

**A007-0405**

10 AN ACT CONCERNING

20 **Transportation – Aggressive Driving – Repeal**

30 **FOR** the purpose of repealing a certain provision that establishes certain criteria for identifying  
40 aggressive driving; and generally relating to the rules of the road.

50 **BY** repealing

60 Article – Transportation

70 Section 21-901.2.

80 Annotated Code of Maryland

90 **SECTION 1.** BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, That the  
100 Laws of Maryland read as follows:

110 ~~§ 21-901.2. Aggressive driving.~~

120 ~~A person is guilty of aggressive driving if the person commits three or more of the following~~  
130 ~~offenses at the same time or during a single and continuous period of driving in violation of:~~

140 ~~(1) § 21-202 of this title (Traffic lights with steady indication);~~

150 ~~(2) § 21-303 of this title (Overtaking and passing vehicles);~~

160 ~~(3) § 21-304 of this title (Passing on right);~~

170 ~~(4) § 21-309 of this title (Driving on laned roadways);~~

180 ~~(5) § 21-310 of this title (Following too closely);~~

190 ~~(6) § 21-403 of this title (Failure to yield right-of-way); or~~

200 ~~(7) § 21-801.1 of this title (Exceeding a maximum speed limit or posted maximum speed~~  
210 ~~limit).~~

220 **SECTION 2.** BE IT FURTHER ENACTED, That this Act takes effect October 1, 2005.

230 **MANDATES:**

240 Robert L. Ehrlich, Jr., Governor

250 Brian E. Frosh, Chair, Senate Judicial Proceedings Committee

260 Joseph F. Vallario, Jr., Chair, Judiciary Committee

270 Nathaniel J. McFadden, Senate Majority Leader

280 J. Lowell Stolultz, Senate Minority Leader

290 Kumar P. Barve, House Majority Leader

300 George C. Edwards, House Minority Leader

310 Michael D. Smigiel, Sr., House Minority Whip

**Sponsor:**

Dan Holler, Tory Caucus Leader, Washington College

## Pertinent Information Sheet

### Law Created in 2001.

Established by HB1074/01

#### § 21-901.1. Reckless and negligent driving.

- (a) Reckless driving.- 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
  - (2) In a manner that indicates a wanton or willful disregard for the safety of persons or property.
- (b) Negligent driving.- A person is guilty of negligent driving if he drives a motor vehicle in a careless or imprudent manner that endangers any property or the life or person of any individual.

#### § 21-202. Traffic lights with steady indication.

Covers everything from yielding to pedestrians and right of way, to running red lights. 2-3 points penalty

#### § 21-303. Overtaking and passing vehicles.

- (d) Overtaken vehicle to give way to right.- Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle, on audible signal, shall give way to the right in favor of the overtaking vehicle.

#### § 21-304. Passing on right.

- (a) (2) On a highway with unobstructed pavement not occupied by parked vehicles and wide enough for two or more lines of vehicles moving lawfully in the same direction as the overtaking vehicle; or

#### § 21-309. Driving on laned roadways.

- (b) Driving in single lane required.- A vehicle shall be driven as nearly as practicable entirely within a single lane and may not be moved from that lane or moved from a shoulder or bikeway into a lane until the driver has determined that it is safe to do so.

#### § 21-310. Following too closely.

- (a) General rule.- The driver of a motor vehicle may not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the other vehicle and of the traffic on and the condition of the highway. 2 points penalty

#### § 21-403. Failure to yield right-of-way.

Outlines when to stop and yield.

#### § 21-801.1. Exceeding a maximum speed limit or posted maximum speed limit.

Outlines speed limits for certain geographic areas and exceptions. 2-5 point penalty

#### Penalties:

##### Aggressive Driving

\$500 penalty, in accordance with § 27-101(b) Penalties for misdemeanor.  
5 points, in accordance with § 16-402(a)(22) Assessment of points.

##### Negligent Driving

\$500 penalty, in accordance with § 27-101(b) Penalties for misdemeanor.

##### Reckless Driving

\$1000 penalty, in accordance with § 27-101(g) Penalties for misdemeanor.  
6 points, in accordance with § 16-402(a)(26) Assessment of points