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1996 Regular Session
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CF 6r2548

By: Senator Stone

Introduced and read first time: January 17, 1996
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 15, 1996

CHAPTER ____

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 Vehicle Administration
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 Article 27, § 388 or §
23 388A of the Code, or of the vehicle laws or regulations of this State or of any local

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1 authority, points shall be assessed against the individual as of the date of violation and as
2 follows:

3 (1) Any moving violation not listed below and not contributing to an
4 accident 1 point

5 (2) Following another vehicle too closely 2 points

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

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

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

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

12 (7) Passing an emergency or police vehicle under the provisions of §
13 21-405(d) of this article 2 points

14 (8) EXCEPT AS PROVIDED IN ITEM (23) OF THIS SUBSECTION, A FIRST
15 VIOLATION OF § 21-511(A) OF THIS ARTICLE 2 POINTS

16 [(8)] (9) [Any] EXCEPT AS PROVIDED IN ITEM (23) OF THIS
17 SUBSECTION, A moving violation contributing to an accident 3 point

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18 [(9)] (10) Driving after suspension of license under the provisions of §
19 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic laws or
20 regulations of another state as described in § 16-303(i) of this title... 3 points

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

23 [(11)] (12) Reckless driving 4 points

24 (13) EXCEPT AS PROVIDED IN ITEM (23) OF THIS SUBSECTION, A SECOND
25 OR SUBSEQUENT VIOLATION OF § 21-511(A) OF THIS ARTICLE 4 POINTS

26 [(12)] (14) Speeding in excess of the posted speed limit by 30 miles an hour or
27 more 5 points

28 [(13)] (15) Driving while not licensed 5 points

29 [(14)] (16) Failure to report an accident 5 points

30 [(15)] (17) Driving on a learner's permit unaccompanied 5
points

31 [(16)] (18) Any violation of § 17-107 of this article 5 p
oints

32 [(17)] (19) Participating in a race or speed contest on a highway 5 points

33 [(18)] (20) Any violation of § 16-304 or § 16-305 of this title 5 points

34 [(19)] (21) Any violation of § 22-404.5 of this title 5 p

oints

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1 [(20)] (22) Speeding in excess of a posted speed limit of 65 miles an hour by
2 20 miles an hour or more 5 points

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

5 [(21)] (24) Driving while under the influence of alcohol or while under
6 influence of a drug, combination of drugs, or combination of drugs and alcohol 8 points

7 [(22)] (25) Turning off lights of a vehicle to avoid identification..... 8 points

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

10 [(24)] (27) Failing to stop after accident resulting in damage to
11 vehicle or property 8 points

12 [(25)] (28) Any violation of § 16-815 or § 16-816 of this title 8 points

13 [(26)] (29) Failing to stop after an accident resulting in bodily injury or
14 death 12 points

15 [(27)] (30) Driving after refusal, suspension, cancellation, or revocation of
16 license except for suspensions of license under the provisions of § 17-106, § 26-204, §
17 26-206, or § 27-103 of this article, or under the traffic laws or regulations of another state
18 as described in § 16-303(i) of this title 12 points

19 [(28)] (31) Any violation of § 16-301, § 16-302, § 16-804, or § 16-808(1)
20 through (9) of this title 12 points

21 [(29)] (32) Homicide or assault committed by means of a vehicle 12 points

22 [(30)] (33) Driving while intoxicated or while under the influence of illegally
23 used controlled dangerous substance 12 points

24 [(31)] (34) Any felony involving use of a vehicle 12 points

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25 [(32)] (35) Fleeing or attempting to elude a police officer ..
.. 12 points

26 [(33)] (36) The making of a false affidavit or statement under oath, or falsely
27 certifying to the truth of any fact or information to the Administration under the
28 Maryland Vehicle Law or under any law relating to the ownership or operation of motor
29 vehicles 12 points

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

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

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

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1 21-511.

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

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

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

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

8 (i) A manual or motorized wheelchair;

9 (ii) A motorized scooter;

10 (iii) Crutches; or

11 (iv) A cane.

12 27-101.

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

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