

HOUSE BILL 347

R7
HB 1130/15 – JUD

6lr2350

By: **Delegates Carter, Dumais, Glass, Moon, Sanchez, and Smith**

Introduced and read first time: January 27, 2016

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Driving Without a License or While License is Suspended**
3 **– Penalties**

4 FOR the purpose of altering the maximum penalty for driving a motor vehicle while a
5 person's license or privilege to drive is suspended under certain provisions of State
6 law relating to the lapse of required security, noncompliance with traffic citations,
7 and nonpayment of fines; altering the maximum penalty for driving a motor vehicle
8 while a person's license or privilege to drive is suspended by another state for failure
9 to comply with a certain notice to appear in court or to pay a certain fine; altering
10 the maximum penalty for driving on a highway without a license; and generally
11 relating to penalties for driving without a license or while a person's license or
12 privilege to drive is suspended.

13 BY repealing and reenacting, without amendments,
14 Article – Transportation
15 Section 27–101(b)
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2015 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Transportation
20 Section 27–101(c) and (y)
21 Annotated Code of Maryland
22 (2012 Replacement Volume and 2015 Supplement)

23 BY adding to
24 Article – Transportation
25 Section 27–101(gg)
26 Annotated Code of Maryland
27 (2012 Replacement Volume and 2015 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That the Laws of Maryland read as follows:

3 **Article – Transportation**

4 27–101.

5 (b) Except as otherwise provided in this section, any person convicted of a
6 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is
7 subject to a fine of not more than \$500.

8 (c) Any person who is convicted of a violation of any of the provisions of the
9 following sections of this article is subject to a fine of not more than \$500 or imprisonment
10 for not more than 2 months or both:

11 (1) § 12–301(e) or (f) (“Special identification cards: Unlawful use of
12 identification card prohibited”);

13 (2) § 14–102 (“Taking or driving vehicle without consent of owner”);

14 (3) § 14–104 (“Damaging or tampering with vehicle”);

15 (4) § 14–107 (“Removed, falsified, or unauthorized identification number or
16 registration card or plate”);

17 (5) § 14–110 (“Altered or forged documents and plates”);

18 (6) § 15–312 (“Dealers: Prohibited acts – Vehicle sales transactions”);

19 (7) § 15–313 (“Dealers: Prohibited acts – Advertising practices”);

20 (8) § 15–314 (“Dealers: Prohibited acts – Violation of licensing laws”);

21 (9) § 15–411 (“Vehicle salesmen: Prohibited acts”);

22 (10) § 16–113(j) (“Violation of alcohol restriction”);

23 (11) § 16–301, except § 16–301(a) or (b) (“Unlawful use of license”);

24 (12) [§ 16–303(h) (“Licenses suspended under certain provisions of Code”);

25 (13) § 16–303(i) (“Licenses suspended under certain provisions of the traffic
26 laws or regulations of another state”);

27 (15)] § 20–103 (“Driver to remain at scene – Accidents resulting only in
28 damage to attended vehicle or property”);

1 [(16)] **(13)** § 20–104 (“Duty to give information and render aid”);

2 [(17)] **(14)** § 20–105 (“Duty on striking unattended vehicle or other
3 property”);

4 [(18)] **(15)** § 20–108 (“False reports prohibited”);

5 [(19)] **(16)** § 21–206 (“Interference with traffic control devices or railroad
6 signs and signals”);

7 [(20)] **(17)** As to a pedestrian in a marked crosswalk, § 21–502(a)
8 (“Pedestrians’ right-of-way in crosswalks: In general”), if the violation contributes to an
9 accident;

10 [(21)] **(18)** As to another vehicle stopped at a marked crosswalk, § 21–502(c)
11 (“Passing of vehicle stopped for pedestrian prohibited”), if the violation contributes to an
12 accident;

13 [(22)] **(19)** Except as provided in subsections (f) and (q) of this section,
14 § 21–902(b) (“Driving while impaired by alcohol”);

15 [(23)] **(20)** Except as provided in subsections (f) and (q) of this section,
16 § 21–902(c) (“Driving while impaired by drugs or drugs and alcohol”);

17 [(24)] **(21)** § 21–902.1 (“Driving within 12 hours after arrest”);

18 [(25)] **(22)** Title 21, Subtitle 10A (“Towing or Removal of Vehicles from
19 Parking Lots”); or

20 [(26)] **(23)** § 27–107(d), (e), (f), or (g) (“Prohibited acts – Ignition interlock
21 systems”).

22 (y) Any person who is convicted of a violation of § 16–101 of this article (“Drivers
23 must be licensed”) is subject to:

24 (1) For a first offense, a fine of not more than \$500 [or imprisonment for
25 not more than 60 days or both]; and

26 (2) For a second or subsequent offense, a fine of not more than \$500 or
27 imprisonment for not more than [1 year] **60 DAYS** or both.

28 **(GG) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 16–303(H) OF**
29 **THIS ARTICLE (“LICENSES SUSPENDED UNDER CERTAIN PROVISIONS OF THE**
30 **CODE”) OR § 16–303(I) OF THIS ARTICLE (“LICENSES SUSPENDED UNDER CERTAIN**

1 PROVISIONS OF THE TRAFFIC LAWS OR REGULATIONS OF ANOTHER STATE”) IS
2 SUBJECT TO:

3 (1) FOR A FIRST OFFENSE, A FINE OF NOT MORE THAN \$500; AND

4 (2) FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE OF NOT MORE
5 THAN \$500 OR IMPRISONMENT FOR NOT MORE THAN 60 DAYS OR BOTH.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2016.