

# SENATE BILL 460

R5

(9lr1330)

## ENROLLED BILL

— *Judicial Proceedings/Environment and Transportation* —

Introduced by **Senators Waldstreicher, Benson, Feldman, Kagan, King, Kramer, Lee, Peters, Smith, Young, and Zucker**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

### 2 **Pedestrian Safety Fund Act of 2019**

3 FOR the purpose of ~~establishing the minimum~~ *increasing the maximum* fine that may be  
4 imposed for a violation of certain provisions of the Maryland Vehicle Law regarding  
5 crosswalks; establishing the Pedestrian Safety Fund as a special, nonlapsing fund;  
6 requiring the Secretary of Transportation to administer the Fund; requiring the  
7 State Treasurer to hold the Fund separately, and the Comptroller to account for the  
8 Fund; specifying the contents of the Fund; specifying the purpose for which the Fund  
9 may be used; providing for the investment of money in the Fund; requiring interest  
10 earnings of the Fund to be credited to the Fund; exempting the Fund from a certain  
11 provision of law requiring interest earnings on State money to accrue to the General  
12 Fund of the State; defining a certain term; and generally relating to the Pedestrian  
13 Safety Fund.

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#### 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.

*Italics* indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, without amendments,  
2 Article – State Finance and Procurement  
3 Section 6–226(a)(2)(i)  
4 Annotated Code of Maryland  
5 (2015 Replacement Volume and 2018 Supplement)

6 BY repealing and reenacting, with amendments,  
7 Article – State Finance and Procurement  
8 Section 6–226(a)(2)(ii)112. and 113.  
9 Annotated Code of Maryland  
10 (2015 Replacement Volume and 2018 Supplement)

11 BY adding to  
12 Article – State Finance and Procurement  
13 Section 6–226(a)(2)(ii)114.  
14 Annotated Code of Maryland  
15 (2015 Replacement Volume and 2018 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Transportation  
18 Section 21–502  
19 Annotated Code of Maryland  
20 (2012 Replacement Volume and 2018 Supplement)

21 BY adding to  
22 Article – Transportation  
23 Section 21–502.1  
24 Annotated Code of Maryland  
25 (2012 Replacement Volume and 2018 Supplement)

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

28 **Article – State Finance and Procurement**

29 6–226.

30 (a) (2) (i) Notwithstanding any other provision of law, and unless  
31 inconsistent with a federal law, grant agreement, or other federal requirement or with the  
32 terms of a gift or settlement agreement, net interest on all State money allocated by the  
33 State Treasurer under this section to special funds or accounts, and otherwise entitled to  
34 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General  
35 Fund of the State.

36 (ii) The provisions of subparagraph (i) of this paragraph do not apply  
37 to the following funds:

1 112. the Pretrial Services Program Grant Fund; [and]

2 113. the Veteran Employment and Transition Success Fund;

3 **AND**

4 **114. THE PEDESTRIAN SAFETY FUND.**

5 **Article – Transportation**

6 21–502.

7 (a) (1) This subsection does not apply where:

8 (i) A pedestrian tunnel or overhead pedestrian crossing is provided,  
9 as described in § 21–503(b) of this subtitle; or

10 (ii) A traffic control signal is in operation.

11 (2) The driver of a vehicle shall come to a stop when a pedestrian crossing  
12 the roadway in a crosswalk is:

13 (i) On the half of the roadway on which the vehicle is traveling; or

14 (ii) Approaching from an adjacent lane on the other half of the  
15 roadway.

16 (b) A pedestrian may not suddenly leave a curb or other place of safety and walk  
17 or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

18 (c) If, at a marked crosswalk or at an unmarked crosswalk at an intersection, a  
19 vehicle is stopped to let a pedestrian cross the roadway, the driver of any other vehicle  
20 approaching from the rear may not overtake and pass the stopped vehicle.

21 (d) A person may not commit a violation of subsection (a) or (c) of this section that  
22 contributes to an accident.

23 (e) A person convicted of a violation of subsection (d) of this section is subject to  
24 imprisonment not exceeding 2 months or a fine ~~OF NOT LESS THAN \$150 AND~~ not  
25 exceeding ~~\$500~~ \$1,000 or both.

26 **21–502.1.**

27 **(A) IN THIS SECTION, “FUND” MEANS THE PEDESTRIAN SAFETY FUND.**

28 **(B) THERE IS A PEDESTRIAN SAFETY FUND.**

1 (C) THE SECRETARY SHALL ADMINISTER THE FUND.

2 (D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND WHICH IS NOT  
3 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

4 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,  
5 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

6 (E) THE FUND CONSISTS OF:

7 (1) ~~\$150 FROM EACH FINE~~ THE FINES COLLECTED UNDER §  
8 21-502(E) OF THIS SUBTITLE;

9 (2) MONEY APPROPRIATED IN THE STATE BUDGET FOR THE FUND;

10 (3) ANY INTEREST EARNINGS OF THE FUND; AND

11 (4) ANY OTHER MONEY FROM ANY SOURCE ACCEPTED FOR THE  
12 BENEFIT OF THE FUND.

13 (F) THE FUND MAY BE USED ONLY FOR ENHANCING THE SAFETY AND  
14 QUALITY OF PEDESTRIAN AND BICYCLE TRANSPORTATION, INCLUDING:

15 (1) DEVELOPING AND PROVIDING EDUCATIONAL PROGRAMMING FOR  
16 BICYCLISTS, MOTORISTS, AND PEDESTRIANS THAT RAISES AWARENESS OF THEIR  
17 JOINT RESPONSIBILITY TO FOLLOW THE RULES OF THE ROAD;

18 (2) PHYSICAL DESIGN CHANGES THAT CALM TRAFFIC, MINIMIZE  
19 CONFLICTS AMONG STREET USERS, AND PROTECT BICYCLISTS, MOTORISTS, AND  
20 PEDESTRIANS, INCLUDING DESIGN CHANGES SUCH AS:

21 (I) LANE NARROWING;

22 (II) ESTABLISHMENT OF BICYCLE WAYS;

23 (III) SIDEWALK CONSTRUCTION;

24 (IV) PEDESTRIAN CONTROL SIGNAL UPGRADES;

25 (V) SPEED BUMPS;

26 (VI) CURB EXTENSIONS; AND

27 (VII) SAFETY ZONES; AND

1                   **(3) INCREASING ENFORCEMENT OF EXISTING RULES OF THE ROAD,**  
2 **SUCH AS BY USING RADAR SPEED DISPLAY SIGNS IN AREAS WHERE PEDESTRIAN**  
3 **CRASHES HAVE OCCURRED.**

4           **(G) (1) THE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE**  
5 **SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

6                   **(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED**  
7 **TO THE FUND.**

8           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2019.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.