

HOUSE BILL 1184

R2

0lr1736

By: **Delegate Malone**

Introduced and read first time: February 7, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Pedestrian Safety**

3 FOR the purpose of requiring the driver of a vehicle to exercise due care to avoid colliding
4 with any pedestrian; requiring the driver of a vehicle to maintain a certain passing
5 distance, except under certain circumstances, when overtaking pedestrians;
6 prohibiting any person from throwing any object at or in the direction of any
7 pedestrian; prohibiting any person from opening the door of any motor vehicle with
8 intent to strike, injure, or interfere with any pedestrian; and generally relating to
9 pedestrian safety.

10 BY repealing and reenacting, without amendments,
11 Article – Transportation
12 Section 11–145
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2019 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Transportation
17 Section 21–1209
18 Annotated Code of Maryland
19 (2012 Replacement Volume and 2019 Supplement)

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

22 **Article – Transportation**

23 11–145.

24 “Pedestrian” means an individual afoot.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



21-1209.

(a) Notwithstanding any other provision of this title, the driver of a vehicle shall:

(1) Exercise due care to avoid colliding with any bicycle, EPAMD, [or] motor scooter being ridden by a person, **OR PEDESTRIAN**; and

(2) When overtaking a bicycle, an EPAMD, [or] a motor scooter, **OR A PEDESTRIAN**, pass safely at a distance of not less than 3 feet, unless, at the time:

(i) The bicycle, EPAMD, or motor scooter rider fails to operate the vehicle in conformance with § 21-1205(a) of this subtitle ("Riding to right side of roadway") or § 21-1205.1(b) of this subtitle ("Roadway with bike lane or shoulder paved to smooth surface");

(ii) A passing clearance of less than 3 feet is caused solely by the bicycle, EPAMD, [or] motor scooter rider, **OR PEDESTRIAN** failing to maintain a steady course; or

(iii) The highway on which the vehicle is being driven is not wide enough to lawfully pass the bicycle, EPAMD, [or] motor scooter, **OR PEDESTRIAN** at a distance of at least 3 feet.

(b) A person may not throw any object at or in the direction of any person riding a bicycle, an EPAMD, or a motor scooter, **OR ANY PEDESTRIAN**.

(c) A person may not open the door of any motor vehicle with intent to strike, injure, or interfere with any person riding a bicycle, an EPAMD, or a motor scooter, **OR ANY PEDESTRIAN**.

(d) Unless otherwise specified in this title, the driver of a vehicle shall yield the right-of-way to a person who is lawfully riding a bicycle, an EPAMD, or a motor scooter in a designated bike lane or shoulder if the driver of the vehicle is about to enter or cross the designated bike lane or shoulder.

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