

HOUSE BILL 115

R5

(PRE-FILED)

11r0370
CF SB 20

By: **Delegate Moon**

Requested: June 12, 2020

Introduced and read first time: January 13, 2021

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 16, 2021

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Canceled, Revoked, and Suspended Driver’s Licenses – Penalties**

3 FOR the purpose of altering certain penalties for a person who displays a canceled, revoked,
4 or suspended driver’s license; making a certain technical correction; and generally
5 relating to penalties for violations related to canceled, revoked, or suspended driver’s
6 licenses.

7 BY repealing and reenacting, without amendments,

8 Article – Transportation

9 Section 16–301(c), (d), (e), and (r)(1) and 16–303(h) and (i)

10 Annotated Code of Maryland

11 (2020 Replacement Volume)

12 BY repealing and reenacting, with amendments,

13 Article – Transportation

14 Section 16–301(r)(3), 16–303(k), and 16–402(a)(16) and (36)

15 Annotated Code of Maryland

16 (2020 Replacement Volume)

17 ~~BY adding to~~

18 ~~Article – Transportation~~

19 ~~Section 16–402(a–1)~~

20 ~~Annotated Code of Maryland~~

21 ~~(2020 Replacement Volume)~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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 16–301.

5 (c) A person may not display or cause or permit to be displayed any canceled
6 license.

7 (d) A person may not display or cause or permit to be displayed any revoked
8 license.

9 (e) A person may not display or cause or permit to be displayed any suspended
10 license.

11 (r) (1) Except as provided in paragraphs (2) and (3) of this subsection, a person
12 convicted of a violation of this section is subject to imprisonment not exceeding 2 months
13 or a fine not exceeding \$500 or both.

14 (3) ~~(H)~~ A person convicted of a violation of subsection (C), (D), (E), (h),
15 (i), or (j) of this section is subject to a fine not exceeding \$500.

16 ~~(H) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (D)~~
17 ~~OR (E) OF THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$500, IF THE~~
18 ~~UNDERLYING SUSPENSION OR REVOCATION WAS NOT IMPOSED UNDER:~~

19 ~~1. § 16 205 OF THIS TITLE FOR A VIOLATION OF § 21 902~~
20 ~~OF THIS ARTICLE;~~

21 ~~2. § 16 205.1 OF THIS TITLE FOR REFUSAL TO SUBMIT~~
22 ~~TO A TEST; OR~~

23 ~~3. § 16 404 OF THIS TITLE FOR AN ACCUMULATION OF~~
24 ~~POINTS UNDER § 16 402(A)(29) OR (38) OF THIS TITLE.~~

25 16–303.

26 (h) A person may not drive a motor vehicle on any highway or on any property
27 specified in § 21–101.1 of this article while the person’s license or privilege to drive is
28 suspended under § 16–203, § 16–206(a)(2) for failure to attend a driver improvement
29 program, § 17–106, § 26–204, § 26–206, or § 27–103 of this article.

30 (i) (1) This subsection applies only to a person whose license or privilege to
31 drive is suspended under the traffic laws or regulations of another state for:

1 (i) Failure to comply with a notice to appear in a court of that state
2 contained in a traffic citation issued to the person; or

3 (ii) Failure to pay a fine for a violation of any traffic laws or
4 regulations of that state.

5 (2) A person may not drive a motor vehicle on any highway or on any
6 property specified in § 21–101.1 of this article while the person’s license or privilege to drive
7 is suspended under the traffic laws or regulations of any other state as described in
8 paragraph (1) of this subsection.

9 (k) (1) Except as provided in paragraph (2) of this subsection, a person
10 convicted of a violation of this section is subject to:

11 (i) For a first offense, imprisonment not exceeding 1 year or a fine
12 not exceeding \$1,000 or both; and

13 (ii) For a second or subsequent offense, imprisonment not exceeding
14 2 years or a fine not exceeding \$1,000 or both.

15 (2) **(I) A PERSON CHARGED WITH A VIOLATION OF SUBSECTION (H)
16 OR (I) OF THIS SECTION:**

17 **1. MUST APPEAR IN COURT; AND**

18 **2. MAY NOT PREPAY THE FINE.**

19 **(II)** A person convicted of a violation of subsection (h) or (i) of this
20 section[:

21 (i) Is] **IS** subject to a fine not exceeding \$500[;

22 (ii) Must appear in court; and

23 (iii) May not prepay the fine].

24 16–402.

25 (a) After the conviction of an individual for a violation of Title 2, Subtitle 5, §
26 2–209, § 3–211, or § 10–110 of the Criminal Law Article, or of the vehicle laws or regulations
27 of this State or of any local authority, points shall be assessed against the individual as of
28 the date of violation and as follows:

1 (16) A violation of § [16-301(h)] ~~16-301(C), (D), (E), (H)~~, (i), [or] OR (j),
2 ~~OR, SUBJECT TO SUBSECTION (A-1) OF THIS SECTION, (D) OR (E)~~ of this
3 title3 points

4 (36) Any violation of § 16-301(a) [through (g) or], ~~(B), (F), (G), OR~~ (k)
5 through (q), ~~OR, SUBJECT TO SUBSECTION (A-1) OF THIS SECTION, (D) OR (E)~~, §
6 16-302, § 16-804, or § 16-808(a)(1) through (9) or (b) of this
7 title.....12 points

8 ~~(A-1) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,~~
9 ~~AN INDIVIDUAL WHO IS CONVICTED OF A VIOLATION OF § 16-301(D) OR (E) OF THIS~~
10 ~~TITLE SHALL BE ASSESSED 3 POINTS UNDER SUBSECTION (A)(16) OF THIS SECTION.~~

11 ~~(2) AN INDIVIDUAL WHO IS CONVICTED OF A VIOLATION OF §~~
12 ~~16-301(D) OR (E) OF THIS TITLE SHALL BE ASSESSED 12 POINTS UNDER~~
13 ~~SUBSECTION (A)(36) OF THIS SECTION IF THE UNDERLYING SUSPENSION OR~~
14 ~~REVOCAION WAS IMPOSED UNDER:~~

15 (I) ~~§ 16-205 OF THIS TITLE FOR A VIOLATION OF § 21-902 OF~~
16 ~~THIS ARTICLE;~~

17 (H) ~~§ 16-205.1 OF THIS TITLE FOR REFUSAL TO SUBMIT TO A~~
18 ~~TEST; OR~~

19 (III) ~~§ 16-404 OF THIS SUBTITLE FOR AN ACCUMULATION OF~~
20 ~~POINTS UNDER SUBSECTION (A)(29) OR (38) OF THIS SECTION.~~

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.