

SENATE BILL 868

R5

8lr2703
CF HB 1099

By: **Senator Lee**

Introduced and read first time: February 5, 2018

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Injury or Death of Vulnerable Road User – Penalties**

3 FOR the purpose of prohibiting a person from causing the serious physical injury or death
4 of a vulnerable road user as a result of the person operating a vehicle in a careless
5 or distracted manner or in violation of certain provisions of the Maryland Vehicle
6 Law; establishing certain penalties for a violation of this Act; requiring the Motor
7 Vehicle Administration to suspend for a certain amount of time the driver’s license
8 of a person convicted of a violation of this Act; defining the term “vulnerable road
9 user” for purposes of this Act; and generally relating to penalties for causing the
10 serious physical injury or death of a vulnerable road user.

11 BY repealing and reenacting, without amendments,
12 Article – Transportation
13 Section 11–101 and 11–145
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2017 Supplement)

16 BY adding to
17 Article – Transportation
18 Section 21–901.3
19 Annotated Code of Maryland
20 (2012 Replacement Volume and 2017 Supplement)

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

23 **Article – Transportation**

24 11–101.

25 In the Maryland Vehicle Law, the following words have the meanings indicated,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 unless the context requires otherwise.

2 11–145.

3 “Pedestrian” means an individual afoot.

4 **21–901.3.**

5 **(A) IN THIS SECTION, “VULNERABLE ROAD USER” MEANS:**

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

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

9 **(II) PROVIDING EMERGENCY SERVICES ON A HIGHWAY;**

10 **(2) AN INDIVIDUAL WHO IS RIDING OR LEADING AN ANIMAL ON A**
11 **HIGHWAY, SHOULDER, OR CROSSWALK; OR**

12 **(3) A PERSON WHO IS LAWFULLY OPERATING OR RIDING ANY OF THE**
13 **FOLLOWING ON A HIGHWAY, SHOULDER, OR CROSSWALK:**

14 **(I) A BICYCLE;**

15 **(II) A FARM TRACTOR OR FARM EQUIPMENT;**

16 **(III) A PLAY VEHICLE;**

17 **(IV) A MOTOR SCOOTER;**

18 **(V) A MOTORCYCLE;**

19 **(VI) AN ANIMAL–DRAWN VEHICLE;**

20 **(VII) AN EPAMD; OR**

21 **(VIII) A WHEELCHAIR.**

22 **(B) A PERSON MAY NOT CAUSE THE SERIOUS PHYSICAL INJURY OR DEATH**
23 **OF A VULNERABLE ROAD USER AS A RESULT OF THE PERSON OPERATING A MOTOR**
24 **VEHICLE:**

25 **(1) IN A CARELESS OR DISTRACTED MANNER; OR**

1 **(2) IN VIOLATION OF ANY PROVISION OF THIS TITLE.**

2 **(C) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B) OF THIS**
3 **SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$2,000.**

4 **(D) IN ADDITION TO THE PENALTIES PROVIDED UNDER SUBSECTION (C) OF**
5 **THIS SECTION, THE COURT MAY ORDER A PERSON CONVICTED OF A VIOLATION OF**
6 **SUBSECTION (B) OF THIS SECTION TO:**

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

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

9 **(E) THE ADMINISTRATION SHALL SUSPEND THE DRIVER'S LICENSE OF A**
10 **PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B) OF THIS SECTION FOR AT**
11 **LEAST 7 DAYS BUT NOT MORE THAN 6 MONTHS.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2018.