

# SENATE BILL 147

R5

(PRE-FILED)

2lr1103  
CF HB 105

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By: **Senator Waldstreicher**

Requested: October 29, 2021

Introduced and read first time: January 12, 2022

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 3, 2022

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

1 AN ACT concerning

2 **Motor Vehicles – Operation When Approaching ~~Disabled~~ Stopped, Standing, or**  
3 **Parked Vehicles**

4 FOR the purpose of requiring a driver to make a certain lane change or to slow the speed  
5 of the driver's vehicle in a certain manner when approaching from the rear a ~~disabled~~  
6 stopped, standing, or parked vehicle displaying certain signals; and generally  
7 relating to the rules of the road when approaching ~~disabled~~ stopped, standing, or  
8 parked vehicles.

9 BY repealing and reenacting, with amendments,  
10 Article – Transportation  
11 Section 21–405(e)  
12 Annotated Code of Maryland  
13 (2020 Replacement Volume and 2021 Supplement)

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

16 **Article – Transportation**

17 21–405.

18 (e) (1) This subsection applies to a stopped, standing, or parked vehicle that  
19 is:

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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.



1 (i) 1. On a highway; [and]  
 2 2. Using a visual signal that meets the requirements of §  
 3 22–218 or § 22–218.2 of this article; and

4 [(ii) 1.] **3. A.** A commercial motor vehicle providing emergency  
 5 maintenance to a disabled vehicle;

6 **[2.] B.** An emergency vehicle;

7 **[3.] C.** A service vehicle as defined under § 22–201 of this  
 8 article;

9 **[4.] D.** A tow truck that is properly registered in  
 10 accordance with § 13–920 of this article; or

11 **[5.] E.** A waste or recycling collection vehicle; **OR**

12 **(II) 1. ON A HIGHWAY; AND**

13 **2. ~~A DISABLED VEHICLE DISPLAYING~~ DISPLAYING:**

14 **A. HAZARD WARNING LIGHTS;**

15 **B. ROAD FLARES; OR**

16 **C. OTHER CAUTION SIGNALS, INCLUDING TRAFFIC**  
 17 **CONES, CAUTION SIGNS, OR NONVEHICULAR WARNING LIGHTS.**

18 (2) Unless otherwise directed by a police officer or a traffic control device,  
 19 the driver of a motor vehicle that approaches from the rear a stopped, standing, or parked  
 20 vehicle to which this subsection applies shall:

21 (i) If practicable and not otherwise prohibited and with due regard  
 22 for safety and traffic conditions, make a lane change into an available lane not immediately  
 23 adjacent to the stopped, standing, or parked vehicle; or

24 (ii) If the driver of the motor vehicle is unable to make a lane change  
 25 in accordance with item (i) of this paragraph, slow to a reasonable and prudent speed that  
 26 is safe for existing weather, road, and vehicular or pedestrian traffic conditions.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 28 October 1, 2022.