



State of Maryland
Department of State Police
Government Affairs Section
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

DATE: January 31, 2023

BILL NUMBER: Senate Bill 147 **Position:** Support

BILL TITLE: Street Racing and Exhibition Driving – Prohibited Acts, Enforcement, and Penalties

REVIEW AND ANALYSIS:

This legislation seeks to prohibit a person from engaging in exhibition driving on any highway or private property that is designated for use by the public. This legislation authorizes the towing and impounding of a vehicle participating in a race, speed contest, or exhibition driving and increases the penalties.

The Maryland General Assembly enacted similar legislation in 2019 specific to Ocean City, Maryland in an effort to reduce the dangerous and unlawful operation of motor vehicles during unsanctioned events within the town. The most famous is the H2O event. Ocean City historically has three unsanctioned car events throughout the year. With funding from the Maryland Highway Safety Office and partnerships with the Department of State Police and the Worcester County Sheriff's Office, the Ocean City Police Department has made a combined effort to reduce the illegal activities of these events and maintain vehicle and pedestrian safety in the town.

Armed with the new law, focusing law enforcement resources and using public safety announcements, Ocean City has achieved successful results. In 2017, prior to the law being enacted, OCPD conducted 945 traffic stops, investigated 74 crashes and made 169 arrests. In 2021, OCPD conducted 1,772 traffic stops, investigated 36 crashes and made 242 arrests. While the number of traffic stops and arrest increased over 2017, it is clear the new law allowed for targeted enforcement and a reduction of crashes. This targeted enforcement has identified and removed 54 impaired drivers and led to the arrest of 58 people for weapons violations.

Senate Bill 147 will allow for other jurisdictions throughout the State to use the same law and tools to make their roadways safer. Currently, law enforcement can only issue citations for these types of driving behaviors. The driver is released from the traffic stop and may continue their reckless driving. With the passage of this bill, law enforcement will be able to impound and tow the vehicle. This not only prohibits the driver from continuing to drive in this reckless manner, but also acts as a deterrent to driving in this manner in the future. In jurisdictions throughout the State, there have been countless examples of speed contests and exhibition driving resulting in the death of either participants or spectators. The Maryland General Assembly has allowed for the use of speed monitoring cameras in areas known to have such violations, and this legislation will add another tool for law enforcement and local government to ensure the safety of all persons within the State.

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Last year's legislation was vetoed because the definition of exhibition driving was changed to require two or more motor vehicles thereby negatively impacting Ocean City's program and any potential statewide enforcement of the statute. Exhibition driving usually involves one vehicle, while racing or participating in a speed contest involves two or more motor vehicles.

As written, SB 147 expands the ability of law enforcement to take a successful program, as demonstrated by Ocean City, statewide to combat this very unsafe driving behavior.

For these reasons, the Department of State Police urges the Committee to give Senate Bill 147 a favorable report.