

HOUSE BILL 118

R5

(11r0454)

ENROLLED BILL

— *Environment and Transportation/Judicial Proceedings* —

Introduced by **Delegates Stein and Malone**

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.

Speaker.

CHAPTER _____

1 AN ACT concerning

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

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

12 BY repealing and reenacting, without amendments,

13 Article – Transportation

14 Section 11–101 and 11–145

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 Annotated Code of Maryland
2 (2020 Replacement Volume)

3 BY adding to
4 Article – Transportation
5 Section 21–901.3
6 Annotated Code of Maryland
7 (2020 Replacement Volume)

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

10 **Article – Transportation**

11 11–101.

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

14 11–145.

15 “Pedestrian” means an individual afoot.

16 **21–901.3.**

17 **(A) IN THIS SECTION, “VULNERABLE INDIVIDUAL” MEANS:**

18 **(1) A PEDESTRIAN, INCLUDING AN INDIVIDUAL WHO ~~IS~~ IS LAWFULLY:**

19 **(I) ACTIVELY WORKING ON A HIGHWAY OR A UTILITY FACILITY**
20 **ALONG A HIGHWAY;**

21 **(II) PROVIDING EMERGENCY SERVICES ON A HIGHWAY; OR**

22 **(III) ON A SIDEWALK OR FOOTPATH;**

23 **(2) AN INDIVIDUAL WHO IS LAWFULLY RIDING OR LEADING AN**
24 **ANIMAL ON A HIGHWAY, SHOULDER, CROSSWALK, OR SIDEWALK; OR**

25 **(3) AN INDIVIDUAL WHO IS LAWFULLY OPERATING OR RIDING ANY OF**
26 **THE FOLLOWING ON A HIGHWAY, SHOULDER, CROSSWALK, OR SIDEWALK:**

27 **(I) A BICYCLE;**

28 **(II) A FARM TRACTOR OR FARM EQUIPMENT;**

- 1 **(III) A PLAY VEHICLE;**
- 2 **(IV) A MOTOR SCOOTER;**
- 3 **(V) A MOTORCYCLE;**
- 4 **(VI) AN ANIMAL-DRAWN VEHICLE;**
- 5 **(VII) AN EPAMD; OR**
- 6 **(VIII) A WHEELCHAIR.**

7 **(B) AN INDIVIDUAL MAY NOT CAUSE THE SERIOUS PHYSICAL INJURY OR**
8 **DEATH OF A VULNERABLE INDIVIDUAL AS A RESULT OF THE INDIVIDUAL OPERATING**
9 **A MOTOR VEHICLE IN VIOLATION OF ANY PROVISION OF THIS TITLE.**

10 **(C) (1) AN INDIVIDUAL CHARGED WITH A VIOLATION OF SUBSECTION (B)**
11 **OF THIS SECTION:**

- 12 **(I) MUST APPEAR IN COURT; AND**
- 13 **(II) MAY NOT PREPAY THE FINE.**

14 **(2) AN INDIVIDUAL CONVICTED OF A VIOLATION OF SUBSECTION (B)**
15 **OF THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$2,000.**

16 **(D) IN ADDITION TO THE PENALTIES PROVIDED UNDER SUBSECTION (C) OF**
17 **THIS SECTION, THE COURT MAY ORDER AN INDIVIDUAL CONVICTED OF A VIOLATION**
18 **OF SUBSECTION (B) OF THIS SECTION TO:**

- 19 **(1) PARTICIPATE IN A MOTOR VEHICLE SAFETY COURSE; AND**
- 20 **(2) PERFORM UP TO 150 HOURS OF COMMUNITY SERVICE.**

21 **(E) THE ADMINISTRATION SHALL SUSPEND THE DRIVER'S LICENSE OF AN**
22 **INDIVIDUAL CONVICTED OF A VIOLATION OF SUBSECTION (B) OF THIS SECTION FOR**
23 **AT LEAST 7 DAYS BUT NOT MORE THAN 6 MONTHS.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2021.