

# HOUSE BILL 721

R5  
SB 804/19 – JPR

0lr3521  
CF SB 512

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By: ~~Delegate Stein~~ **Delegates Stein and Malone**

Introduced and read first time: January 30, 2020

Assigned to: Judiciary

Re-referred to: Environment and Transportation, February 27, 2020

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2020

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

### 2 **Vehicle Laws – Injury or Death of Vulnerable Individual – Penalties**

3 FOR the purpose of prohibiting an individual from causing the serious physical injury or  
4 death of a vulnerable individual as a result of the individual operating a vehicle in a  
5 careless or distracted manner or in violation of certain provisions of the Maryland  
6 Vehicle Law; establishing certain penalties for a violation of this Act; establishing  
7 that an individual charged with a violation of this Act must appear in court and may  
8 not prepay the fine; requiring the Motor Vehicle Administration to suspend for a  
9 certain amount of time the driver's license of an individual convicted of a violation of  
10 this Act; ~~providing requirements for citations issued under this Act;~~ defining the  
11 term "vulnerable individual" for purposes of this Act; and generally relating to  
12 penalties for causing the serious physical injury or death of a vulnerable individual.

13 BY repealing and reenacting, without amendments,  
14 Article – Transportation  
15 Section 11–101 and 11–145  
16 Annotated Code of Maryland  
17 (2012 Replacement Volume and 2019 Supplement)

18 BY adding to  
19 Article – Transportation  
20 Section 21–901.3  
21 Annotated Code of Maryland  
22 (2012 Replacement Volume and 2019 Supplement)

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

3 **Article – Transportation**

4 11–101.

5 In the Maryland Vehicle Law, the following words have the meanings indicated,  
6 unless the context requires otherwise.

7 11–145.

8 “Pedestrian” means an individual afoot.

9 **21–901.3.**

10 **(A) IN THIS SECTION, “VULNERABLE INDIVIDUAL” MEANS:**

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

12 **(I) ACTIVELY WORKING ON A HIGHWAY OR A UTILITY FACILITY**  
13 **ALONG A HIGHWAY;**

14 **(II) PROVIDING EMERGENCY SERVICES ON A HIGHWAY; OR**

15 **(III) ON A SIDEWALK OR FOOTPATH;**

16 **(2) AN INDIVIDUAL WHO IS RIDING OR LEADING AN ANIMAL ON A**  
17 **HIGHWAY, SHOULDER, CROSSWALK, OR SIDEWALK; OR**

18 **(3) AN INDIVIDUAL WHO IS LAWFULLY OPERATING OR RIDING ANY OF**  
19 **THE FOLLOWING ON A HIGHWAY, SHOULDER, CROSSWALK, OR SIDEWALK:**

20 **(I) A BICYCLE;**

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

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

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

24 **(V) A MOTORCYCLE;**

25 **(VI) AN ANIMAL–DRAWN VEHICLE;**

1 (VII) AN EPAMD; OR

2 (VIII) A WHEELCHAIR.

3 (B) AN INDIVIDUAL MAY NOT CAUSE THE SERIOUS PHYSICAL INJURY OR  
4 DEATH OF A VULNERABLE INDIVIDUAL AS A RESULT OF THE INDIVIDUAL OPERATING  
5 A MOTOR VEHICLE:

6 (1) IN A CARELESS OR DISTRACTED MANNER; OR

7 (2) IN VIOLATION OF ANY PROVISION OF THIS TITLE.

8 (C) (1) AN INDIVIDUAL CHARGED WITH A VIOLATION OF SUBSECTION (B)  
9 OF THIS SECTION:

10 (I) MUST APPEAR IN COURT; AND

11 (II) MAY NOT PREPAY THE FINE.

12 (2) AN INDIVIDUAL CONVICTED OF A VIOLATION OF SUBSECTION (B)  
13 OF THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$2,000.

14 (D) IN ADDITION TO THE PENALTIES PROVIDED UNDER SUBSECTION (C) OF  
15 THIS SECTION, THE COURT MAY ORDER AN INDIVIDUAL CONVICTED OF A VIOLATION  
16 OF SUBSECTION (B) OF THIS SECTION TO:

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

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

19 (E) THE ADMINISTRATION SHALL SUSPEND THE DRIVER'S LICENSE OF AN  
20 INDIVIDUAL CONVICTED OF A VIOLATION OF SUBSECTION (B) OF THIS SECTION FOR  
21 AT LEAST 7 DAYS BUT NOT MORE THAN 6 MONTHS.

22 ~~(F) ANY CITATION ISSUED UNDER THIS SECTION SHALL CONFORM TO THE~~  
23 ~~REQUIREMENTS OF § 26-201(C)(2) OF THIS ARTICLE.~~

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2020.