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March 6, 2024

The Honorable William C. Smith Jr.  
Chair, Senate Judicial Proceedings Committee  
2 East, Miller Senate Office Building  
Annapolis MD 21401

***RE: Letter of Information – Senate Bill 940 – Motor Vehicles - Allowing Unauthorized Use of a Motor Vehicle and Reckless, Negligent, and Aggressive Driving***

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) offers the following information on Senate Bill 940 for the Committee's consideration.

Senate Bill 940 would increase the penalty for a driver convicted of reckless, negligent, or aggressive driving while altering the number and type of offenses which meet the definition of reckless, negligent, or aggressive driving. The proposal seeks to increase the fine and, in some instances, include potential jail time, for dangerous drivers.

Since the COVID-19 pandemic, Maryland's roadways have continued to struggle with the challenges it brought to highway safety trends. With over 600 fatalities on our roadways last year, instances of reckless, negligent, and aggressive driving are often present in crashes across the State.

However, due to the unique challenges posed by citing drivers for reckless, negligent, or aggressive driving, few drivers are ticketed for these serious offenses. This is in part because these violations require three or more combined moving violations of certain types before a law enforcement official can cite a driver for reckless, negligent, or aggressive driving. Over the past three calendar years, only 2,665 total citations have been written for violations of Transportation Article (TA) §21-901.2 (aggressive driving), an average of 13,465 citations have been written per year for violations of TA §21-901.1(a) (reckless driving), and an average of 23,326 citations have been written for violations of TA §21-901.2(b) (negligent driving).

Senate Bill 940 would define reckless, negligent, or aggressive driving as a combination of two serious moving violations, rather than the current requirement of three violations. The bill further increases the types of moving violations to include more dangerous actions problematic drivers are engaging in on Maryland's roadways that are putting everyone at risk of serious crashes, including the most vulnerable road users. Of the fatalities on Maryland's roads last year, 156 were pedestrians.

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The proposal further increases the actions that can be considered reckless driving to include actions such as driving at least 90 miles per hour, which is at least 20 miles per hour faster than the highest speed limit posted in the State. 161 fatal crashes in Maryland involved speeding last year alone.

The Maryland Department of Transportation respectfully requests the Committee consider this information during its deliberations of Senate Bill 940.

Respectfully submitted,

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