

Department of Legislative Services
 Maryland General Assembly
 2024 Session

FISCAL AND POLICY NOTE
 Third Reader - Revised

Senate Bill 315

(Senator Kelly)

Judicial Proceedings

Environment and Transportation

Vehicle Laws - Bike Lanes and Shoulders - Yielding Right-of-Way (Sarah Debbink Langenkamp Memorial Act)

This bill establishes increased penalties for a driver of a vehicle who fails to yield the right-of-way in a designated bike lane or shoulder to a person lawfully riding a bicycle, an electric personal assistive mobility device (EPAMD), or a motor scooter if the driver contributes to the serious physical injury or death of a person riding a bicycle, EPAMD, or motor scooter. A violator is subject to imprisonment for up to two months and/or a maximum fine of \$2,000.

Fiscal Summary

State Effect: General fund expenditures for the Judiciary increase by \$56,900 in FY 2025 only for programming changes. Otherwise, the bill is not expected to materially affect State finances or operations.

(in dollars)	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	56,900	0	0	0	0
Net Effect	(\$56,900)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: The bill is not expected to materially affect local finances or operations.

Small Business Effect: None.

Analysis

Current Law: Pursuant to § 21-1209(d) of the Transportation Article, the driver of a vehicle must yield the right-of-way to a person who is lawfully riding a bicycle, an EPAMD, or a motor scooter in a designated bike lane or shoulder if the driver of the vehicle is about to enter or cross the designated bike lane or shoulder. A violation is a misdemeanor that carries a fine of up to \$500. The prepayment penalty is \$80 for a standard violation and \$120 for a violation that contributes to an accident. The Motor Vehicle Administration must assess one point for a standard violation and three points for a violation that contributes to an accident.

Additional Comments: The Judiciary advises that, in fiscal 2023, there were six violations (charges) and two guilty dispositions (convictions) under § 21-1209(d) of the Transportation Article in the District Court and one citation and zero guilty dispositions in the State's circuit courts. In fiscal 2022, there were five violations and four guilty dispositions in the District Court under § 21-1209(d); no charges were filed in the circuit courts. The Judiciary advises that its data does not indicate which, if any, of the violations charged in fiscal 2022 and 2023 involved the serious physical injury or death of a person riding a bicycle, an EPAMD, or a motor scooter.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 337 (Delegate Love, *et al.*) - Environment and Transportation.

Information Source(s): Montgomery County; Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - February 22, 2024
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Analysis by: Ralph W. Kettell

Direct Inquiries to:
(410) 946-5510
(301) 970-5510