

HB 118 – SUPPORT

Vehicle Laws – Injury or Death of Vulnerable Individual – Penalties
House Environment and Transportation Committee
January 14, 2021

Dear Distinguished Members of the Environment and Transportation Committee:

I am a Maryland lawyer (since 1996) who exclusively focuses on serious bike crashes in Maryland and across the country. As the Founder of the Bike Law Network, I have handled many cases of catastrophic injury and fatality of Maryland citizens. I offer my written testimony in favor of House Bill 118, the proposed Vulnerable Road User (“VRU”) law currently before this Committee.

My work for cyclists began in 1998, the year my brother was killed on his bike by an underaged driver. Since then, I have represented far too many families who have lost loved ones in the dangerous epidemic on our roads. While traffic safety is increasing for the population as a whole, the risk to vulnerable road users is actually increasing. People in this category include pedestrians, bicyclists, those using wheelchairs or mobility devices, motorcyclists, highway workers on a highway, and law enforcement assisting stranded vehicles and making traffic stops.

VRU laws operate on the principal of general deterrence. These laws provide an increased penalty for road behaviors that lead to the serious injury or death of vulnerable road users. The goal is for drivers to be deterred from dangerously operating motor vehicles around those users. VRU laws are meant to fill legal gaps between less and more severe offenses, providing additional charging options to local prosecutors.

I have spoken to law enforcement and prosecutors who feel constrained by the current statutory system in which a bike crash is either a mere traffic ticket or a serious crime. Most crashes in the real world fall somewhere between these two extremes. A Maryland VRU law, as used in other states, fills the gap and gives much needed charging options to law enforcement of prosecutors.

House Bill 118 does an excellent job of balancing respective rights and responsibilities. Most importantly, HB 118 requires a mandatory court appearance (rather than the possibility of mailing in a fine) and allows for the discretionary sentencing of traffic safety education and community service. The passage of HB 118 will make Maryland roads safer for all users and make this State a model for other states to follow.

Respectfully submitted,

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