPUTY PUBLIC DEFENDER

**MELISSA ROTHSTEIN**  
DIRECTOR OF POLICY AND DEVELOPMENT

**KRYSTAL WILLIAMS**  
DIRECTOR OF GOVERNMENT RELATIONS DIVISION

**ELIZABETH HILLIARD**  
ASSISTANT DIRECTOR OF GOVERNMENT RELATIONS DIVISION

## **POSITION ON PROPOSED LEGISLATION**

**BILL: HB 0206 - Criminal Law – Vehicle Laws – Licenses and Permits – Prohibited Acts**

**FROM: Maryland Office of the Public Defender**

**POSITION: Favorable**

**DATE: 02/01/2022**

The Maryland Office of the Public Defender respectfully requests that the Judiciary Committee issue a favorable report on House Bill 206. This bill removes an overly broad provision in the current statute that has led to confusion and abuse.

That provision encompasses any action or failure to act forbidden by any other section of the Transportation Article. Almost by definition, it duplicates other parts of the code, each of which carries its own penalty. Its inclusion here, however, in Section 16-301 can leave someone who commits some other action facing a more severe penalty, including the imposition of 12 points, an amount that can imperil their license status.

The Maryland Office of the Public Defender appreciates and supports efforts that will better define and clarify Maryland's traffic laws. House bill 206 does that.

**For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on HB206.**

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**Submitted by: Government Relations Division of the Maryland Office of the Public Defender.**