

# HOUSE BILL 178

R5, R6

(PRE-FILED)

11r1265  
CF SB 408

---

By: **Delegate Stewart**

Requested: October 29, 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 11, 2021

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Vehicle Laws – ~~Reckless Driving, Race and Speed Contests, Registration Plates,~~**  
3 **~~and Noise Abatement~~ – Penalties**

4 FOR the purpose of ~~prohibiting a person from knowingly obscuring a registration plate for~~  
5 ~~the purpose of evading certain enforcement of the Maryland Vehicle Law, subject to~~  
6 ~~a certain penalty; altering a certain penalty and the points assessments for certain~~  
7 ~~motor vehicle violations related to reckless driving or participation in a race or speed~~  
8 ~~contest; establishing that a person charged with reckless driving or violations related~~  
9 ~~to participation in a race or speed contest must appear in court and may not prepay~~  
10 ~~the fine; altering the penalty for a person convicted of certain violations related to~~  
11 ~~participation in a race or speed contest or motor vehicle noise abatement; authorizing~~  
12 ~~the publisher of the Annotated Code of Maryland to make certain corrections in a~~  
13 ~~certain manner; and generally relating to penalties for motor vehicle violations of~~  
14 ~~the Maryland Vehicle Law related to participation in a race or speed contest.~~

15 BY repealing

16 Article – Transportation

17 Section 16-402(a)(22)

18 Annotated Code of Maryland

19 (2020 Replacement Volume)

20 BY renumbering

21 Article – Transportation

22 Section ~~16-402(a)(30) through (43)~~ 16-402(a)(23) through (33), respectively

---

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 to be Section ~~16-402(a)(29) through (42)~~ 16-402(a)(22) through (32), respectively  
 2 Annotated Code of Maryland  
 3 (2020 Replacement Volume)

4 ~~BY repealing and reenacting, with amendments,~~  
 5 ~~Article – Transportation~~  
 6 ~~Section 13-411(e), 16-402(a)(22), (28), and (29), 21-001.1, 21-1116, and 22-600~~  
 7 ~~Annotated Code of Maryland~~  
 8 ~~(2020 Replacement Volume)~~

9 BY adding to  
 10 Article – Transportation  
 11 Section ~~16-402(a)(43)~~ 16-402(a)(33) and (44)  
 12 Annotated Code of Maryland  
 13 (2020 Replacement Volume)

14 BY repealing and reenacting, with amendments,  
 15 Article – Transportation  
 16 Section 21-1116  
 17 Annotated Code of Maryland  
 18 (2020 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 20 That Section(s) ~~16-402(a)(30) through (43)~~ 16-402(a)(23) through (33), respectively, of  
 21 Article – Transportation of the Annotated Code of Maryland be renumbered to be Section(s)  
 22 ~~16-402(a)(29) through (42)~~ 16-402(a)(22) through (32), respectively.

23 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
 24 as follows:

### 25 Article – Transportation

26 ~~13-411.~~

27 ~~(e) (1) At all times, each registration plate shall be:~~

28 ~~(i) Maintained free from foreign materials, including registration~~  
 29 ~~plate covers as defined in § 13-411.1 of this subtitle, and in a condition to be clearly legible;~~  
 30 ~~and~~

31 ~~(ii) Securely fastened to the vehicle for which it is issued:~~

32 ~~1. In a horizontal position;~~

33 ~~2. In a manner that prevents the plate from swinging; and~~

34 ~~3. In a place and position to be clearly visible.~~

~~(2) For a violation UNDER PARAGRAPH (1) OF THIS SUBSECTION involving the placement of an object framing or bordering the edges of a registration plate, a police officer may enforce this subsection only as a secondary action when the police officer detains a driver of a motor vehicle for a suspected violation of another provision of the Code.~~

~~(3) (i) A PERSON MAY NOT KNOWINGLY OBSCURE A REGISTRATION PLATE FOR THE PURPOSE OF EVADING AUTOMATED ENFORCEMENT OF THE MARYLAND VEHICLE LAW.~~

~~(ii) A PERSON CONVICTED OF A VIOLATION OF THIS PARAGRAPH IS SUBJECT TO A FINE OF \$500.~~

16-402.

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

~~(22) [Participating] EXCEPT AS PROVIDED IN ITEM (44) OF THIS SUBSECTION, PARTICIPATING in a race or speed contest on a highway 5 points~~

~~(28) [Reckless driving 6 points~~

~~(29) [Driving while impaired by alcohol or while impaired by a drug, combination of drugs, or a combination of one or more drugs and alcohol, or driving within 12 hours after arrest under § 21-902.1 of this article 8 points~~

~~(43) RECKLESS DRIVING ..... 12 POINTS~~

[(22) Participating in a race or speed contest on a highway ..... 5 points]

(33) EXCEPT AS PROVIDED IN ITEM (44) OF THIS SUBSECTION, PARTICIPATING IN A RACE OR SPEED CONTEST ON A HIGHWAY ..... 8 POINTS

(44) PARTICIPATING IN A RACE OR SPEED CONTEST ON A HIGHWAY RESULTING IN SERIOUS BODILY INJURY, AS DEFINED IN § 20-102(C) OF THIS ARTICLE, TO ANOTHER PERSON ..... 12 POINTS

~~21-901.1.~~

(a) A person is guilty of reckless driving if he drives a motor vehicle:

~~(1) In wanton or willful disregard for the safety of persons or property; or~~

1 ~~(2) In a manner that indicates a wanton or willful disregard for the safety~~  
 2 ~~of persons or property.~~

3 ~~(b) A person is guilty of negligent driving if he drives a motor vehicle in a careless~~  
 4 ~~or imprudent manner that endangers any property or the life or person of any individual.~~

5 ~~(c) A PERSON CHARGED WITH A VIOLATION OF THIS SECTION:~~

6 ~~(1) MUST APPEAR IN COURT; AND~~

7 ~~(2) MAY NOT PREPAY THE FINE.~~

8 ~~(D) A person convicted of a violation of subsection (a) of this section is subject to a~~  
 9 ~~fine not exceeding \$1,000.~~

10 21-1116.

11 (a) Except as provided in § 21-1211 of this title, on any highway or on any private  
 12 property that is used by the public in general, a person may not drive a vehicle in a race or  
 13 speed contest, whether or not on a wager or for a prize or reward.

14 (b) Except as provided in § 21-1211 of this title, a person may not participate as  
 15 a timekeeper or flagman in any race or speed contest specified in subsection (a) of this  
 16 section.

17 ~~(c) A PERSON CHARGED WITH A VIOLATION OF THIS SECTION:~~

18 ~~(1) MUST APPEAR IN COURT; AND~~

19 ~~(2) MAY NOT PREPAY THE FINE.~~

20 ~~(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A~~  
 21 ~~PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT TO A FINE NOT~~  
 22 ~~EXCEEDING \$1,000.~~

23 (2) A person convicted of a violation of subsection (a) of this section that  
 24 results in serious bodily injury to another person, as defined in § 20-102(c) of this article,  
 25 is subject to imprisonment not exceeding 1 year or a fine not exceeding \$1,000 or both.

26 ~~22-609.~~

27 ~~(a) A person may not modify the exhaust system or any other noise abatement~~  
 28 ~~device of a motor vehicle driven or to be driven on any highway in this State in such a way~~  
 29 ~~that the noise emitted by the vehicle exceeds that emitted by the vehicle as originally~~  
 30 ~~manufactured.~~

1 ~~(b) A person may not drive on any highway in this State a motor vehicle with an~~  
2 ~~exhaust system or noise abatement device modified in a way prohibited by subsection (a) of~~  
3 ~~this section.~~

4 ~~(c) A PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT TO~~  
5 ~~A FINE OF \$200.~~

6 SECTION 3. AND BE IT FURTHER ENACTED, That the publisher of the  
7 Annotated Code of Maryland, in consultation with and subject to the approval of the  
8 Department of Legislative Services, shall correct, with no further action required by the  
9 General Assembly, cross-references and terminology rendered incorrect by this Act or by  
10 any other Act of the General Assembly of 2021 that affects provisions enacted by this Act.  
11 The publisher shall adequately describe such correction in an editor’s note following this  
12 section affected.

13 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2021.

Approved:

\_\_\_\_\_  
Governor.

\_\_\_\_\_  
Speaker of the House of Delegates.

\_\_\_\_\_  
President of the Senate.