



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

DAWN LUEDTKE
COUNCILMEMBER
DISTRICT 7

March 4, 2024

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

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

Dear Chair Smith:

I write in strong support of Senate Bill 940, which is urgently needed to protect the safety and well-being of all drivers, cyclists, and pedestrians on Maryland roadways. Despite traffic fatalities trending down nationally, there were 600 deaths on Maryland roads in 2023, our state's highest traffic fatality rate in nearly 20 years.¹ The Maryland General Assembly must take action to avert these preventable deaths, and Senate Bill 940 aims to accomplish that by altering the definition of and penalties for reckless, negligent, and aggressive driving. Specifically, Senate Bill 940 would:

- Authorize a fine not exceeding \$1,000 to the offense of knowingly permitting someone who is not authorized to drive to operate your motor vehicle on a highway;
- Add driving at a speed exceeding 90 miles per hour to the list of offenses that qualify as reckless driving;
- Specify imprisonment not exceeding one year, a fine not exceeding \$5,000 or both as penalties for reckless driving;
- Stipulate imprisonment not exceeding two months, a fine not exceeding \$3,000 or both as penalties for driving in a careless or imprudent manner that endangers the life or property of another individual;
- Expanding the traffic violations which, when committing three or more together or in a continuous period of driving, will qualify as aggressive driving offenses: failure to obey a traffic control device or leaving a roadway to avoid a traffic control device; certain instances of overtaking and passing vehicles; failure to stop for pedestrians in crosswalks; overtaking and passing a vehicle stopped for a pedestrian in a crosswalk; overtaking and passing a school

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<https://www.wusa9.com/article/news/local/maryland/600-deaths-maryland-roads-2023/65-b30b0933-a6e7-43ad-85fb-90314cf71e36> & <https://zerodeathsmd.gov/resources/crashdata/crashdashboard/>

vehicle stopped and operating alternately flashing red lights; skidding, spinning wheels, and excessive noise; discharging diesel emissions onto another; overtaking and passing a bicycle, electronic personal assistive mobility device (EPAMD), or motor scooter; a motorcycle overtaking and passing in the same lane as another vehicle or operating between lanes of traffic or vehicles;

- State that engaging in two or more aggressive driving offenses at the same time or during a single, continuous period of driving in a highway work zone or school zone would constitute aggressive driving;
- Apply the following penalties for aggressive driving: for a first offense, an individual would be required to appear in court, would not be able to prepay the fine, and would be subject to a fine not exceeding \$1,000; for a second offense, an individual would be subject to imprisonment not exceeding two months, a fine not exceeding \$2,000 or both; and for a third offense, imprisonment not exceeding one year, a fine not exceeding \$3,000 or both.

According to the Maryland Department of Transportation (MDOT), “Speeding is a significant aggressive driving behavior and is estimated to be a contributing factor in over one-third of all fatal crashes nationwide. The probability of death or serious injury grows with impacts at higher speeds - doubling for every 10 MPH over 50 MPH that a vehicle travels.”² Senate Bill 940 represents an important step forward in curbing the deadly speeding and aggressive driving that takes place on Maryland's roads every day. Together with the other road and pedestrian safety bills currently being considered, the General Assembly has the opportunity to significantly improve safety and quality of life.

Driving is a privilege, not a right. When a person drives recklessly, negligently, or aggressively, they jeopardize not just their own safety, but the safety of everyone around them. This wanton disregard for others, which can and does result in injury and death, merits strict consequences in order to deter future violations. Many county residents are fearful of the danger they face daily on Maryland's roadways, including, but not limited to, speeding, distracted driving, and excessive noise. The residents we serve are frustrated by other drivers' flagrant disregard for the law and consistently plead for increased enforcement and stronger penalties. Senate Bill 940 aims to accomplish just that by expanding the list of offenses to more accurately encompass the full range of reckless, negligent, and aggressive driving behaviors that are taking place and strengthening the penalties that may be imposed for violations.

I respectfully request a favorable report on Senate Bill 940.

Very truly yours,



Dawn Luedtke
Councilmember, District 7
Montgomery County

cc: Members of the Judicial Proceedings Committee

² <https://zerodeathsmd.gov/>