

HOUSE BILL 517

R5

9lr0904
CF SB 460

By: Delegates Stewart, Ciliberti, Ivey, Solomon, Acevero, Attar, Bagnall, Barron, Bartlett, Bhandari, Boyce, Bridges, Cain, Cardin, Carr, Charkoudian, Clark, Crosby, Crutchfield, Cullison, Dumais, Ebersole, Feldmark, Guyton, Healey, Hettleman, Hill, Jalisi, Kaiser, Kelly, Kerr, Korman, Krimm, Lafferty, Lehman, R. Lewis, Lierman, Lopez, Love, Moon, Palakovich Carr, Patterson, Pena-Melnyk, Qi, Queen, Sample-Hughes, Shetty, Smith, Stein, Terrasa, Valderrama, Washington, Wells, Wilkins, K. Young, and P. Young

Introduced and read first time: February 4, 2019

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2019

CHAPTER _____

1 AN ACT concerning

2 ~~**Pedestrian Safety Fund Act of 2019**~~

3 ~~**Crosswalks – Violation of Pedestrian Right-of-Way – Penalty**~~

4 FOR the purpose of ~~establishing the minimum fine that may be imposed for a violation of~~
5 ~~certain provisions of the Maryland Vehicle Law regarding crosswalks; establishing~~
6 ~~the Pedestrian Safety Fund as a special, nonlapsing fund; requiring the Secretary of~~
7 ~~Transportation to administer the Fund; requiring the State Treasurer to hold the~~
8 ~~Fund separately, and the Comptroller to account for the Fund; specifying the~~
9 ~~contents of the Fund; specifying the purpose for which the Fund may be used;~~
10 ~~providing for the investment of money in the Fund; requiring interest earnings of~~
11 ~~the Fund to be credited to the Fund; exempting the Fund from a certain provision of~~
12 ~~law requiring interest earnings on State money to accrue to the General Fund of the~~
13 ~~State; defining a certain term; and generally relating to the Pedestrian Safety Fund~~
14 ~~increasing the maximum fine for a certain motor vehicle violation related to the~~
15 ~~right-of-way for pedestrians in crosswalks; and generally relating to pedestrian~~
16 ~~rights-of-way.~~

17 ~~BY repealing and reenacting, without amendments,~~

18 ~~Article – State Finance and Procurement~~

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 ~~Section 6-226(a)(2)(i)~~
 2 ~~Annotated Code of Maryland~~
 3 ~~(2015 Replacement Volume and 2018 Supplement)~~

4 ~~BY repealing and reenacting, with amendments,~~
 5 ~~Article – State Finance and Procurement~~
 6 ~~Section 6-226(a)(2)(ii)112, and 113.~~
 7 ~~Annotated Code of Maryland~~
 8 ~~(2015 Replacement Volume and 2018 Supplement)~~

9 ~~BY adding to~~
 10 ~~Article – State Finance and Procurement~~
 11 ~~Section 6-226(a)(2)(ii)114.~~
 12 ~~Annotated Code of Maryland~~
 13 ~~(2015 Replacement Volume and 2018 Supplement)~~

14 BY repealing and reenacting, with amendments,
 15 Article – Transportation
 16 Section 21-502
 17 Annotated Code of Maryland
 18 (2012 Replacement Volume and 2018 Supplement)

19 ~~BY adding to~~
 20 ~~Article – Transportation~~
 21 ~~Section 21-502.1~~
 22 ~~Annotated Code of Maryland~~
 23 ~~(2012 Replacement Volume and 2018 Supplement)~~

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

26 ~~Article – State Finance and Procurement~~

27 ~~6-226.~~

28 ~~(a) (2) (i) Notwithstanding any other provision of law, and unless~~
 29 ~~inconsistent with a federal law, grant agreement, or other federal requirement or with the~~
 30 ~~terms of a gift or settlement agreement, net interest on all State money allocated by the~~
 31 ~~State Treasurer under this section to special funds or accounts, and otherwise entitled to~~
 32 ~~receive interest earnings, as accounted for by the Comptroller, shall accrue to the General~~
 33 ~~Fund of the State.~~

34 ~~(ii) The provisions of subparagraph (i) of this paragraph do not apply~~
 35 ~~to the following funds:~~

36 ~~112. the Pretrial Services Program Grant Fund; [and]~~

~~113. the Veteran Employment and Transition Success Fund;~~

~~AND~~

~~114. THE PEDESTRIAN SAFETY FUND.~~

Article – Transportation

21–502.

(a) (1) This subsection does not apply where:

(i) A pedestrian tunnel or overhead pedestrian crossing is provided, as described in § 21–503(b) of this subtitle; or

(ii) A traffic control signal is in operation.

(2) The driver of a vehicle shall come to a stop when a pedestrian crossing the roadway in a crosswalk is:

(i) On the half of the roadway on which the vehicle is traveling; or

(ii) Approaching from an adjacent lane on the other half of the roadway.

(b) A pedestrian may not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(c) If, at a marked crosswalk or at an unmarked crosswalk at an intersection, a vehicle is stopped to let a pedestrian cross the roadway, the driver of any other vehicle approaching from the rear may not overtake and pass the stopped vehicle.

(d) A person may not commit a violation of subsection (a) or (c) of this section that contributes to an accident.

(e) A person convicted of a violation of subsection (d) of this section is subject to imprisonment not exceeding 2 months or a fine ~~OF NOT LESS THAN \$150 AND~~ not exceeding ~~\$500~~ **\$1,000** or both.

~~21–502.1.~~

~~(A) IN THIS SECTION, “FUND” MEANS THE PEDESTRIAN SAFETY FUND.~~

~~(B) THERE IS A PEDESTRIAN SAFETY FUND.~~

~~(C) THE SECRETARY SHALL ADMINISTER THE FUND.~~

1 ~~(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND WHICH IS NOT~~
2 ~~SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

3 ~~(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,~~
4 ~~AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.~~

5 ~~(E) THE FUND CONSISTS OF:~~

6 ~~(1) \$150 FROM EACH FINE COLLECTED UNDER § 21-502(E) OF THIS~~
7 ~~SUBTITLE;~~

8 ~~(2) MONEY APPROPRIATED IN THE STATE BUDGET FOR THE FUND;~~

9 ~~(3) ANY INTEREST EARNINGS OF THE FUND; AND~~

10 ~~(4) ANY OTHER MONEY FROM ANY SOURCE ACCEPTED FOR THE~~
11 ~~BENEFIT OF THE FUND.~~

12 ~~(F) THE FUND MAY BE USED ONLY FOR ENHANCING THE SAFETY AND~~
13 ~~QUALITY OF PEDESTRIAN AND BICYCLE TRANSPORTATION, INCLUDING:~~

14 ~~(1) DEVELOPING AND PROVIDING EDUCATIONAL PROGRAMMING FOR~~
15 ~~BICYCLISTS, MOTORISTS, AND PEDESTRIANS THAT RAISES AWARENESS OF THEIR~~
16 ~~JOINT RESPONSIBILITY TO FOLLOW THE RULES OF THE ROAD;~~

17 ~~(2) PHYSICAL DESIGN CHANGES THAT CALM TRAFFIC, MINIMIZE~~
18 ~~CONFLICTS AMONG STREET USERS, AND PROTECT BICYCLISTS, MOTORISTS, AND~~
19 ~~PEDESTRIANS, INCLUDING DESIGN CHANGES SUCH AS:~~

20 ~~(I) LANE NARROWING;~~

21 ~~(II) ESTABLISHMENT OF BICYCLE WAYS;~~

22 ~~(III) SIDEWALK CONSTRUCTION;~~

23 ~~(IV) PEDESTRIAN CONTROL SIGNAL UPGRADES;~~

24 ~~(V) SPEED BUMPS;~~

25 ~~(VI) CURB EXTENSIONS; AND~~

26 ~~(VII) SAFETY ZONES; AND~~

1 ~~(3) INCREASING ENFORCEMENT OF EXISTING RULES OF THE ROAD,~~
2 ~~SUCH AS BY USING RADAR SPEED DISPLAY SIGNS IN AREAS WHERE PEDESTRIAN~~
3 ~~CRASHES HAVE OCCURRED.~~

4 ~~(C) (1) THE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE~~
5 ~~SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.~~

6 ~~(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED~~
7 ~~TO THE FUND.~~

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.