CITY OF BALTIMORE ORDINANCE Council Bill 22-0247

Introduced by: Councilmember Schleifer, Porter, Costello, Torrence, Glover, Stokes, Middleton, Conway, Cohen Introduced and read first time: June 13, 2022 <u>Assigned to: Rules and Legislative Oversight Committee</u> Committee Report: Favorable Council action: Adopted Read second time: August 15, 2022

AN ORDINANCE CONCERNING

Obstructing Street – Racing or Stunt Driving

- 2 FOR the purpose of prohibiting the obstruction of public streets under certain circumstances;
- establishing certain penalties; defining certain terms; and generally relating to obstructing a
 City street.
- 5 BY repealing and reordaining, with amendments
- 6 Article 1 Mayor, City Council, and Municipal Agencies
- 7 Sections 40-14(e)(3) and 41-14(2)
- 8 Baltimore City Code
- 9 (Edition 2000)
- 10 BY adding

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- 11 Article 19 Police Ordinances
- 12 Section 50-1
- 13 Baltimore City Code
- 14 (Edition 2000)

15 SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the

16 Laws of Baltimore City read as follows:

EXPLANATION: CAPITALS indicate matter added to existing law. [Brackets] indicate matter deleted from existing law. <u>Underlining</u> indicates matter added to the bill by amendment. Strike out indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

1	Baltimore City Code	
2	Article 1. Mayor, City Council, and Municipal Agencies	
3	Subtitle 40. Environmental Control Board	
4	§40-14. Violations to which subtitle applies.	
5	(e) Provisions and penalties enumerated.	
6		
7	(3) Article 19. Police Ordinances	
8		
9	§ 50-1. OBSTRUCTING STREET: RACING OR STUNT DRIVING	\$1,000
10		
11	Subtitle 41. Civil Citations	
12	§ 41-14. Offenses to which subtitle applies – Listing.	
13		
14	(2) Article 19. Police Ordinances	
15		
16	§ 50-1. OBSTRUCTING STREET: RACING OR STUNT DRIVING	\$1,000
17		
18	Article 19. Police Ordinances	
19	Subtitle 50. Street Regulations	
20	§ 50-1. OBSTRUCTING STREET: RACING OR STUNT DRIVING.	
21	(A) DEFINITIONS.	
22	(1) IN GENERAL.	
23	IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.	

1 (2) DOING DOUGHNUTS. 2 "DOING DOUGHNUTS" MEANS PURPOSEFULLY DRIVING A MOTOR VEHICLE IN A TIGHT, 3 CURVED OR CIRCULAR DIRECTION IN A CONTINUOUS MOTION, OFTEN LEAVING TIRE 4 MARKS ON THE SURFACE WHERE THE MANEUVER WAS PERFORMED. 5 (3) NON-DRIVER PARTICIPANT. 6 (I) IN GENERAL. "NON-DRIVER PARTICIPANT" MEANS ANY INDIVIDUAL NOT DRIVING A MOTOR 7 8 VEHICLE WHO IS KNOWINGLY PRESENT AT AN ILLEGAL VEHICLE RACE OR STUNT 9 DRIVING EVENT FOR THE PURPOSE OF ACTIVELY TAKING PART IN THE EVENT. 10 (II) INCLUSIONS. 11 "NON-DRIVER PARTICIPANT" INCLUDES AN INDIVIDUAL WHO IS: 12 (A) RIDING IN A RACE VEHICLE AS A PASSENGER; 13 (B) ASSISTING THE ORGANIZERS OR DRIVERS IN CARRYING OUT OR PROMOTING 14 THE EVENT; OR 15 (C) EXCHANGING MONEY OR ANYTHING OF VALUE WITH ANY DRIVER, CAR OWNER, OR OTHER PARTICIPANT IN CONNECTION WITH THE EVENT. 16 17 (III) EXCLUSION. 18 "NON-DRIVER PARTICIPANT" DOES NOT INCLUDE AN INDIVIDUAL WHO IS A 19 20 BYSTANDER, PASSERBY, OR PASSIVE OBSERVER. 21 (4) RACING. "RACING" MEANS DRIVING A MOTOR VEHICLE AT A HIGH SPEED TO COMPETE AGAINST 22 23 THE DRIVER OF ANOTHER MOTOR VEHICLE. 24 (5) STUNT DRIVING. 25 (I) IN GENERAL. "STUNT DRIVING" MEANS ANY INTENTIONAL AND UNNECESSARY ACTION TAKEN 26 27 WHILE DRIVING THAT COULD ENDANGER THE LIFE OR SAFETY OF ANOTHER PERSON 28 OR CAUSE PROPERTY DAMAGE. 29 (II) INCLUSIONS. 30 "STUNT DRIVING" INCLUDES PURPOSEFULLY: 31 (A) DRIVING WITH A PERSON IN THE TRUNK OF THE MOTOR VEHICLE;

1 2	(B) DRIVING WHILE THE DRIVER IS NOT SITTING IN THE DRIVER'S SEAT OF THE MOTOR VEHICLE;
3	(C) DRIVING TO PREVENT ANOTHER VEHICLE FROM PASSING;
4 5	(D) SPINNING A VEHICLE OR CAUSING IT TO CIRCLE, WITHOUT MAINTAINING CONTROL OVER THE VEHICLE;
6	(E) DOING DOUGHNUTS;
7 8	(F) WHILE TURNING, CAUSING 1 OR MORE OF A MOTOR VEHICLE'S TIRES TO LOSE TRACTION WITH THE SURFACE THE VEHICLE IS DRIVING ON;
9 10	(G) WITHOUT JUSTIFICATION, DRIVING AS CLOSE AS POSSIBLE TO ANOTHER VEHICLE, PEDESTRIAN, OR FIXED OBJECT;
11 12 13	 (H) LIFTING 1 OR MORE OF A VEHICLE'S TIRES FROM THE SURFACE THE VEHICLE IS DRIVING ON, INCLUDING DRIVING A MOTORCYCLE WITH ONLY 1 WHEEL IN CONTACT WITH THE GROUND;
14 15 16 17 18	(I) DRIVING A MOTOR VEHICLES SIDE BY SIDE OR IN PROXIMITY TO ANOTHER MOTOR VEHICLE, WHILE 1 OF THE MOTOR VEHICLES OCCUPIES A LANE OF TRAFFIC OR OTHER PORTION OF THE ROAD INTENDED FOR USE BY ONCOMING TRAFFIC FOR A PERIOD OF TIME THAT IS LONGER THAN IS REASONABLY REQUIRED TO PASS ANOTHER MOTOR VEHICLE; AND
19 20 21 22 23	(J) STOPPING OR SLOWING DOWN IN A MANNER THAT INTERFERES WITH THE MOVEMENT OF ANOTHER VEHICLE BY CUTTING OFF ITS PASSAGE ON THE ROAD OR CAUSES ANOTHER VEHICLE TO STOP OR SLOW DOWN IN CIRCUMSTANCES WHERE THE OTHER VEHICLE WOULD NOT ORDINARILY DO SO.
24	(B) PROHIBITED CONDUCT.
25 26 27	NO PERSON, INCLUDING A NON-DRIVER PARTICIPANT, MAY IN ANY MANNER OBSTRUCT ANY STREET, LANE, SIDEWALK, FOOTWAY, OR ALLEY IN THE CITY OR ANY OF THEIR GUTTERS FOR THE PURPOSE OF:
28	(1) STUNT DRIVING; OR
29	(2) RACING A MOTOR VEHICLE.
30	(C) ENFORCEMENT BY CITATION.
31 32	(1) IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE, THIS SECTION MAY BE ENFORCED BY ISSUANCE OF:
33 34	(I) AN ENVIRONMENTAL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 40 {"ENVIRONMENTAL CONTROL BOARD"}; OR

1	(II) A CIVIL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 41 {"CIVIL
2	CITATIONS"}.
3	(2) THE ISSUANCE OF A CITATION TO ENFORCE THIS SECTION DOES NOT PRECLUDE
4	PURSUING ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION
5	AUTHORIZED BY LAW.
6	(D) PENALTIES.
7	ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A
8	MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN $\$1000$ OR
9	TO IMPRISONMENT FOR NOT LONGER THAN 12 MONTHS, OR BOTH.
10	SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30 th day

11 after the date it is enacted.

Certified as duly passed this _____ day of _____, 20____

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this _____ day of _____, 20____

Chief Clerk

Approved this _____ day of _____, 20____

Mayor, Baltimore City