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SB 158/96 - JPR

1997 Regular Session
7r2048
CF SB 122

By: Delegates Snodgrass, Faulkner, DeCarlo, Clagett, Stup, Dypski, Poole, Hecht, McKee, Donoghue, Stull, Edwards, Klima, Elliott, and Patterson

Introduced and read first time: January 31, 1997

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 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 1996 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 1996 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, §
23 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any
24 local authority, points shall be assessed against the individual as of the date of violation
25 and as 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 lights 2
5 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) EXCEPT AS PROVIDED IN ITEM (23) OF THIS SUBSECTION, A FIRST
10 VIOLATION OF § 21-511(A) OF THIS ARTICLE 2 POINTS
- 11 [(8)] (9) [Any] EXCEPT AS PROVIDED IN ITEM (23) OF THIS
12 SUBSECTION, A moving violation contributing to an accident 3 points
- 13 [(9)] (10) Driving after suspension of license under the provisions of §
14 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic laws or
15 regulations of another state as described in § 16-303(i) of this title 3 points
- 16 [(10)] (11) Any violation, except violations committed on the John F. Kennedy
17 Memorial Highway, of § 21-1411 of this article 3 points
- 18 [(11)] (12) Reckless driving 4 points
- 19 (13) EXCEPT AS PROVIDED IN ITEM (23) OF THIS SUBSECTION, A SECOND
20 OR SUBSEQUENT VIOLATION OF § 21-511(A) OF THIS ARTICLE 4 POINTS
- 21 [(12)] (14) Speeding in excess of the posted speed limit by 30 miles an hour or
22 more 5 points
- 23 [(13)] (15) Driving while not licensed 5 points
- 24 [(14)] (16) Failure to report an accident 5 points
- 25 [(15)] (17) Driving on a learner's permit unaccompanied 5 points
- 26 [(16)] (18) Any violation of § 17-107 of this article 5 points
- 27 [(17)] (19) Participating in a race or speed contest on a highway 5 points
- 28 [(18)] (20) Any violation of § 16-304 or § 16-305 of this title 5 points
- 29 [(19)] (21) Any violation of § 22-404.5 of this article 5 points
- 30 [(20)] (22) Speeding in excess of a posted speed limit of 65 miles an hour by
31 20 miles an hour or more 5 points
- 32 (23) A VIOLATION OF § 21-511(A) OF THIS ARTICLE THAT RESULTS IN AN
33 ACCIDENT 5 POINTS
- 34 [(21)] (24) Driving while under the influence of alcohol or while under
35 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 attended
3 vehicle or property 8 points

4 [(24)] (27) Failing to stop after accident resulting in damage to unattended
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, life threatening injury under Article 27, § 388B of the
16 Code, or assault committed by means of a vehicle 12 points

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

19 [(31)] (34) Any felony involving use of a vehicle 12 points

20 [(32)] (35) Fleeing or attempting to elude a police officer 12 points

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

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

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

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

31 21-511.

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

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

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

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

3 (i) A manual or motorized wheelchair;

4 (ii) A motorized scooter;

5 (iii) Crutches; or

6 (iv) A cane.

7 27-101.

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

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 1997.