



# Support HB118 Vulnerable Road Users

*Bicycle Advocates for Annapolis & Anne Arundel County*  
P.O. Box 208, Arnold, MD 21012 [www.bikeaaa.org](http://www.bikeaaa.org)

House Environment & Transportation Committee  
Annapolis, MD 21401-1991

January 12, 2021

Dear Chairman and Members of the Committee,

I am a resident of District 33, president of Bicycle Advocates for Annapolis and Anne Arundel County (“BikeAAA”), Chair of the Anne Arundel County Bicycle Advisory Commission, Member of the 2017 Maryland Bicycle Safety Task Force and Maryland transportation and recreation cyclist for over 20 years. On behalf of BikeAAA and its more than 1,000 members, I support House Bill 118. This bill will raise the duty of care for drivers when they encounter pedestrians, bicyclists, motorcyclists, wheelchair users and other vulnerable road users lawfully using or crossing our roads. Their key benefits of this law include:

- Deterrence for bad driver behaviors around vulnerable users
- Fills gaps between ordinary traffic violations and more severe offenses and provides additional charging and penalty options for law enforcement, prosecutors and judges
- Allows stronger penalties for drivers causing serious injury or death
- Promotes public awareness of the threat posed by motorists near vulnerable people outside of vehicles
- Reverse the sad trend of rising pedestrian/bicyclist fatalities even as driver fatalities decline. **In Maryland, pedestrian and bicyclist fatalities rose from 96 in the first 3 quarters of 2019 to 100 in the first 3 quarters of 2020 (even with reduced driving due to COVID)**

This was the #1 legislative recommendation of the 2017 Maryland Bicycle Safety Task Force and is based on a model law provided by the League of American Bicyclists. It aligns with the Maryland Strategic Highway Safety Plan and Vision Zero program. Ten other states have Vulnerable Road User laws. Drivers of vehicles which are potentially lethal to lawful road users outside of vehicles should exercise greater care and face tougher penalties when they don't.

In 2019 and 2020, the House unanimously passed a substantially identical bill.

Safe biking and walking promote health, reduce traffic, improve the environment and stimulate economic growth for all Marylanders. This bill will advance safe, active transportation.

Sincerely,

Jon Korin  
President, Bicycle Advocates for Annapolis & Anne Arundel County

Tel: 443-685-4103

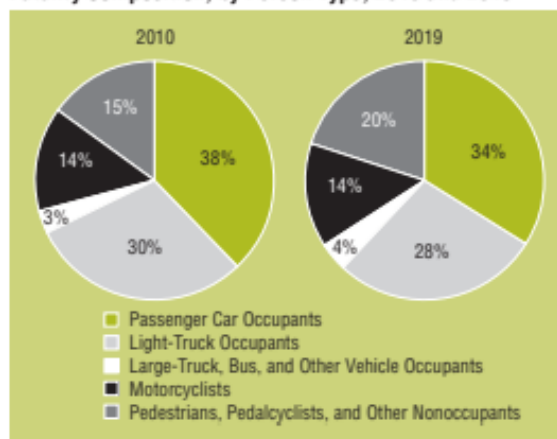
The percentage of fatalities of Vulnerable Individuals outside the vehicle (pedestrians, motorcyclists, bicyclists, etc.) continues to rise.

### People Killed and Injured, by Person Type

The comparison of fatality composition between 2010 and 2019 are shown in Figure 3. The biggest change is in nonoccupant fatalities, as a proportion of overall traffic fatalities, increasing from 15 percent in 2010 to 20 percent in 2019. Considering the same comparison between 2010 and 2019, the percentage of passenger car occupant fatalities decreased from 38 percent of all fatalities to 34 percent in 2019. Considering the same comparison between 2010 and 2019, the percentage of passenger car occupant fatalities decreased from 38 percent of all fatalities to 34 percent in 2019.

The percentage of light-truck occupant fatalities decreased from 30 percent in 2010 to 28 percent in 2019. The proportion of motorcyclist fatalities remained at 14 percent in both years, and the proportion of large truck, bus, and other vehicle occupant fatalities increased from 3 percent to 4 percent.

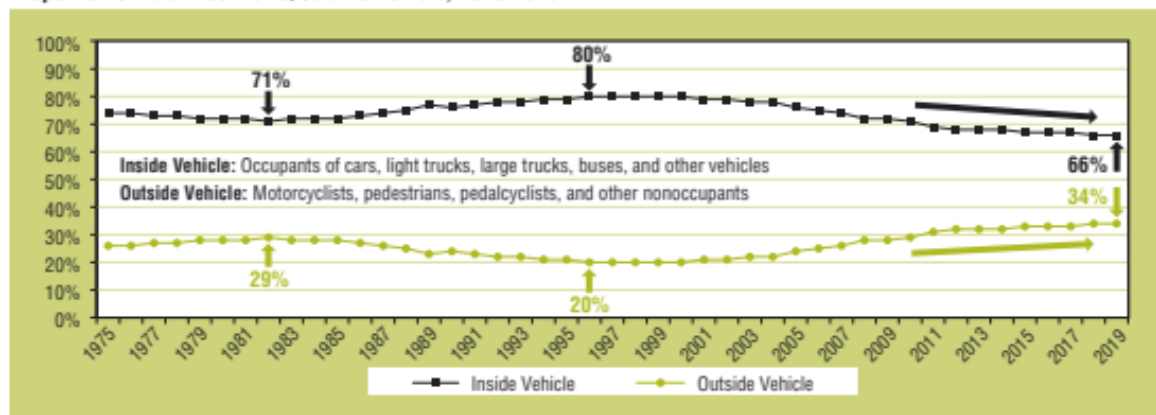
Figure 3  
Fatality Composition, by Person Type, 2010 and 2019



Source: FARS 2010 Final File, 2019 ARF

The proportion of people killed “inside the vehicle” (occupants of passenger cars, light trucks, large trucks, buses, and other vehicles) has declined from a high of 80 percent in 1996 to 66 percent in 2019, as seen in Figure 4. Correspondingly, the proportion of people killed “outside the vehicle” (motorcyclists, pedestrians, pedalcyclists, and other nonoccupants) has increased from a low of 20 percent in 1996 to a high of 34 percent in 2019.

Figure 4  
Proportion of Fatalities Inside/Outside Vehicle, 1975-2019



Source: FARS 1975-2018 Final File, 2019 ARF

Table 3 presents the change between 2018 and 2019 in the number of occupant and nonoccupant fatalities as well as the estimated number of occupants and nonoccupants injured.

Overall, most categories of occupant and nonoccupant fatalities decreased from 2018 to 2019 except for light-truck occupant fatalities, SUV occupant fatalities, and large-truck occupant fatalities.

## Vulnerable Road User Law Fills a Gap in our Traffic Laws By Raising the Penalties for Drivers Who Commit traffic offenses that result in death or serious injury of a vulnerable user\*

Gross Negligence						3-211 3-212	Gross Neg. Manslaughter (2-209)
Criminal Negligence						Carozza Bill SB17	Crimi. Neg. Manslaughter (2-210)
Reckless	DUI						
Traffic	Reckless Driving						
	Traffic Citations						
	None	Property	Minor Injury	Serious Injury	Life-threatening Injury	Death	

### Consequence

\* Bill SB17 (Wade's Law) fills a different gap by providing reduced penalties for criminal negligence resulting in life-threatening injury vs. death as provided in existing law 2-210