

HOUSE BILL 1493

R5

EMERGENCY BILL

0lr2144
CF SB 878

By: **Delegates Hartman, Adams, Anderton, Arentz, Clark, Cox, Jacobs, Krimm, Malone, Mautz, McComas, Miller, Otto, and Reilly**

Introduced and read first time: February 7, 2020

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2020

CHAPTER _____

1 AN ACT concerning

2 **Worcester County – Special Event Zones – Prohibitions**

3 FOR the purpose of prohibiting a person from engaging in exhibition driving within a
4 special event zone in Worcester County; prohibiting a person from committing
5 certain violations of the Maryland Vehicle Law within a special event zone in
6 Worcester County; defining the term “exhibition driving” for purposes of this Act;
7 establishing certain penalties for violations of this Act; altering a certain definition;
8 making stylistic changes; making this Act an emergency measure; and generally
9 relating to special event zones in Worcester County.

10 BY repealing

11 Article – Transportation

12 Section 21–811

13 Annotated Code of Maryland

14 (2012 Replacement Volume and 2019 Supplement)

15 BY adding to

16 Article – Transportation

17 Section 21–1132

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:

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.



Article – Transportation

[21–811.

(a) (1) In this section the following words have the meanings indicated.

(2) “Special event” means any automotive or motor vehicle event occurring on or in close proximity to a highway that:

(i) Has been permitted or approved by a unit of local government; or

(ii) Is expected to have 1,000 or more individuals in attendance, regardless of whether the event has been permitted or approved by a unit of local government.

(3) “Special event zone” means an area on or alongside a highway that is marked by appropriate warning signs or other traffic control devices designating that a special event is in progress.

(b) This section applies only in Worcester County.

(c) (1) The State Highway Administration may, on its own initiative or at the request of a local authority:

(i) Designate an area on a State highway as a special event zone; and

(ii) Reduce established speed limits in the special event zone after a determination that the change is necessary to ensure public safety.

(2) A local authority may:

(i) Designate an area on a highway under its jurisdiction as a special event zone; and

(ii) Reduce established speed limits in the special event zone after a determination that the change is necessary to ensure public safety.

(d) A speed limit established under this section shall become effective when posted.

(e) A person may not drive a motor vehicle at a speed exceeding the posted speed limit within a special event zone established in accordance with this section.

(f) A person convicted of a violation of subsection (e) of this section is subject to a fine not exceeding \$1,000.]

1 21-1132.

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) "EXHIBITION DRIVING" MEANS:

5 (I) THE OPERATION OF A MOTOR VEHICLE IN A MANNER THAT
6 RESULTS IN:

7 1. THE EXCESSIVE, ABRUPT ACCELERATION OR
8 DECELERATION OF THE MOTOR VEHICLE;

9 2. THE SKIDDING, SQUEALING, BURNING, OR SMOKING
10 OF THE TIRES OF THE MOTOR VEHICLE;

11 3. THE SWERVING OR SWAYING OF THE MOTOR VEHICLE
12 FROM SIDE TO SIDE WHILE SKIDDING;

13 4. THE ENGINE OF THE MOTOR VEHICLE PRODUCING AN
14 UNREASONABLY LOUD, RAUCOUS, OR DISTURBING NOISE;

15 5. THE GRINDING OF THE GEARS OF THE MOTOR
16 VEHICLE OR THE BACKFIRING OF THE ENGINE OF THE MOTOR VEHICLE; OR

17 6. ANY OF THE WHEELS OF THE MOTOR VEHICLE LOSING
18 CONTACT WITH THE GROUND; OR

19 (II) THE TRANSPORTATION OF A PASSENGER ON OR IN AN AREA
20 OF A MOTOR VEHICLE THAT IS NOT DESIGNED OR INTENDED FOR PASSENGER
21 TRANSPORT SUCH AS THE HOOD OR ROOF.

22 (3) "SPECIAL EVENT" MEANS ANY AUTOMOTIVE OR MOTOR VEHICLE
23 EVENT OCCURRING ON OR IN CLOSE PROXIMITY TO A HIGHWAY THAT:

24 (I) HAS BEEN PERMITTED OR APPROVED BY A UNIT OF LOCAL
25 GOVERNMENT; OR

26 (II) IS EXPECTED TO HAVE 1,000 OR MORE INDIVIDUALS IN
27 ATTENDANCE, REGARDLESS OF WHETHER THE EVENT HAS BEEN PERMITTED OR
28 APPROVED BY A UNIT OF LOCAL GOVERNMENT.

(4) (I) "SPECIAL EVENT ZONE" MEANS AN AREA ON OR ALONG A HIGHWAY THAT IS MARKED BY APPROPRIATE WARNING SIGNS OR OTHER TRAFFIC CONTROL DEVICES DESIGNATING THE AREA AS A SPECIAL EVENT ZONE ~~AND~~, INDICATING THAT A SPECIAL EVENT IS IN PROGRESS, AND STATING THAT A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO ARREST.

(II) "SPECIAL EVENT ZONE" INCLUDES A PARKING STRUCTURE, A PARKING LOT, A STREET, OR ANY OTHER PROPERTY, PRIVATE OR PUBLIC, IMMEDIATELY ADJACENT TO THE MARKED AREA ON OR ALONG THE MARKED AREA.

(B) THIS SECTION APPLIES ONLY IN WORCESTER COUNTY.

(C) (1) THE STATE HIGHWAY ADMINISTRATION MAY, ON ITS OWN INITIATIVE OR AT THE REQUEST OF A LOCAL AUTHORITY:

(I) DESIGNATE AN AREA ON A STATE HIGHWAY AS A SPECIAL EVENT ZONE; AND

(II) REDUCE ESTABLISHED SPEED LIMITS IN THE SPECIAL EVENT ZONE AFTER A DETERMINATION THAT THE CHANGE IS NECESSARY TO ENSURE PUBLIC SAFETY.

(2) A LOCAL AUTHORITY MAY:

(I) DESIGNATE AN AREA ON A HIGHWAY UNDER ITS JURISDICTION AS A SPECIAL EVENT ZONE; AND

(II) REDUCE ESTABLISHED SPEED LIMITS IN THE SPECIAL EVENT ZONE AFTER A DETERMINATION THAT THE CHANGE IS NECESSARY TO ENSURE PUBLIC SAFETY.

(3) A SPEED LIMIT ESTABLISHED UNDER THIS SUBSECTION SHALL BECOME EFFECTIVE WHEN POSTED.

(D) A PERSON MAY NOT ENGAGE IN EXHIBITION DRIVING WITHIN A SPECIAL EVENT ZONE.

(E) A PERSON MAY NOT COMMIT ANY OF THE FOLLOWING VIOLATIONS WITHIN A SPECIAL EVENT ZONE:

(1) DRIVING A MOTOR VEHICLE AT A SPEED EXCEEDING THE POSTED SPEED LIMIT;

(2) NEGLIGENT DRIVING UNDER § 21-901.1(B) OF THIS TITLE;

1 **(3) DRIVING A MOTOR VEHICLE IN A RACE OR SPEED CONTEST UNDER**
2 **§ 21-1116(A) OF THIS TITLE THAT DOES NOT RESULT IN SERIOUS BODILY INJURY TO**
3 **ANOTHER PERSON, AS DEFINED IN § 20-102(C) OF THIS ARTICLE;**

4 **(4) PARTICIPATING IN A RACE OR SPEED CONTEST UNDER §**
5 **21-1116(B) OF THIS TITLE; OR**

6 **(5) SKIDDING, SPINNING OF WHEELS, OR CAUSING EXCESSIVE NOISE**
7 **UNDER § 21-1117 OF THIS TITLE.**

8 **(F) (1) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION ~~(E)~~ (D) OF**
9 **THIS SECTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 60 DAYS OR A FINE**
10 **NOT EXCEEDING \$1,000 OR BOTH.**

11 **(2) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION ~~(F)~~ (E) OF**
12 **THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
14 measure, is necessary for the immediate preservation of the public health or safety, has
15 been passed by a ye and nay vote supported by three-fifths of all the members elected to
16 each of the two Houses of the General Assembly, and shall take effect from the date it is
17 enacted.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.