

HOUSE BILL 1406

R5

EMERGENCY BILL

8lr2245
CF SB 872

By: **Delegates Carozza, Adams, Afzali, Arentz, Atterbeary, Folden, Morgan, Szeliga, Vogt, West, and Wilson**

Introduced and read first time: February 9, 2018

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Special Event Zones**

3 FOR the purpose of authorizing the State Highway Administration, on its own initiative or
4 at the request of a local authority, to designate an area on a State highway as a
5 special event zone and reduce established speed limits in the special event zone after
6 making a certain determination; authorizing a local authority to designate an area
7 on a highway under its jurisdiction as a special event zone and reduce established
8 speed limits in the special event zone after making a certain determination;
9 providing that a speed limit established under this Act shall become effective when
10 posted; prohibiting a person from driving a motor vehicle at a speed exceeding the
11 posted speed limit within a special event zone; prohibiting a driver from committing
12 certain violations while driving in a special event zone while pedestrians are present;
13 prohibiting a driver from committing a certain violation that results in bodily injury
14 or death to another person; establishing certain penalties for certain violations of
15 this Act; defining certain terms; making this Act an emergency measure; and
16 generally relating to highway special event zones.

17 BY repealing and reenacting, without amendments,
18 Article – Transportation
19 Section 11–130
20 Annotated Code of Maryland
21 (2012 Replacement Volume and 2017 Supplement)

22 BY adding to
23 Article – Transportation
24 Section 21–811 and 21–906
25 Annotated Code of Maryland
26 (2012 Replacement Volume and 2017 Supplement)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 That the Laws of Maryland read as follows:

2 **Article – Transportation**

3 11–130.

4 “Local authority” means a political subdivision or a local board or other body that,
5 under the laws of this State, has authority to enact laws and adopt local police regulations
6 relating to traffic.

7 **21–811.**

8 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
9 **INDICATED.**

10 **(2) (I) “SPECIAL EVENT” MEANS ANY AUTOMOTIVE,**
11 **ENTERTAINMENT, AMUSEMENT, RECREATION, SPORTING, MARKETING, OR**
12 **COMMUNITY EVENT AT WHICH THE PUBLIC GATHERS IN LARGE NUMBERS AND IN**
13 **CLOSE PROXIMITY TO A HIGHWAY.**

14 **(II) “SPECIAL EVENT” INCLUDES:**

- 15 **1. A VEHICLE SHOW, A BOAT SHOW, OR AN OUTDOOR**
16 **RECREATION SHOW;**
- 17 **2. A FESTIVAL, FAIR, OR CARNIVAL;**
- 18 **3. A PARADE;**
- 19 **4. A CIRCUS;**
- 20 **5. A CONCERT;**
- 21 **6. A BLOCK PARTY; AND**
- 22 **7. A FIREWORKS DISPLAY.**

23 **(3) “SPECIAL EVENT ZONE” MEANS AN AREA ON OR ALONGSIDE A**
24 **HIGHWAY THAT IS MARKED BY APPROPRIATE WARNING SIGNS OR OTHER TRAFFIC**
25 **CONTROL DEVICES DESIGNATING THAT A SPECIAL EVENT IS IN PROGRESS.**

26 **(B) (1) THE STATE HIGHWAY ADMINISTRATION MAY, ON ITS OWN**
27 **INITIATIVE OR AT THE REQUEST OF A LOCAL AUTHORITY:**

1 (I) DESIGNATE AN AREA ON A STATE HIGHWAY AS A SPECIAL
2 EVENT ZONE; AND

3 (II) REDUCE ESTABLISHED SPEED LIMITS IN THE SPECIAL
4 EVENT ZONE AFTER A DETERMINATION THAT THE CHANGE IS NECESSARY TO
5 ENSURE PUBLIC SAFETY.

6 (2) A LOCAL AUTHORITY MAY:

7 (I) DESIGNATE AN AREA ON A HIGHWAY UNDER ITS
8 JURISDICTION AS A SPECIAL EVENT ZONE; AND

9 (II) REDUCE ESTABLISHED SPEED LIMITS IN THE SPECIAL
10 EVENT ZONE AFTER A DETERMINATION THAT THE CHANGE IS NECESSARY TO
11 ENSURE PUBLIC SAFETY.

12 (C) A SPEED LIMIT ESTABLISHED UNDER THIS SECTION SHALL BECOME
13 EFFECTIVE WHEN POSTED.

14 (D) A PERSON MAY NOT DRIVE A MOTOR VEHICLE AT A SPEED EXCEEDING
15 THE POSTED SPEED LIMIT WITHIN A SPECIAL EVENT ZONE ESTABLISHED IN
16 ACCORDANCE WITH THIS SECTION.

17 (E) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (D) OF THIS
18 SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000.

19 **21-906.**

20 (A) A DRIVER MAY NOT COMMIT ANY OF THE FOLLOWING VIOLATIONS
21 WHILE DRIVING IN A SPECIAL EVENT ZONE ESTABLISHED UNDER § 21-811 OF THIS
22 TITLE WHILE PEDESTRIANS ARE PRESENT:

23 (1) § 21-901.1(A) OF THIS SUBTITLE (RECKLESS DRIVING);

24 (2) § 21-901.2 OF THIS SUBTITLE (AGGRESSIVE DRIVING);

25 (3) § 21-1116 OF THIS TITLE (RACE OR SPEED CONTEST
26 PROHIBITED); OR

27 (4) § 21-1117 OF THIS TITLE (SKIDDING, SPINNING OF WHEELS, AND
28 EXCESSIVE NOISE PROHIBITED).

29 (B) (1) A DRIVER MAY NOT COMMIT A VIOLATION OF SUBSECTION (A) OF

1 THIS SECTION THAT RESULTS IN BODILY INJURY TO ANOTHER PERSON.

2 (2) A DRIVER MAY NOT COMMIT A VIOLATION OF SUBSECTION (A) OF
3 THIS SECTION THAT RESULTS IN DEATH OF ANOTHER PERSON.

4 (C) (1) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (A) OF
5 THIS SECTION IS SUBJECT TO:

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

8 (II) FOR A SECOND OR SUBSEQUENT OFFENSE, IMPRISONMENT
9 NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

10 (2) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B)(1) OF
11 THIS SECTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE
12 NOT EXCEEDING \$5,000 OR BOTH.

13 (3) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B)(2) OF
14 THIS SECTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE
15 NOT EXCEEDING \$5,000 OR BOTH.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
17 measure, is necessary for the immediate preservation of the public health or safety, has
18 been passed by a ye and nay vote supported by three-fifths of all the members elected to
19 each of the two Houses of the General Assembly, and shall take effect from the date it is
20 enacted.