
By: Delegates Klima, Kach, Kelly, and Dypski
Introduced and read first time: February 5, 1996
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Blind, Deaf, or Mobility Impaired Pedestrians - Right-of-Way - Penalties**

3 FOR the purpose of altering the number of points that the Motor VehicleAdministration
4 is required to assess against an individual convicted of certain motor vehicle
5 violations related to the failure to yield the right-of-way to blind, deaf, or mobility
6 impaired pedestrians; and generally relating to the penalties for motor vehicle
7 violations.

8 BY repealing and reenacting, with amendments,
9 Article - Transportation
10 Section 16-402
11 Annotated Code of Maryland
12 (1992 Replacement Volume and 1995 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article - Transportation
15 Section 21-511(a) and 27-101(b)
16 Annotated Code of Maryland
17 (1992 Replacement Volume and 1995 Supplement)

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

20 **Article - Transportation**

21 16-402.

22 (a) After the conviction of an individual for a violation of Article27, § 388 or §
23 388A of the Code, or of the vehicle laws or regulations of this State or of any local
24 authority, points shall be assessed against the individual as of the date of violation and as
25 follows:

26 (1) Any moving violation not listed below and not contributing to an
27 accident 1 point

28 (2) Following another vehicle too closely 2 points

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1 (3) Speeding in excess of the posted speed limit by 10 miles an hour or
2 more 2 points

3 (4) Driving with an improper class of license 2 points

4 (5) Failing to stop for a school vehicle with alternately flashing
5 lights 2 points

6 (6) Any violation of § 21-1111 of this article 2 points

7 (7) Passing an emergency or police vehicle under the provisions of §
8 21-405(d) of this article 2 points

9 (8) A FIRST VIOLATION OF § 21-511(A) OF THIS ARTICLE 2 POI
NTS

10 [(8)] (9) [Any] EXCEPT AS PROVIDED IN ITEM (23) OF THIS
11 SUBSECTION, A moving violation contributing to an accident 3 point

s

12 [(9)] (10) Driving after suspension of license under the provisions of §
13 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic laws or
14 regulations of another state as described in § 16-303(i) of this title... 3 points

15 [(10)] (11) Any violation, except violations committed on the John F. Kennedy
16 Memorial Highway, of § 21-1411 of this article 3 points

17 [(11)] (12) Reckless driving 4 points

18 (13) A SECOND OR SUBSEQUENT VIOLATION OF § 21-511(A) OF THIS
19 ARTICLE 4 POINTS

20 [(12)] (14) Speeding in excess of the posted speed limit by 30miles an hour or
21 more 5 points

22 [(13)] (15) Driving while not licensed 5 points

23 [(14)] (16) Failure to report an accident 5 points

24 [(15)] (17) Driving on a learner's permit unaccompanied 5
points

25 [(16)] (18) Any violation of § 17-107 of this article 5 p
oints

26 [(17)] (19) Participating in a race or speed contest on a highway 5 points

27 [(18)] (20) Any violation of § 16-304 or § 16-305 of this title 5 points

28 [(19)] (21) Any violation of § 22-404.5 of this title 5 p
oints

29 [(20)] (22) Speeding in excess of a posted speed limit of 65 miles an hour by
30 20 miles an hour or more 5 points

31 (23) A VIOLATION OF § 21-511(A) OF THIS ARTICLE THAT RESULTS IN AN
32 ACCIDENT 5 POINTS

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33 [(21)] (24) Driving while under the influence of alcohol or while under
34 influence of a drug, combination of drugs, or combination of drugs and alcohol 8 points

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1 [(22)] (25) Turning off lights of a vehicle to avoid identification..... 8 points

2 [(23)] (26) Failing to stop after accident resulting in damage to
3 vehicle or property 8 points

4 [(24)] (27) Failing to stop after accident resulting in damage to
5 vehicle or property 8 points

6 [(25)] (28) Any violation of § 16-815 or § 16-816 of this title 8 points

7 [(26)] (29) Failing to stop after an accident resulting in bodily injury or
8 death 12 points

9 [(27)] (30) Driving after refusal, suspension, cancellation, or revocation of
10 license except for suspensions of license under the provisions of § 17-106, § 26-204, §
11 26-206, or § 27-103 of this article, or under the traffic laws or regulations of another state
12 as described in § 16-303(i) of this title 12 points

13 [(28)] (31) Any violation of § 16-301, § 16-302, § 16-804, or § 16-808(1)
14 through (9) of this title 12 points

15 [(29)] (32) Homicide or assault committed by means of a vehicle 12 points

16 [(30)] (33) Driving while intoxicated or while under the influence of illegally
17 used controlled dangerous substance 12 points

18 [(31)] (34) Any felony involving use of a vehicle 12 points

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19 [(32)] (35) Fleeing or attempting to elude a police officer ..
.. 12 points

20 [(33)] (36) The making of a false affidavit or statement under oath, or falsely
21 certifying to the truth of any fact or information to the Administration under the
22 Maryland Vehicle Law or under any law relating to the ownership or operation of motor
23 vehicles 12 points

24 (b) If a conviction occurs on multiple charges based on offenses alleged to have
25 been committed at the same time or arising out of circumstances simultaneous in time
26 and place, the Administration:

27 (1) Shall assess points against the individual convicted only on the charge
28 that has the highest point assessment; and

29 (2) May not assess points on the remainder of the multiple charges.

30 21-511.

31 (a) The driver of a vehicle shall yield the right-of-way to:

32 (1) A blind or partially blind pedestrian using a guide dog or carrying a cane
33 predominantly white or metallic in color (with or without a red tip);

34 (2) A deaf or hearing impaired pedestrian accompanied by a guide dog; or

35 (3) A mobility impaired individual crossing a roadway while using any of the
36 following mobility-assisted devices:

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1 (i) A manual or motorized wheelchair;

2 (ii) A motorized scooter;

3 (iii) Crutches; or

4 (iv) A cane.

5 27-101.

6 (b) Except as otherwise provided in this section, any person convicted of a
7 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is
8 subject to a fine of not more than \$500.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 1996.