

HOUSE BILL 1406

R5

EMERGENCY BILL

8lr2245
CF SB 872

By: **Delegates Carozza, Adams, Afzali, Arentz, Atterbeary, Folden, Morgan, Szeliga, Vogt, West, and Wilson**

Introduced and read first time: February 9, 2018

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 25, 2018

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Special Event Zones – Worcester County**

3 FOR the purpose of authorizing in Worcester County the State Highway Administration,
4 on its own initiative or at the request of a local authority, to designate an area on a
5 State highway as a special event zone and reduce established speed limits in the
6 special event zone after making a certain determination; authorizing a local
7 authority to designate an area on a highway under its jurisdiction as a special event
8 zone and reduce established speed limits in the special event zone after making a
9 certain determination; providing that a speed limit established under this Act shall
10 become effective when posted; prohibiting a person from driving a motor vehicle at a
11 speed exceeding the posted speed limit within a special event zone; ~~prohibiting a~~
12 ~~driver from committing certain violations while driving in a special event zone while~~
13 ~~pedestrians are present; prohibiting a driver from committing a certain violation~~
14 ~~that results in bodily injury or death to another person;~~ establishing certain
15 penalties for certain violations of this Act; providing for the application of this Act;
16 defining certain terms; making this Act an emergency measure; and generally
17 relating to highway special event zones.

18 BY repealing and reenacting, without amendments,
19 Article – Transportation
20 Section 11–130
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.



1 BY adding to
 2 Article – Transportation
 3 Section 21-811 ~~and 21-906~~
 4 Annotated Code of Maryland
 5 (2012 Replacement Volume and 2017 Supplement)

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

8 **Article – Transportation**

9 11-130.

10 “Local authority” means a political subdivision or a local board or other body that,
 11 under the laws of this State, has authority to enact laws and adopt local police regulations
 12 relating to traffic.

13 **21-811.**

14 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 15 INDICATED.

16 (2) ~~(1)~~ “SPECIAL EVENT” MEANS ANY AUTOMOTIVE,
 17 ~~ENTERTAINMENT, AMUSEMENT, RECREATION, SPORTING, MARKETING, OR~~
 18 ~~COMMUNITY EVENT AT WHICH THE PUBLIC GATHERS IN LARGE NUMBERS AND IN~~
 19 ~~CLOSE PROXIMITY TO A HIGHWAY.~~

20 (H) ~~“SPECIAL EVENT” INCLUDES:~~

21 ~~1. A VEHICLE SHOW, A BOAT SHOW, OR AN OUTDOOR~~
 22 ~~RECREATION SHOW;~~

23 ~~2. A FESTIVAL, FAIR, OR CARNIVAL;~~

24 ~~3. A PARADE;~~

25 ~~4. A CIRCUS;~~

26 ~~5. A CONCERT;~~

27 ~~6. A BLOCK PARTY; AND~~

28 ~~7. A FIREWORKS DISPLAY OR MOTOR VEHICLE EVENT~~
 29 ~~OCcurring ON OR IN CLOSE PROXIMITY TO A HIGHWAY THAT:~~

1 **(I) HAS BEEN PERMITTED OR APPROVED BY A UNIT OF LOCAL**
2 **GOVERNMENT; OR**

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

6 **(3) “SPECIAL EVENT ZONE” MEANS AN AREA ON OR ALONGSIDE A**
7 **HIGHWAY THAT IS MARKED BY APPROPRIATE WARNING SIGNS OR OTHER TRAFFIC**
8 **CONTROL DEVICES DESIGNATING THAT A SPECIAL EVENT IS IN PROGRESS.**

9 **(B) THIS SECTION APPLIES ONLY IN WORCESTER COUNTY.**

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

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

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

17 **(2) A LOCAL AUTHORITY MAY:**

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

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

23 ~~**(C)**~~ **(D)** **A SPEED LIMIT ESTABLISHED UNDER THIS SECTION SHALL**
24 **BECOME EFFECTIVE WHEN POSTED.**

25 ~~**(D)**~~ **(E)** **A PERSON MAY NOT DRIVE A MOTOR VEHICLE AT A SPEED**
26 **EXCEEDING THE POSTED SPEED LIMIT WITHIN A SPECIAL EVENT ZONE**
27 **ESTABLISHED IN ACCORDANCE WITH THIS SECTION.**

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

30 ~~**21-906**~~

~~(A) A DRIVER MAY NOT COMMIT ANY OF THE FOLLOWING VIOLATIONS WHILE DRIVING IN A SPECIAL EVENT ZONE ESTABLISHED UNDER § 21-811 OF THIS TITLE WHILE PEDESTRIANS ARE PRESENT:~~

~~(1) § 21-901.1(A) OF THIS SUBTITLE (RECKLESS DRIVING);~~

~~(2) § 21-901.2 OF THIS SUBTITLE (AGGRESSIVE DRIVING);~~

~~(3) § 21-1116 OF THIS TITLE (RACE OR SPEED CONTEST PROHIBITED); OR~~

~~(4) § 21-1117 OF THIS TITLE (SKIDDING, SPINNING OF WHEELS, AND EXCESSIVE NOISE PROHIBITED).~~

~~(B) (1) A DRIVER MAY NOT COMMIT A VIOLATION OF SUBSECTION (A) OF THIS SECTION THAT RESULTS IN BODILY INJURY TO ANOTHER PERSON.~~

~~(2) A DRIVER MAY NOT COMMIT A VIOLATION OF SUBSECTION (A) OF THIS SECTION THAT RESULTS IN DEATH OF ANOTHER PERSON.~~

~~(C) (1) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (A) OF THIS SECTION IS SUBJECT TO:~~

~~(i) FOR A FIRST OFFENSE, IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH; AND~~

~~(ii) FOR A SECOND OR SUBSEQUENT OFFENSE, IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.~~

~~(2) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B)(1) OF THIS SECTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.~~

~~(3) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B)(2) OF THIS SECTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.~~

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