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1997 Regular Session  
7r1195  
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**By: Senator Stone**

Introduced and read first time: January 9, 1997  
Assigned to: Judicial Proceedings

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Committee Report: Favorable  
Senate action: Adopted  
Read second time: February 4, 1997

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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 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

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1 local authority, points shall be assessed against the individual as of the date of violation  
 2 and as 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 lights ..... 2  
 10 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 points
  
- 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 points
  
- 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 article ..... 5 points

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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 attended  
9 vehicle or property ..... 8 points
  
- 10 [(24)] (27) Failing to stop after accident resulting in damage to unattended  
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, life threatening injury under Article 27, § 388B of the  
22 Code, or assault committed by means of a vehicle ..... 12 points
  
- 23 [(30)] (33) Driving while intoxicated, while intoxicated per se, or while under  
24 the influence of illegally used controlled dangerous substance ..... 12 points
  
- 25 [(31)] (34) Any felony involving use of a vehicle ..... 12 points
  
- 26 [(32)] (35) Fleeing or attempting to elude a police officer ..... 12 points
  
- 27 [(33)] (36) The making of a false affidavit or statement under oath, or falsely  
28 certifying to the truth of any fact or information to the Administration under the  
29 Maryland Vehicle Law or under any law relating to the ownership or operation of motor  
30 vehicles ..... 12 points
  
- 31 (b) If a conviction occurs on multiple charges based on offenses alleged to have  
32 been committed at the same time or arising out of circumstances simultaneous in time  
33 and place, the Administration:  
  - 34 (1) Shall assess points against the individual convicted only on the charge  
35 that has the highest point assessment; and
  - 36 (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, 1997.