
By: **Senator Green**

Introduced and read first time: January 24, 2001

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2001

CHAPTER _____

1 AN ACT concerning

2 **Safety Zones Crosswalks - School Crossing Guards - Traffic Regulation**

3 FOR the purpose of authorizing a school crossing guard to direct and regulate traffic
4 ~~under certain circumstances in a crosswalk~~; authorizing a school crossing guard
5 to signal, stop, or otherwise direct or regulate traffic to permit the safe crossing
6 of pedestrians in ~~certain areas~~ a crosswalk; prohibiting a person from willfully
7 disobeying a lawful order or direction of a school crossing guard; ~~requiring~~
8 ~~certain local agencies to establish a training program for a school crossing~~
9 ~~guard; authorizing certain persons to assign additional traffic control duties to a~~
10 ~~school crossing guard; authorizing a school crossing guard to assist a police~~
11 ~~officer in regulating traffic at certain times; requiring a school crossing guard to~~
12 ~~record certain information and file certain reports if the school crossing guard~~
13 ~~witnesses certain traffic violations; authorizing certain law enforcement~~
14 ~~agencies to issue certain warnings for certain violations~~ providing a certain
15 penalty for a violation of this Act; and generally relating to the regulation of
16 traffic by school crossing guards.

17 BY adding to
18 Article - Transportation
19 Section 21-107
20 Annotated Code of Maryland
21 (1999 Replacement Volume and 2000 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article - Transportation
24 Section 27-101(c)(21)
25 Annotated Code of Maryland

1 (1999 Replacement Volume and 2000 Supplement)

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

4 **Article - Transportation**

5 21-107.

6 (A) (1) A SCHOOL CROSSING GUARD MAY DIRECT OR REGULATE TRAFFIC IN
7 A ~~SAFETY ZONE~~ CROSSWALK.

8 (2) A SCHOOL CROSSING GUARD MAY SIGNAL, STOP, OR OTHERWISE
9 DIRECT OR REGULATE TRAFFIC TO PERMIT THE SAFE CROSSING OF PEDESTRIANS IN
10 A ~~SAFETY ZONE~~ CROSSWALK.

11 (B) A PERSON MAY NOT WILLFULLY DISOBEY A LAWFUL ORDER OR
12 DIRECTION OF A SCHOOL CROSSING GUARD EXERCISING THE AUTHORITY GRANTED
13 IN SUBSECTION (A) OF THIS SECTION.

14 ~~(C) THE GOVERNING BODY OF EACH COUNTY AND THE CHIEF LAW
15 ENFORCEMENT OFFICER OF EACH COUNTY, OR A DESIGNEE, MAY ASSIGN
16 ADDITIONAL TRAFFIC CONTROL DUTIES TO A SCHOOL CROSSING GUARD.~~

17 ~~(D) A LOCAL AGENCY, INCLUDING A LOCAL SCHOOL BOARD AND POLICE
18 DEPARTMENT, THAT HAS JURISDICTION OVER A CROSSING GUARD SHALL
19 ESTABLISH A TRAINING PROGRAM FOR A SCHOOL CROSSING GUARD.~~

20 ~~(E) UPON THE REQUEST OF A POLICE OFFICER OR LAW ENFORCEMENT
21 AGENCY, A SCHOOL CROSSING GUARD MAY ASSIST A POLICE OFFICER IN
22 REGULATING TRAFFIC IN AN EMERGENCY.~~

23 ~~(F) (1) IF A SCHOOL CROSSING GUARD WITNESSES A VIOLATION OF
24 SUBSECTION (A) OF THIS SECTION, THE SCHOOL CROSSING GUARD SHALL PROMPTLY
25 REPORT THE VIOLATION TO A LAW ENFORCEMENT AGENCY EXERCISING
26 JURISDICTION WHERE THE VIOLATION OCCURRED.~~

27 ~~(2) THE REPORT, TO THE EXTENT POSSIBLE, SHALL INCLUDE:~~

28 ~~(I) INFORMATION PERTAINING TO THE IDENTITY OF THE
29 ALLEGED VIOLATOR;~~

30 ~~(II) THE REGISTRATION PLATE NUMBER AND COLOR OF THE
31 VEHICLE INVOLVED IN THE VIOLATION;~~

32 ~~(III) THE TIME AND LOCATION AT WHICH THE VIOLATION
33 OCCURRED; AND~~

1 (IV) AN IDENTIFICATION OF THE MOTOR VEHICLE AS AN
2 AUTOMOBILE, STATION WAGON, TRUCK, BUS, MOTORCYCLE, OR OTHER TYPE OF
3 VEHICLE, INCLUDING THE TYPE AND MAKE OF THE VEHICLE.

4 (G) IF A REPORT IS MADE UNDER SUBSECTION (F) OF THIS SECTION, A LAW
5 ENFORCEMENT AGENCY MAY ISSUE TO THE REGISTERED OWNER OF THE VEHICLE, A
6 WARNING STATING:

7 (1) THAT A REPORT OF A VIOLATION OF SUBSECTION (A) OF THIS
8 SECTION WAS MADE TO THE LAW ENFORCEMENT AGENCY AND THAT THE REPORT
9 DESCRIBED THE OWNER'S MOTOR VEHICLE AS THE VEHICLE INVOLVED IN THE
10 VIOLATION;

11 (2) THAT THE WARNING DOES NOT CONSTITUTE A FINDING THAT THE
12 OWNER IS GUILTY OF THE VIOLATION; AND

13 (3) THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION.

14 27-101.

15 (c) Any person who is convicted of a violation of any of the provisions of the
16 following sections of this article is subject to a fine of not more than \$500 or
17 imprisonment for not more than 2 months or both:

18 (21) As to a pedestrian in a marked crosswalk, § 21-502(a) ("Pedestrians'
19 right-of-way in crosswalks: In general") AND § 21-107(B) ("FAILURE TO OBEY ORDER
20 OR DIRECTION OF SCHOOL CROSSING GUARD");

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2001.