

HOUSE BILL 102

R5, R4

2lr1218

(PRE-FILED)

By: **Delegate Lehman**

Requested: November 1, 2021

Introduced and read first time: January 12, 2022

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Race and Speed Contests – Penalties**

3 FOR the purpose of altering a certain penalty and the points assessments for certain motor
4 vehicle violations related to participation in a race or speed contest; establishing that
5 a person charged with violations related to participation in a race or speed contest
6 must appear in court and may not prepay the fine; authorizing the towing and
7 impounding of a vehicle involved in certain motor vehicle violations related to
8 participation in a race or speed contest; and generally relating to penalties for motor
9 vehicle violations related to participation in a race or speed contest.

10 BY repealing

11 Article – Transportation

12 Section 16–402(a)(22)

13 Annotated Code of Maryland

14 (2020 Replacement Volume and 2021 Supplement)

15 BY renumbering

16 Article – Transportation

17 Section 16–402(a)(23) through (33), respectively

18 to be Section 16–402(a)(22) through (32), respectively

19 Annotated Code of Maryland

20 (2020 Replacement Volume and 2021 Supplement)

21 BY adding to

22 Article – Transportation

23 Section 16–402(a)(33) and (44)

24 Annotated Code of Maryland

25 (2020 Replacement Volume and 2021 Supplement)

26 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Transportation
 2 Section 21–1116
 3 Annotated Code of Maryland
 4 (2020 Replacement Volume and 2021 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 6 That Section(s) 16–402(a)(22) of Article – Transportation of the Annotated Code of
 7 Maryland be repealed.

8 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 16–402(a)(23)
 9 through (33), respectively, of Article – Transportation of the Annotated Code of Maryland
 10 be renumbered to be Section(s) 16–402(a)(22) through (32), respectively.

11 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
 12 as follows:

13 **Article – Transportation**

14 16–402.

15 (a) After the conviction of an individual for a violation of Title 2, Subtitle 5, §
 16 2–209, § 3–211, or § 10–110 of the Criminal Law Article, or of the vehicle laws or regulations
 17 of this State or of any local authority, points shall be assessed against the individual as of
 18 the date of violation and as follows:

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

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

24 21–1116.

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

28 (b) Except as provided in § 21–1211 of this title, a person may not participate as
 29 a timekeeper or flagman in any race or speed contest specified in subsection (a) of this
 30 section.

31 **(C) A PERSON CHARGED WITH A VIOLATION OF THIS SECTION:**

32 **(1) MUST APPEAR IN COURT; AND**

1 **(2) MAY NOT PREPAY THE FINE.**

2 **(D) A POLICE OFFICER MAY ORDER THE TOWING AND IMPOUNDING OF A**
3 **VEHICLE THAT IS THE SUBJECT OF A VIOLATION OF SUBSECTION (A) OF THIS**
4 **SECTION.**

5 **(E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**
6 **PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT TO A FINE NOT**
7 **EXCEEDING \$1,000.**

8 **[(c)] (2)** A person convicted of a violation of subsection (a) of this section that
9 results in serious bodily injury to another person, as defined in § 20–102(c) of this article,
10 is subject to imprisonment not exceeding 1 year or a fine not exceeding \$1,000 or both.

11 SECTION 4. AND BE IT FURTHER ENACTED, That the publisher of the
12 Annotated Code of Maryland, in consultation with and subject to the approval of the
13 Department of Legislative Services, shall correct, with no further action required by the
14 General Assembly, cross–references and terminology rendered incorrect by this Act. The
15 publisher shall adequately describe any correction that is made in an editor’s note following
16 the section affected.

17 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2022.