

Chapter 619

(House Bill 312)

AN ACT concerning

Criminal Law – Assault of School Bus Driver and Public Transportation Operator – Penalties Worker – Obstructing, Hindering, or Interfering With

FOR the purpose of increasing the penalties for ~~voluntarily causing physical injury to certain individuals providing public transportation services~~ obstructing, hindering, or interfering with a school bus driver or a certain individual who is involved in providing public transportation services under certain circumstances; and generally relating to penalties for ~~assault~~ obstructing, hindering, or interfering with a school bus driver or public transportation worker.

~~BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–203
Annotated Code of Maryland
(2012 Replacement Volume and 2017 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Education
Section 26–104
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–705(f)
Annotated Code of Maryland
(2015 Replacement Volume and 2017 Supplement)

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

~~Article – Criminal Law~~

~~3–203.~~

(a) ~~A person may not commit an assault.~~

(b) ~~Except as provided in subsection (c) of this section, a person who violates subsection (a) of this section is guilty of the misdemeanor of assault in the second degree and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$2,500 or both.~~

~~(e) (1) In this subsection, “physical injury” means any impairment of physical condition, excluding minor injuries.~~

~~(2) A person may not intentionally cause physical injury to another if the person knows or has reason to know that the other is:~~

~~(i) a law enforcement officer engaged in the performance of the officer’s official duties;~~

~~(ii) a parole or probation agent engaged in the performance of the agent’s official duties; [or]~~

~~(iii) a firefighter, an emergency medical technician, a rescue squad member, or any other first responder engaged in providing emergency medical care or rescue services; OR~~

~~(IV) A BUS OPERATOR, A TRAIN OPERATOR, A LIGHT RAIL OPERATOR, OR ANY OTHER INDIVIDUAL ENGAGED IN PROVIDING PUBLIC TRANSPORTATION SERVICES.~~

~~(3) A person who violates paragraph (2) of this subsection is guilty of the felony of assault in the second degree and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$5,000 or both.~~

Article – Education

26–104.

(a) In this section, “school bus driver” means the driver of a school vehicle as defined in § 11–154 of the Transportation Article while employed by or under contract with a local school system.

(b) A person may not obstruct, hinder, or interfere with a school bus driver while the school bus driver is engaged in the performance of the school bus driver’s official duties.

(c) Any person who violates subsection (b) of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000, imprisonment not exceeding [90 days] 1 YEAR, or both.

Article – Transportation

7–705.

(f) (1) It is unlawful for any person to obstruct, hinder, or interfere with:

(i) The operation or operator of a transit vehicle or railroad passenger car; or

(ii) A person engaged in official duties as a station agent, conductor, or station attendant who is employed by:

1. The Administration;
2. An entity that provides transit service under contract with the Administration;
3. A local government agency or public transit authority;
4. A private entity that provides public transit service; or
5. An entity that provides transit service under a transportation compact under Title 10 of this article.

(2) Any person who violates this section is guilty of a misdemeanor and is subject to a fine of not more than \$1,000, imprisonment not exceeding [90 days] 1 YEAR, or both, for each offense.

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

Approved by the Governor, May 15, 2018.