

Chapter 98

(House Bill 105)

AN ACT concerning

Vehicle Laws – Races and Speed Contests – Enforcement and Penalties

FOR the purpose of authorizing a police officer to arrest without a warrant a person who ~~participates~~ drives a vehicle in a certain race or speed contest that results in serious bodily injury to another person under certain circumstances; altering the penalty for a conviction of ~~participating~~ driving a vehicle in a certain race or speed contest that results in serious bodily injury to another person; and generally relating to the prohibition against ~~participating~~ driving a vehicle in certain races or speed contests.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1116
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 26–202(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY adding to
Article – Transportation
Section 27–101(ee)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Transportation

21–1116.

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

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

26–202.

(a) A police officer may arrest without a warrant a person for a violation of the Maryland Vehicle Law, including any rule or regulation adopted under it, or for a violation of any traffic law or ordinance of any local authority of this State, if:

(1) The person has committed or is committing the violation within the view or presence of the officer, and the violation is any of the following:

(i) A violation of § 21–1411 or § 22–409 of this article, relating to vehicles transporting hazardous materials; or

(ii) A violation of § 24–111 or § 24–111.1 of this article, relating to the failure or refusal to submit a vehicle to a weighing or to remove excess weight from it;

(2) The person has committed or is committing the violation within the view or presence of the officer, and either:

(i) The person does not furnish satisfactory evidence of identity;
or

(ii) The officer has reasonable grounds to believe that the person will disregard a traffic citation;

(3) The officer has probable cause to believe that the person has committed the violation, and the violation is any of the following offenses:

(i) Driving or attempting to drive while under the influence of alcohol, while impaired by alcohol, or in violation of an alcohol restriction;

(ii) Driving or attempting to drive while impaired by any drug, any combination of drugs, or any combination of one or more drugs and alcohol or while impaired by any controlled dangerous substance;

(iii) Failure to stop, give information, or render reasonable assistance, as required by §§ 20–102 and 20–104 of this article, in the event of an accident resulting in bodily injury to or death of any person;

(iv) Driving or attempting to drive a motor vehicle while the driver's license or privilege to drive is suspended or revoked;

(v) Failure to stop or give information, as required by §§ 20–103 through 20–105 of this article, in the event of an accident resulting in damage to a vehicle or other property;

(vi) Any offense that caused or contributed to an accident resulting in bodily injury to or death of any person;

(vii) Fleeing or attempting to elude a police officer;

(viii) Driving or attempting to drive a vehicle in violation of § 16–101 of this article; [or]

(ix) A violation of § 14–110(b), (c), (d), or (e) of this article; OR

(X) A VIOLATION OF ~~§ 21-1116~~ OF THIS ARTICLE § 21-1116(A) OF THIS ARTICLE THAT RESULTS IN SERIOUS BODILY INJURY TO ANOTHER PERSON;

(4) The person is a nonresident and the officer has probable cause to believe that:

(i) The person has committed the violation; and

(ii) The violation contributed to an accident; or

(5) The officer has probable cause to believe that the person has committed the violation, and, subject to the procedures set forth in § 26–203 of this subtitle, the person is issued a traffic citation and refuses to acknowledge its receipt by signature.

27–101.

(EE) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF ~~§ 21-1116~~ § 21-1116(A) OF THIS ARTICLE IS SUBJECT TO:

~~(1) A FINE OF NOT MORE THAN \$500 OR IMPRISONMENT FOR NOT MORE THAN 60 DAYS OR BOTH; OR~~

(2) ~~IF THE VIOLATION THAT RESULTS IN SERIOUS BODILY INJURY TO ANOTHER PERSON AS DEFINED IN § 27-113 OF THIS TITLE,~~ IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 OR IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR BOTH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, April 12, 2011.