

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

HB655: POSSIBLE AMENDMENT

GOAL: To create a stairstep rate for the fine associated with driving uninsured. The goal of course being to acknowledge that driving uninsured occurs not as a willful act of rebellion, but as an issue of auto insurance affordability.

17-107.

(a) A person who knows or has reason to know that a motor vehicle is not covered by the required security may not:

(1) Drive the vehicle; or

(2) If the person is an owner of the vehicle, knowingly permit another person to drive it.

(b) (1) In any prosecution under subsection (a) of this section for a vehicle that is registered in the State, the introduction of the official records of the Motor Vehicle Administration showing the absence of a record that the vehicle is covered by the security required under § 17-104 of this subtitle shall be prima facie evidence that a person knows or has reason to know that a motor vehicle is not covered by the required security.

(2) The introduction of evidence of the records of the Administration may not limit the introduction of other evidence bearing upon whether the vehicle was covered by the required security.

(c) An owner or lessee of any motor vehicle registered under Title 13 of this article may not raise the defense of sovereign or governmental immunity as described under § 5-524 of the Courts and Judicial Proceedings Article.

(d) A PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT TO [:

(1) FOR A FIRST OFFENSE, IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH; AND

(2) FOR A SECOND OR SUBSEQUENT OFFENSE, IMPRISONMENT NOT EXCEEDING 2 YEARS 13 OR] **(1)** A FINE NOT EXCEEDING; **[\$1,000 OR BOTH].**

(I) \$50 FOR THE FIRST OFFENSE

(II) \$100 OR LESS FOR A SECOND OFFENSE

(III) \$200 OR LESS FOR A THIRD OFFENSE

(IV) UP TO \$1000 FOR A FOURTH OFFENSE AND BEYOND.