

HOUSE BILL 1099

R5

8lr2613
CF SB 868

By: **Delegate Lafferty**

Introduced and read first time: February 7, 2018

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 14, 2018

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Injury or Death of Vulnerable ~~Road User~~ Individual – Penalties**

3 FOR the purpose of prohibiting a person from causing the serious physical injury or death
4 of a vulnerable ~~road user~~ individual as a result of the person operating a vehicle in
5 a careless or distracted manner or in violation of certain provisions of the Maryland
6 Vehicle Law; establishing certain penalties for a violation of this Act; ~~establishing~~
7 that a person charged with a violation of this Act must appear in court and may not
8 prepay the fine; requiring the Motor Vehicle Administration to suspend for a certain
9 amount of time the driver's license of a person convicted of a violation of this Act;
10 defining the term “vulnerable ~~road user~~ individual” for purposes of this Act; and
11 generally relating to penalties for causing the serious physical injury or death of a
12 vulnerable ~~road user~~ individual.

13 BY repealing and reenacting, without amendments,
14 Article – Transportation
15 Section 11–101 and 11–145
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2017 Supplement)

18 BY adding to
19 Article – Transportation
20 Section 21–901.3
21 Annotated Code of Maryland
22 (2012 Replacement Volume and 2017 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Transportation**

4 11–101.

5 In the Maryland Vehicle Law, the following words have the meanings indicated,
6 unless the context requires otherwise.

7 11–145.

8 “Pedestrian” means an individual afoot.

9 **21–901.3.**

10 (A) IN THIS SECTION, “VULNERABLE ROAD-USER INDIVIDUAL” MEANS:

11 (1) A PEDESTRIAN, INCLUDING AN INDIVIDUAL WHO IS:

12 (I) ACTIVELY WORKING ON A HIGHWAY OR A UTILITY FACILITY
13 ALONG A HIGHWAY; ~~OR~~

14 (II) PROVIDING EMERGENCY SERVICES ON A HIGHWAY; OR

15 (III) ON A SIDEWALK OR FOOTPATH;

16 (2) AN INDIVIDUAL WHO IS RIDING OR LEADING AN ANIMAL ON A
17 HIGHWAY, SHOULDER, ~~OR~~ CROSSWALK, OR SIDEWALK; OR

18 (3) A PERSON WHO IS LAWFULLY OPERATING OR RIDING ANY OF THE
19 FOLLOWING ON A HIGHWAY, SHOULDER, ~~OR~~ CROSSWALK, OR SIDEWALK:

20 (I) A BICYCLE;

21 (II) A FARM TRACTOR OR FARM EQUIPMENT;

22 (III) A PLAY VEHICLE;

23 (IV) A MOTOR SCOOTER;

24 (V) A MOTORCYCLE;

25 (VI) AN ANIMAL–DRAWN VEHICLE;

1 (VII) AN EPAMD; OR

2 (VIII) A WHEELCHAIR.

3 (B) A PERSON MAY NOT CAUSE THE SERIOUS PHYSICAL INJURY OR DEATH
4 OF A VULNERABLE ~~ROAD-USER~~ INDIVIDUAL AS A RESULT OF THE PERSON
5 OPERATING A MOTOR VEHICLE:

6 (1) IN A CARELESS OR DISTRACTED MANNER; OR

7 (2) IN VIOLATION OF ANY PROVISION OF THIS TITLE.

8 (C) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B) OF THIS
9 SECTION ~~IS~~:

10 (1) IS SUBJECT TO A FINE NOT EXCEEDING \$2,000; AND

11 (2) (I) MUST APPEAR IN COURT; AND

12 (II) MAY NOT PREPAY THE FINE.

13 (D) IN ADDITION TO THE PENALTIES PROVIDED UNDER SUBSECTION (C) OF
14 THIS SECTION, THE COURT MAY ORDER A PERSON CONVICTED OF A VIOLATION OF
15 SUBSECTION (B) OF THIS SECTION TO:

16 (1) PARTICIPATE IN A MOTOR VEHICLE SAFETY COURSE; AND

17 (2) PERFORM UP TO 150 HOURS OF COMMUNITY SERVICE.

18 (E) THE ADMINISTRATION SHALL SUSPEND THE DRIVER'S LICENSE OF A
19 PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B) OF THIS SECTION FOR AT
20 LEAST 7 DAYS BUT NOT MORE THAN 6 MONTHS.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2018.