



The LEGISLATIVE WRAP-UP

Issue: 97-14

April, 1997 - Sine Die

[Agriculture](#)

[Alcoholic Beverages](#)

[Consumer Affairs](#)

[Courts](#)

[Criminal Matters and Corrections](#)

[Economic Matters](#)

[Education](#)

[Elections and Ethics](#)

[Environmental Matters](#)

[Family Law](#)

[Financial Institutions](#)

[Gaming](#)

[Health](#)

[Housing](#)

[Insurance](#)

[Legislative Matters](#)

[State Government](#)

[Transportation](#)

[Utilities](#)

Passage of Bills

At midnight on Sine Die, April 7, the 411th Session of the General Assembly of Maryland ended. When the legislature adjourned 899 bills and joint resolutions had passed both chambers out of a total of 2430 bills and joint resolutions introduced -- 1,470 House bills and 28 House joint resolutions and 915 Senate bills and 17 Senate joint resolutions. Of the bills that passed, 537 were from the House of Delegates along with 5 passed House joint resolutions. The passed bills from the Senate of Maryland were 354 in number along with 3 passed Senate joint resolutions.

Governor Glendening held the first bill signing ceremony on Tuesday, April 8. Including the 2 bills signed earlier, he has signed 108 bills into to law. Bills are given the designation of Chapter numbers in the order in which they are signed, i.e. HB 511 is Chapter 4 of the Session Laws of 1997. Therefore, passed and signed legislation may be referred to by its bill number, assigned at introduction, or by its chapter number, assigned at the time of gubernatorial signing.

Article III, Section 30, of the Maryland Constitution requires that all bills passed during a Session be presented to the Governor for approval no later than 20 days after adjournment (April 27). The Governor then has a maximum of 30 days after presentment (May 27) to sign or veto bills. In Maryland, a bill passed by the General Assembly will become law unless the Governor vetoes the bill. Additional bill signings are scheduled for Tuesday, April 29, Thursday, May 8, and Thursday, May 22.

Agriculture

None of the bills introduced based on the recommendations of the Task Force on Maryland's Dairy Industry passed this Session. Bills that did pass include the Right to Farm Law for Dorchester County (**HB 562/SB 827**) and 2 bills pertaining to aspects of the process of condemnation and reimbursement for the Maryland Agriculture Land Preservation easements (**HB 285** and **SB 355**).

Alcoholic Beverages

HB 202, which passed, will allow micro-breweries to brew up to 22,500 barrels of beer a year instead of the 10,000 barrels allowed under current law. **SB 808**, which also passed, will limit the amount of space a retail liquor store can occupy.

A measure to strengthen drunken driving laws passed. **HB 505** will require suspension of, and points against, the driver's license of any juvenile found driving under the influence of alcohol or other drugs. A measure that would have increased the fines against people convicted of a second or subsequent drunken driving offense did not pass (**HB 547**).

Consumer Affairs

SB 777/HB 1223, altering the circumstances under which a person may be held criminally liable for certain violations of the Maryland Home Improvement Law, passed. The legislation will also alter the penalties for violating the Law: a first conviction of a violation could result in a fine of up to \$1,000 or imprisonment for up to 30 days or both, and a second or subsequent conviction could result in a fine of up to \$5,000 or imprisonment for up to 2 years or both.

One of several bills introduced this Session proposing to regulate the death care industry passed. **HB 559** will create the Office of Cemetery Oversight which would establish and enforce registration, permit, and renewal criteria and related fees. The bill will also alter certain trust and escrow requirements for sellers of pre-need goods and services. A similar bill, the Death Care Industry Regulation (Rachel's Law) bill (**SB 819**) passed the Senate after being heavily amended, but remained in a House committee at the close of the 1997 Session.

SB 549, which would have imposed "good faith" requirements on car manufacturers, distributors, factory branches, and dealers, especially in regard to fulfilling franchise or warranty agreements, died in a House committee.

HB 224, which would have made it an unfair and deceptive trade practice to use a name that intentionally misrepresents the geographic origin or location of a business, passed the House but was later killed in a Senate committee. The bill was introduced in response to complaints from Maryland florists who have lost earnings as a result of out-of-state florists listing themselves as local businesses in area telephone books.

HB 1154, which would have established a construction apprenticeship assistance program in the Department of Labor, Licensing, and Regulation (DLLR), was left in a Senate committee at the close of Session. The bill proposed to award grants of up to \$1,000 for each apprentice to eligible private sector entities operating an apprenticeship program, giving priority to applicants in counties with the highest demonstrated shortages of skilled construction workers.

Courts

Under **SB 560** and **HB 1113** (both passed), juvenile court proceedings for youths charged with offenses that would be felonies if committed by an adult would be open to the public. Examples of felony crimes include rape, robbery, many types of assault, and theft. Judges would be permitted to close cases for "good cause". Under current law, judges may open juvenile court proceedings, but the practice is rare.

HB 305/SB 219 (both passed) add new circuit court judgeships in Anne Arundel, Baltimore, Montgomery, and Prince George's Counties, and new district court judgeships in Baltimore and Prince George's Counties. The Judicial Compensation Commission Report (**HJ 6** - passed) was amended to eliminate salary increases for all members of the Maryland judiciary for FY 1998.

SB 459/HB 19(passed) would create a pilot program in Harford and Montgomery Counties to use a private contractor to collect delinquent debts from probationers who, as a condition of probation, owe a combination of court fines, victim restitution fees, and probation supervisory fees, and would provide employment provisions for State employees affected by the transfer of collection responsibilities.

HB 34, expanding the list of persons who may testify in court about statements made to them by victims of crime who are 12 or younger, failed to emerge from a conference committee.

Once again, SLAPP suit legislation died in the Senate. **HB 134** would have permitted courts to grant defendants immunity from "Strategic Lawsuits Against Public Participation" (SLAPP suits), actions designed to stifle civic activists' opposition to business ventures and development.

The hotly debated Maryland Comparative Negligence Act (**HB 846**) was defeated by just one vote in a House committee. The bill would have replaced the current contributory negligence standard, which bars a plaintiff from suing over injuries if the plaintiff's negligence contributed at all to the accident that caused the damage, with the newer comparative fault standard which allows juries to apportion fault between the plaintiff and 1 or more defendants and does not completely bar a negligent plaintiff's claim.

Criminal Matters and Corrections

Successful bills expanding the child sexual offender registration law include **SB 605** and **HB 343**, which add those who commit crimes against children and sexually violent predators to the list of offenders who must register, and **HB 342**, which would expand the list of persons to whom notice of registration may be given.

Under **HB 497/SB 235** (both passed) pretrial release could be denied to a defendant charged with a crime of violence who has been previously convicted of a violent crime, if the judge determines that no reasonable assurance can be given that the defendant will not flee or pose a danger to society if not detained.

The Victims' Rights Act of 1997 (**HB 768/SB 173** -- both passed) would expand victims' rights laws to include juvenile proceedings, allow expanded victim participation in sentencing and parole hearings, strengthen notification requirements, prohibit evidence relating to a victim's prior sexual conduct from being admitted in any prosecution for attempted rape or first or second degree sexual offense, and increase the State's power to collect delinquent restitution. **HB 769/SB 174** (both passed) would increase court costs by \$5 for persons convicted of a crime, with the added revenue going to the Victims of Crime Fund and to the Victim and Witness Protection and Relocation Fund.

HB 240/SB 71 (both passed) would make it a felony to bring 5 kilograms (approximately 11 pounds) or more of marijuana into Maryland, with a penalty of up to 10 years in jail and a \$10,000 fine for importing 5 to 45 kilograms (approximately 11 to 100 pounds). Current law provides for a maximum penalty of a \$50,000 fine and 25 years in prison for the felony crime of importing over 45 kilograms or more of marijuana. A bill increasing the penalties for marijuana possession (**SB 72**) failed.

The crime of killing a spouse caught engaging in sexual intercourse with another person would be classified as murder under **HB 754** (passed). Current law treats the crime as manslaughter.

HB 39 (passed) would require State Police to reimburse towns for the depreciated cost of equipment purchased by the municipalities for the Resident Trooper Program if the program ends. A town would have to give at least 5 years' notice to the State Police before terminating the program, and the number of State police employees assigned to the town would be phased out over the 5 years.

Standards for prior substance abuse by persons applying for certification as a correctional officer or police officer could be established and enforced under **HB 307** (passed).

HB 1178 (passed) would set up a task force to study the issue of AIDS and HIV infections in Maryland prisons, focusing on occupational exposure, AIDS education, confidentiality, and the quality of medical treatment of infected prisoners.

HB 1249 (passed) would rewrite an introductory section of the juvenile justice law, focusing the law

as much on punishment and victim restitution as on treatment of youthful offenders.

A Senate committee killed **HB 543** that would have expanded the list of crimes for which police officers could issue citations and make warrant-less arrests.

A number of bills expanding the conditions under which the death penalty could be considered, including lowering the eligible age (**SB 181**), adding to the list of crimes punishable by death, and adding requirements to insure that race is not a factor in the imposition of the sentence (**SB 792, SB 805**), were introduced this Session. None passed. Two failed bills which received particular attention were **SB 32**, allowing the death penalty to be considered for drug traffickers who are present but do not physically participate in a killing while drugs are being smuggled, and **SB 227**, allowing accomplices in the murder of a police officer to be sentenced to death.

Bills restricting plea bargaining (**HB 596, HB 643, HB 644**) failed to make it out of a House committee.

Economic Matters

Companion bills **SB 257/HB 85** will allow the Department of Business and Economic Development to run the Maryland Small Business Development Financing Authority (MSBDF) through June 30, 2002 and to renew the contract for an additional 5-year term.

Development of Fort Ritchie by the newly-established PenMar Development Corporation has been given approval with the passage of **HB 1319**. The bill charges the new corporation with converting the Fort to a combination technology park and corporate training center and provides it with various financial incentives to do so, including exempting it from paying certain taxes and assessments.

Companion bills (**SB 501/HB 515**) exempting hair braiding services from licensure requirements by excluding the services from the definition of cosmetology are now on their way to the Governor for signing.

Requirements for overtime compensation for employees on public works projects will change with the passage of **HB 699**. The bill will require a contractor or subcontractor to pay the prevailing wage rate of overtime for work in excess of 10 hours a day (instead of the current 8 hours), in excess of 40 hours a week, or on a Sunday or legal holiday. It will also establish and increase penalties for certain violations of the prevailing wage law.

SB 801/HB 696 are on their way to the Governor for final approval. The bills will exempt direct sellers who distribute or deliver newspapers or shopping news from unemployment insurance.

After consideration by a conference committee, **SB 371** was amended to conform to its original companion bill, **HB 685**, and then passed, as was the House version. Both bills increase the State's tourism funding level to \$6 million by the year 2001.

Despite the efforts of a conference committee, **HB 736** failed to pass both houses prior to Sine Die. The bill would have denied covered employees and their dependents certain workers' compensation benefits if the claimant's alcohol or controlled dangerous substance abuse was the primary cause of an on-the-job injury. The original companion bill, **SB 668**, also died in a conference committee.

Efforts to make Maryland a right-to-work state failed again this Session. **HB 980**, which would have prohibited employers and labor organizations from requiring employees to join a labor organization or to pay dues to a labor organization without prior authorization, died in a House committee. A similar bill, **SB 586**, never made it out of a Senate committee.

On a related matter, **HB 946**, the Workers' Right to Know Act, also died in a House committee. The bill would have required unions to inform workers exactly how their dues are being spent, and would have prohibited employee organizations from requiring employees to pay dues not related to collective bargaining, contract administration, or grievance adjustment procedures.

SB 462, the bill that proposed to repeal Sunday blue laws for car dealers in Anne Arundel County, passed the Senate but was never reported out of a House committee. Prince George's, Howard, and Montgomery Counties remain the only Maryland counties that allow car sales on Sunday.

Efforts to increase the minimum wage in Maryland (**SB 690/HB 403**) to the greater of the federal minimum wage or \$6.60 per hour failed again this Session.

HB 1240, which would have created a science and high technology coordinator position within the State Department of Business and Economic Development, received an unfavorable vote in a Senate committee.

Education

Two bills regarding pagers on school property passed the General Assembly this year. One, **HB 746**, allows students to keep pagers in their cars on school property. The other, **HB 797**, makes it a discretionary policy for school officials to call the police the first time a student is found in possession of a pager. **HB 1362**, allowing a student to possess a cellular telephone on school property, failed to pass.

Other education bills that passed were **HB 364** requiring children to attend a public school in the county in which they live; **HB 697**, establishing a task force to study the education of homeless children; **SB 398**, broadening the authority of a county superintendent to refuse admission to a student expelled from another school system; and **SB 868**, allowing student expulsion cases to be heard before a hearing examiner.

Failing to pass were **SB 210**, expanding a prohibition on carrying a deadly weapon on school property to prohibiting a weapon within 1,000 feet of school property, and **SB 466**, charging fees to ride school buses.

Passing both chambers were **HB 492** and companion bill **SB 232**, creating the Maryland Higher Education Investment Program to allow for the prepayment of tuition at institutions of higher education. Also passing was **SB 393**, the Historic St Mary's City Commission Act to realign St. Mary's City as a research and educational institution allied with St. Mary's College.

Bills dealing with higher education that did not pass were **HB 493** and companion bill **SB 231** establishing the HOPE scholarship program, and **HB 1180**, abolishing the House of Delegates scholarship program.

Elections and Ethics

The General Assembly considered a number of measures concerned with election and campaign finance reform. Among the bills that were approved are those that require computerization of campaign finance records; prohibit, with certain exceptions, fund-raising by and for Statewide and legislative officeholders during the legislative Session; expand the current prohibition of fund-raising by lobbyists for members of the General Assembly to include candidates for Statewide offices; and provide for enhanced enforcement, with civil penalties for election and ethics law violations, and increased penalties for criminal violations. **HB 1** includes all of these provisions, while **SB 127**

addresses the fund-raising and disclosure aspects and **SB 195** addresses enforcement and penalties. Identical provisions altering the reporting requirements for campaign contributions by persons who do business with State or local government are contained in **HB 6** and **SB 128**, both of which passed.

Two bills designed to mitigate gift disclosure requirements by regulated lobbyists to members of their immediate families both passed the General Assembly with the same provisions (**SB 419** and **HB 1262/Chapter 101**).

Environmental Matters

The General Assembly passed **SB 278**, prohibiting the mandatory use of the controversial dynamometer test in the Vehicle Emissions Inspection Program (VEIP), although Federal Environmental Protection Agency officials have said that the test is necessary for Maryland to meet air quality standards tied to federal highway funding. Several bills, directed toward protecting the environment by encouraging redevelopment of urban areas, thus minimizing urban sprawl, did pass. The measures include the Brownfields bills (**HB 409/Chapter 2** and **SB 340/Chapter 1**) which passed early in the Session and the "Smart Growth" bills which passed on the last day. The "Smart Growth" Areas bill (**SB 389**) in its final version reflects most of the Senate amendments. The "Smart Growth" Rural Legacy program bills (**HB 507/SB 388**) also passed.

Also passed this Session was **HB 9** which requires the Maryland Department of the Environment (MDE) to publish expected review times for, and offer assistance and specified information to, license and permit applicants.

Lead paint bills that were approved change the definition of affected property, enabling property owners to obtain specific insurance more easily (**HB 229/SB 17**); change the rent escrow remedy to apply only to property built before 1950 (**HB 1068/SB 772**); and extend deadlines and dates (**HB 1231/SB 669**).

None of the bills relating to notification of parents prior to pesticide applications at schools (**HB 397/SB 249**, **HB 1458**) passed. Nor did the bills that would have affected crabbing regulations in the State. **HB 416/SB 732** and **HB 715/SB 213**, as amended, failed to be agreed upon in the final days of the Session.

Two hunting/fishing bills that passed are **HB 672**, which restricts the Department of Natural Resources (DNR) from prohibiting the use of hook and line to catch snapping turtles in duck nesting areas, and **HB 1333** which, as amended, allows sneakboating in the Conococheague Creek in Washington County.

HB 243, which would repeal the sunset date of April 1, 1999 for the limitations and restrictions on commercial fishing licenses, has been referred for interim study.

Family Law

A number of successful bills this Session concern domestic violence. **HB 680/SB 157** allow abuse victims to retrieve their medicine and medical devices from the family home with protection from an accompanying law enforcement officer, and **HB 681/SB 161** require clerks of court to maintain a record when spousal privilege is asserted by a victim in a spousal abuse case. **HB 679/SB 158** extend the current maximum duration of a protective order from 200 days to 1 year, with an possible extension of 6 more months for good cause. But a bill that would have added "cruelty of treatment" and "excessively vicious conduct" as grounds for an immediate divorce (**HB 677**) failed.

The Welfare Innovation Act of 1997 (**SB 499** -- passed) would require mandatory drug screening of welfare recipients, who would have to undergo drug treatment if they were deemed drug abusers or else receive reduced benefits. Legal immigrants who have lived in Maryland for at least a year would continue to receive benefits.

SB 636 (passed) would align Maryland's child support enforcement law with new federal mandates, including "data matching" requirements and business and professional license revocation and denial provisions.

SB 63 (passed) would give a circuit court authority to require attendance at a class on the impact of divorce on children as a condition of granting a divorce decree. A bill that would have required parties in all child custody, visitation, child or spousal support, or property disposition cases to attend at least 2 hours of mediation to try to resolve their disputes in a voluntary agreement (**HB 1043**) failed. The bill also would have established certification requirements for all mediators and created a Maryland Board of Certification for Mediators.

After undergoing substantial revision in the House to strengthen safeguard provisions, a bill to provide adult adoptees increased access to their birth records in order to identify their birth parents (**HB 303**) was killed in a Senate committee.

Two bills taking opposite positions on same-sex marriages were defeated. **HB 398** would have prohibited Maryland from recognizing homosexual unions approved by other states, and **HB 609** would have established the validity of same-sex unions in Maryland.

Financial Institutions

As passed, **SB 441** proposes reforms in the regulation of the State's mortgage industry and the creation of a task force to study fraud and other issues in this financial sector. Approved by the General Assembly, **SB 481/HB 57** would require fee disclosures to users of automated teller machines. A proposal to limit "deposit item return" fees imposed by financial institutions to pursue payment on bounced checks was rejected (**HB 799**).

Gaming

HB 315, to help the racing industry, passed this Session. Tracks will be able to increase purses by receiving \$5 million from the State lottery and another \$1 million from the reduction of a racing tax. The bill also creates a task force to examine the long-term problems of the industry.

Two bills providing for slots at the racetracks, **HB 1433** and **HB 955**, failed.

HB 1407, authorizing the lottery to give out prizes other than cash, passed both houses. This bill allows the lottery to promote certain products in ads in exchange for giving those products, such as cars, as prizes.

Health

After referral to a conference committee, time ran out on the final day of the Session for **SB 736**, which would have provided for a licensure and regulation process for professional counselors.

Health legislation which passed this Session includes:

- **HB 1061/SB 478**, creating the Maryland Health Care Foundation;
- **HB 268/SB 451**, extending the Needle Exchange Program in Baltimore; and
- **HB 277/SB 326**, restricting the scope of practice for certain health occupations to humans, rather than animals, unless authorized by the State Board of Veterinary Medical Examiners.

Health legislation which did not pass includes:

- **HB 426/SB 493**, prohibiting partial-birth abortions. (After a hearing in February, the Senate version remained in a committee and, in late March, the House version received an unfavorable report);
- **HB 95**, proposing changes and consolidation in Maryland's health care regulatory system;
- **HB 287**, requiring prior approval of the Attorney General for conversions of nonprofit corporations to for-profit stock corporations and mutual corporations;
- **HB 538/SB 648**, providing penalties for certain violations of provisions relating to the practice of certain health occupations;
- **HB 834/SB 813**, the Patient's Consent Act, requiring notification at the time of an initial patient encounter that data about the patient will be collected for the Maryland medical care database; and
- **SB 904**, the Consumer Health Information Act, requiring the collection and dissemination of information concerning health maintenance organizations, alternative health care systems, and licensed physicians.

None of the measures related to the tattooing of minors (**HB 41**, **HB 476**, **SB 5**, **SB 67**) or the licensing and regulation of tattoo artists and body piercing artists (**HB 386**, **HB 80**) passed. Similarly, the measures requiring disclosure and notice of risks for tanning facilities did not pass (**HB 323** and **SB 220**). Other measures that will not be sent to the Governor include **SB 93**, requiring a special license for out-of-state doctors practicing "telemedicine," the electronic transmission of medical images and data; and **SB 38**, requiring identification for persons under a certain age before the sale of tobacco products. A number of failed tobacco-related measures include:

- **SB 11**, prohibiting, with exceptions, the sale or dispensing of a tobacco-related product by means of a vending machine;
- **SB 12**, prohibiting the placement of tobacco product vending machines in certain locations and authorizing placement in specified places;
- **HB 271/SB 765**, prohibiting the sale of tobacco products by vending machines or other mechanical devices;
- **HB 45**, expanding the prohibition against the distribution of tobacco products, cigarette rolling papers, and tobacco product coupons to minors;
- **HB 607**, allowing persons employed as inspectors under the alcoholic beverages laws to also inspect for violations of law regarding the sale of tobacco products;
- **HB 1227**, authorizing certain minors to purchase or attempt to purchase tobacco products under the direction of, or authorized by, law enforcement personnel, the Department of Health and Mental Hygiene, or local health departments under certain circumstances; and
- **HB 1308** prohibiting minors from purchasing any tobacco product or cigarette rolling papers unless the minors are acting as the agents of the minors' employers and within the scope of employment.

Referred for Interim study were **HB 235**, relating to patient information privacy and disclosure of medical records; **HB 920**, making it unlawful for an employer to discriminate against an individual because of the individual's genetic information; **HB 1316**, relating to the public dissemination of physician profiles; and **HB 1383**, concerning the authority of the State Board of Physician Quality Assurance to discipline physician administrators responsible for health care services systems where

the system fails to meet specified standards.

Housing

Housing legislation which failed this Session includes the following measures:

- **HB 390/SB 136**, shielding community associations from lawsuits by granting them immunity from civil liability;
- **HB 646**, prohibiting condominium associations, homeowners' associations and cooperative housing corporations from prohibitions against residents displaying political signs on the resident's property;
- **HB 600**, prohibiting an association from a prohibition against use of a unit for a home-based business unless the prohibition is approved by a simple majority; and
- **HB 813**, providing that a lot owner is liable for assessments imposed by a homeowners' association and **HB 832**, providing that in the case of a foreclosure sale, a lien that consists of up to 6 months of unpaid assessments on a condominium unit has priority over a first mortgage or deed of trust recorded against the property.

Insurance

Mandated benefits that won legislative approval this year include mandates for diabetes equipment and self management (**SB 368/HB 1352**); prostate exams (**SB 428/HB 1040**); osteoporosis testing, diagnosis and treatment (**HB 155**); and HMO provision of certain blood and blood products (**HB 731**). While a number of proposals addressed in-patient hospitalization for mastectomy patients, none passed.

Several issues were unresolved or in conference committee reports by Sine Die. House amendments to **SB 337**, regulating the licensing and regulation of community health networks, required these networks to meet the same regulatory standards as health maintenance organizations. Initiatives to assess proposed and current health insurance benefit mandates differed on the membership of the review panels to be established (**SB 781** and **HB 668**). A conference committee on **SB 781** adopted the Senate version with an advisory panel composed of legislative members and representatives from the health care profession, insurers and State government, while initial House passage of these bills established a joint committee of legislators. Also not resolved by Session's end were **SB 739** and **HB 823** establishing procedures for consumers to pursue grievances and complaints with respect to adverse health decisions by health insurers including HMOs.

In the area of auto insurance, there was no resolution of differing versions of **SB 120**, a proposal prohibiting denial of private auto insurance coverage based on an individual's credit report. Other failed initiatives include no-fault auto insurance (**HB 341**) and attempted repeal of competitive rating for auto and homeowners' insurance.

Legislative Matters

Bills (**SB 15** and **HB 256**) were given final approval that would provide immunity for legislators from civil liability for activities concerning constituent services and communications. Companion proposals to reorganize and consolidate staff services for the General Assembly both passed, **SB 903/HB 1450**.

State Government

State agencies would be required to provide toll-free telephone access in Maryland under **HB 641** that passed. However, neither of the bills related to enhanced access to information technology for blind or visually impaired individuals were successful (**HB 1082/SB 811**). Once again, lacrosse will not become the State sport (**HB 1109**). As well, topaz will not be designated as the State gem (**SB 663**) nor will milk be the State drink (**HB 370**).

Transportation

With growing concern about aggressive drivers several bills aimed at increasing road safety have passed the legislature. **HB 391** will allow local jurisdictions to set up video cameras at dangerous intersections to catch motorists who run red lights. **SB 167** and **HB 816** will allow police officers to pull motorists over without observing another violation and ticket them solely for not wearing seat belts. **HB 68/SB 430** will require drivers to turn on their headlights whenever their windshield wipers are in continuous use. **HB 849** and **SB 587** will make it a felony to cause the death of another person as a result of negligent driving or driving a motor vehicle or vessel while intoxicated. **SB 10** will require the Motor Vehicle Administration (MVA) to provide parental notification if a driver under the age of 18 is charged with speeding in excess of 20 mph above the posted limit. **HB 555** will forbid motorists on State highways from playing car radios so loudly that they can be heard from a distance of 50 feet away from the car. **SB 122/HB 698** will increase the points on a motorist's driver's license for failure to yield the right-of-way to a disabled pedestrian. And, in a related highway safety matter, all motorcycle riders will have to keep wearing helmets as a result of an unfavorable committee vote on **HB 56**.

SB 260/HB 710, which passed, will require the State MVA to give motorists the option of not having personal information (such as name and address) available to anyone who requests it, but exemptions were made for creditors, insurers, and law enforcement authorities.

Other transportation matters that did not pass this Session include:

- **HB 1200** and **HB 234** would have changed the driver education curriculum to require motorists under 18 years of age to take 2 hours of nighttime driving before getting a driver's license;
- **SB 488** would have required the MVA to issue a new commemorative license plate with the proceeds going to local jurisdictions for the sterilization of dogs and cats;
- **SB 44** and **SB 147/HB 649** would have authorized counties to prohibit littering and to impose fines and penalties including forfeiture of cars, boats, or planes owned by violators;
- **HB 495/SB 225** would have established the crime of reckless homicide by a motor vehicle and set the penalty for reckless driving at 5 years in prison and/or a \$5,000 fine;
- **HB 1133** would have banned high-occupancy vehicle (HOV) lanes on any part of Maryland highways;
- **HB 308** would have abolished the MVA's program that issues special license plates to nonprofit organizations; and
- **SB 852** would have raised the minimum number of applicants from 25 to 250 for a nonprofit group to qualify for special license plates.

Utilities

The Legislature passed **SB 851/Chapter 106** to establish a Task Force to Study Retail Electric Competition and the Restructuring of the Electric Utility Industry. The task force will determine if legislation should be introduced next Session.