

SENATE BILL 311

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R5

2002 Regular Session
2r1968
CF 2r1760

By: **Senator Hafer**

Introduced and read first time: January 25, 2002

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation - Failing to Stop for a School Vehicle with Activated**
3 **Flashing Lights - Penalties**

4 FOR the purpose of increasing the number of points required to be assessed against
5 an individual for failing to stop for a school vehicle with activated alternately
6 flashing red lights; altering the fine that a person is subject to for failing to stop
7 for a school vehicle with activated alternately flashing red lights; making
8 stylistic changes; and generally relating to penalties for failing to stop for a
9 school vehicle with activated alternately flashing red lights.

10 BY repealing

11 Article - Transportation
12 Section 16-402(a)(5)
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2001 Supplement)

15 BY renumbering

16 Article - Transportation
17 Section 16-402(a)(6) through (22), respectively
18 to be Section 16-402(a)(5) through (21), respectively
19 Annotated Code of Maryland
20 (1999 Replacement Volume and 2001 Supplement)

21 BY adding to

22 Article - Transportation
23 Section 16-402(a)(22)
24 Annotated Code of Maryland
25 (1999 Replacement Volume and 2001 Supplement)

26 BY repealing and reenacting, without amendments,

27 Article - Transportation
28 Section 21-706
29 Annotated Code of Maryland

1 (1999 Replacement Volume and 2001 Supplement)

2 BY repealing and reenacting, with amendments,
3 Article - Transportation
4 Section 27-101(g)
5 Annotated Code of Maryland
6 (1999 Replacement Volume and 2001 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
8 MARYLAND, That Section(s) 16-402(a)(5) of Article - Transportation of the
9 Annotated Code of Maryland be repealed.

10 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 16-402(a)(6)
11 through (22), respectively, of Article - Transportation of the Annotated Code of
12 Maryland be renumbered to be Section(s) 16-402(a)(5) through (21), respectively.

13 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
14 read as follows:

15 **Article - Transportation**

16 16-402.

17 (a) After the conviction of an individual for a violation of Article 27, § 388, §
18 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any
19 local authority, points shall be assessed against the individual as of the date of
20 violation and as follows:

21 (22) FAILING TO STOP FOR A SCHOOL VEHICLE WITH ACTIVATED
22 ALTERNATELY FLASHING RED LIGHTS5 POINTS

23 21-706.

24 (a) If a school vehicle has stopped on a roadway and is operating the
25 alternately flashing red lights specified in § 22-228 of this article, the driver of any
26 other vehicle meeting or overtaking the school vehicle shall stop at least 20 feet from
27 the rear of the school vehicle, if approaching the school vehicle from its rear, or at
28 least 20 feet from the front of the school vehicle, if approaching the school vehicle
29 from its front.

30 (b) If a school vehicle has stopped on a roadway and is operating the
31 alternately flashing red lights specified in § 22-228 of this article, the driver of any
32 other vehicle meeting or overtaking the school vehicle may not proceed until the
33 school vehicle resumes motion or the alternately flashing red lights are deactivated.

34 (c) This section does not apply to the driver of a vehicle on a divided highway,
35 if the school vehicle is on a different roadway.

1 27-101.

2 (g) Any person who is convicted of a violation of any of the provisions of [§
3 13-704 of this article or § 21-901.1(a) of this article ("Reckless driving")] ANY OF THE
4 FOLLOWING SECTIONS OF THIS ARTICLE is subject to a fine of not more than \$1,000:

5 (1) § 13-704 ("FRAUD IN APPLICATION");

6 (2) § 21-706 ("OVERTAKING AND PASSING SCHOOL VEHICLE"); OR

7 (3) § 21-901.1(A) ("RECKLESS DRIVING").

8 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2002.