

HOUSE BILL 118

R5
HB 721/20 – ENT

(PRE-FILED)

11r0454
CF SB 293

By: **Delegates Stein and Malone**

Requested: July 13, 2020

Introduced and read first time: January 13, 2021

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: February 8, 2021

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
5 violation of certain provisions of the Maryland Vehicle Law; establishing certain
6 penalties for a violation of this Act; establishing that an individual charged with a
7 violation of this Act must appear in court and may not prepay the fine; requiring the
8 Motor Vehicle Administration to suspend for a certain amount of time the driver's
9 license of an individual convicted of a violation of this Act; defining the term
10 "vulnerable individual" for purposes of this Act; and generally relating to penalties
11 for causing the serious physical injury or death of a vulnerable individual.

12 BY repealing and reenacting, without amendments,

13 Article – Transportation
14 Section 11–101 and 11–145
15 Annotated Code of Maryland
16 (2020 Replacement Volume)

17 BY adding to

18 Article – Transportation
19 Section 21–901.3
20 Annotated Code of Maryland
21 (2020 Replacement Volume)

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 IN VIOLATION OF ANY PROVISION OF THIS TITLE.

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

8 (I) MUST APPEAR IN COURT; AND

9 (II) MAY NOT PREPAY THE FINE.

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

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

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

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

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

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.