

HOUSE BILL 721

R5
SB 804/19 – JPR

0lr3521
CF SB 512

By: **Delegate Stein**

Introduced and read first time: January 30, 2020

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of prohibiting an individual from causing the serious physical injury or
4 death of a vulnerable individual as a result of the individual operating a vehicle in a
5 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 an individual charged with a violation of this Act must appear in court and may
8 not prepay the fine; requiring the Motor Vehicle Administration to suspend for a
9 certain amount of time the driver's license of an individual convicted of a violation of
10 this Act; providing requirements for citations issued under this Act; defining the
11 term "vulnerable individual" for purposes of this Act; and generally relating to
12 penalties for causing the serious physical injury or death of a vulnerable 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 2019 Supplement)

18 BY adding to
19 Article – Transportation
20 Section 21–901.3
21 Annotated Code of Maryland
22 (2012 Replacement Volume and 2019 Supplement)

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

25 **Article – Transportation**

26 11–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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 INDIVIDUAL” MEANS:

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

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

(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, CROSSWALK, OR SIDEWALK; OR**

**(3) AN INDIVIDUAL WHO IS LAWFULLY OPERATING OR RIDING ANY OF
THE FOLLOWING ON A HIGHWAY, SHOULDER, 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;

(VII) AN EPAMD; OR

(VIII) A WHEELCHAIR.

**(B) AN INDIVIDUAL MAY NOT CAUSE THE SERIOUS PHYSICAL INJURY OR
DEATH OF A VULNERABLE INDIVIDUAL AS A RESULT OF THE INDIVIDUAL OPERATING**

1 A MOTOR VEHICLE:

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

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

4 (C) (1) AN INDIVIDUAL CHARGED WITH A VIOLATION OF SUBSECTION (B)
5 OF THIS SECTION:

6 (I) MUST APPEAR IN COURT; AND

7 (II) MAY NOT PREPAY THE FINE.

8 (2) AN INDIVIDUAL CONVICTED OF A VIOLATION OF SUBSECTION (B)
9 OF THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$2,000.

10 (D) IN ADDITION TO THE PENALTIES PROVIDED UNDER SUBSECTION (C) OF
11 THIS SECTION, THE COURT MAY ORDER AN INDIVIDUAL CONVICTED OF A VIOLATION
12 OF SUBSECTION (B) OF THIS SECTION TO:

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

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

15 (E) THE ADMINISTRATION SHALL SUSPEND THE DRIVER'S LICENSE OF AN
16 INDIVIDUAL CONVICTED OF A VIOLATION OF SUBSECTION (B) OF THIS SECTION FOR
17 AT LEAST 7 DAYS BUT NOT MORE THAN 6 MONTHS.

18 (F) ANY CITATION ISSUED UNDER THIS SECTION SHALL CONFORM TO THE
19 REQUIREMENTS OF § 26-201(C)(2) OF THIS ARTICLE.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2020.