



Maryland Chapter

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Committee: Judicial Proceedings
Testimony on: SB512 - “Vehicle Laws – Injury or Death of Vulnerable Individual - Penalties”
Position: Favorable with Amendments
Hearing Date: February 21, 2020

The Maryland Sierra Club supports SB512 with an amendment. The bill would impose penalties when a vehicle driver is convicted of causing serious physical injury or death to a “vulnerable individual” when operating a vehicle in a “careless or distracted manner.” The bill defines a vulnerable individual as one who is on a sidewalk, footpath, crosswalk, or highway shoulder or who is providing emergency services on a highway. A vulnerable individual also would include someone who is lawfully operating a bicycle, motorcycle, motor scooter, farm equipment, an animal-driven vehicle, or a wheelchair on a highway, shoulder, crosswalk or sidewalk.

Transportation is now the primary contributor to greenhouse gas emissions in our state. Tailpipe emissions from cars and trucks are also a major source of health-damaging air pollution. This means there is growing need to get individuals out of their cars, taking transit, riding bikes, and walking more.

We live in a car-centric culture where transportation planning, road infrastructure, and vehicle laws are largely focused on enabling vehicles to get to their destinations as swiftly as possible. Unfortunately, this has resulted in some drivers feeling they have priority on the road, and that pedestrians and bicyclists have less priority. As a consequence, too many pedestrians, bicyclists and others lawfully operating on the side of the road are seriously injured or killed.

This bill could help bring about needed change. Our concern, however, is that the bill does not define what constitutes driving in a “careless or distracted manner”; this language may be too vague and ambiguous to give fair warning to drivers as to what is prohibited, and thus a court may decline to enforce the prohibition.

For these reasons, we urge the Committee to issue a favorable report with an amendment.

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