

HOUSE BILL 1099

R5

8lr2613
CF SB 868

By: **Delegate Lafferty**

Introduced and read first time: February 7, 2018

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 14, 2018

CHAPTER _____

1 AN ACT concerning

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

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

13 BY repealing and reenacting, without amendments,
14 Article – Transportation
15 Section 11–101 and 11–145
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2017 Supplement)

18 BY adding to
19 Article – Transportation
20 Section 21–901.3
21 Annotated Code of Maryland
22 (2012 Replacement Volume and 2017 Supplement)

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.



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

Article – Transportation

11–101.

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

11–145.

“Pedestrian” means an individual afoot.

21–901.3.

(A) IN THIS SECTION, “VULNERABLE ~~ROAD USER~~ INDIVIDUAL” MEANS:

(1) A PEDESTRIAN, INCLUDING AN INDIVIDUAL WHO IS:

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

(II) PROVIDING EMERGENCY SERVICES ON A HIGHWAY; OR

(III) ON A SIDEWALK OR FOOTPATH;

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

**(3) A PERSON WHO IS LAWFULLY OPERATING OR RIDING ANY OF THE
FOLLOWING ON A HIGHWAY, SHOULDER, ~~OR~~ CROSSWALK, OR SIDEWALK:**

(I) A BICYCLE;

(II) A FARM TRACTOR OR FARM EQUIPMENT;

(III) A PLAY VEHICLE;

(IV) A MOTOR SCOOTER;

(V) A MOTORCYCLE;

(VI) AN ANIMAL–DRAWN VEHICLE;

1 (VII) AN EPAMD; OR

2 (VIII) A WHEELCHAIR.

3 (B) A PERSON MAY NOT CAUSE THE SERIOUS PHYSICAL INJURY OR DEATH
4 OF A VULNERABLE ~~ROAD USER~~ INDIVIDUAL AS A RESULT OF THE PERSON
5 OPERATING A MOTOR VEHICLE:

6 (1) IN A CARELESS OR DISTRACTED MANNER; OR

7 (2) IN VIOLATION OF ANY PROVISION OF THIS TITLE.

8 (C) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B) OF THIS
9 SECTION ~~IS~~:

10 (1) IS SUBJECT TO A FINE NOT EXCEEDING \$2,000; AND

11 (2) (I) MUST APPEAR IN COURT; AND

12 (II) MAY NOT PREPAY THE FINE.

13 (D) IN ADDITION TO THE PENALTIES PROVIDED UNDER SUBSECTION (C) OF
14 THIS SECTION, THE COURT MAY ORDER A PERSON CONVICTED OF A VIOLATION OF
15 SUBSECTION (B) OF THIS SECTION TO:

16 (1) PARTICIPATE IN A MOTOR VEHICLE SAFETY COURSE; AND

17 (2) PERFORM UP TO 150 HOURS OF COMMUNITY SERVICE.

18 (E) THE ADMINISTRATION SHALL SUSPEND THE DRIVER'S LICENSE OF A
19 PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B) OF THIS SECTION FOR AT
20 LEAST 7 DAYS BUT NOT MORE THAN 6 MONTHS.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2018.