

SENATE BILL 280

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SB 370/03 - JPR

2004 Regular Session
4lr0769
CF 4lr2658

By: **Senators Hafer, Astle, Colburn, Conway, DeGrange, Dyson, Hogan,
Hollinger, Hooper, Lawlah, Munson, Schrader, and Teitelbaum**

Introduced and read first time: January 30, 2004
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 17, 2004

CHAPTER 111

1 AN ACT concerning

2 **Vehicle Laws - Failing to Stop for a School Vehicle with Activated Flashing**
3 **Lights - Penalties**

4 FOR the purpose of increasing the ~~number of points required to be assessed against~~
5 ~~an individual for failing to stop or remain stopped for a school vehicle with~~
6 ~~activated alternately flashing red lights; altering the maximum fine that a~~
7 ~~person is subject to for failing to stop or remain stopped for a school vehicle with~~
8 ~~activated alternately flashing red lights; making stylistic changes; and generally~~
9 ~~relating to penalties for failing to stop or remain stopped for a school vehicle~~
10 ~~with activated alternately flashing red lights.~~

11 ~~BY repealing~~
12 ~~Article - Transportation~~
13 ~~Section 16-402(a)(5)~~
14 ~~Annotated Code of Maryland~~
15 ~~(2002 Replacement Volume and 2003 Supplement)~~

16 ~~BY renumbering~~
17 ~~Article - Transportation~~
18 ~~Section 16-402(a)(6) through (22), respectively~~
19 ~~to be Section 16-402(a)(5) through (21), respectively~~
20 ~~Annotated Code of Maryland~~
21 ~~(2002 Replacement Volume and 2003 Supplement)~~

22 ~~BY adding to~~

1 ~~Article - Transportation~~
 2 ~~Section 16-402(a)(22)~~
 3 ~~Annotated Code of Maryland~~
 4 ~~(2002 Replacement Volume and 2003 Supplement)~~

5 BY repealing and reenacting, without amendments,
 6 Article - Transportation
 7 Section 21-706
 8 Annotated Code of Maryland
 9 (2002 Replacement Volume and 2003 Supplement)

10 BY repealing and reenacting, with amendments,
 11 Article - Transportation
 12 Section 27-101(g)
 13 Annotated Code of Maryland
 14 (2002 Replacement Volume and 2003 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 16 MARYLAND, That Section(s) 16-402(a)(5) of Article - Transportation of the
 17 ~~Annotated Code of Maryland be repealed.~~

18 ~~SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 16-402(a)(6)~~
 19 ~~through (22), respectively, of Article - Transportation of the Annotated Code of~~
 20 ~~Maryland be renumbered to be Section(s) 16-402(a)(5) through (21), respectively.~~

21 ~~SECTION 3. AND BE IT FURTHER ENACTED;~~ That the Laws of Maryland
 22 read as follows:

23 **Article - Transportation**

24 ~~16-402.~~

25 ~~(a) After the conviction of an individual for a violation of Title 2, Subtitle 5, §~~
 26 ~~2-209, or § 3-211 of the Criminal Law Article, or of the vehicle laws or regulations of~~
 27 ~~this State or of any local authority, points shall be assessed against the individual as~~
 28 ~~of the date of violation and as follows:~~

29 ~~(22) ANY VIOLATION OF § 21-706 OF THIS ARTICLE 5 POINTS~~

30 21-706.

31 (a) If a school vehicle has stopped on a roadway and is operating the
 32 alternately flashing red lights specified in § 22-228 of this article, the driver of any
 33 other vehicle meeting or overtaking the school vehicle shall stop at least 20 feet from
 34 the rear of the school vehicle, if approaching the school vehicle from its rear, or at
 35 least 20 feet from the front of the school vehicle, if approaching the school vehicle
 36 from its front.

1 (b) If a school vehicle has stopped on a roadway and is operating the
2 alternately flashing red lights specified in § 22-228 of this article, the driver of any
3 other vehicle meeting or overtaking the school vehicle may not proceed until the
4 school vehicle resumes motion or the alternately flashing red lights are deactivated.

5 (c) This section does not apply to the driver of a vehicle on a divided highway,
6 if the school vehicle is on a different roadway.

7 27-101.

8 (g) Any person who is convicted of a violation of any of the [provisions of §
9 13-704 of this article or § 21-901.1(a) of this article ("Reckless driving")] FOLLOWING
10 SECTIONS OF THIS ARTICLE is subject to a fine of not more than \$1,000:

11 (1) § 13-704 ("FRAUD IN APPLICATION");

12 (2) § 21-706 ("OVERTAKING AND PASSING SCHOOL VEHICLE"); OR

13 (3) § 21-901.1(A) ("RECKLESS DRIVING").

14 SECTION 4. 2. AND BE IT FURTHER ENACTED, That this Act shall take
15 effect October 1, 2004.