

SENATE BILL 370

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R5
SB 311/02 - JPR

2003 Regular Session
3lr0243

By: **Senators Hafer, Astle, Colburn, DeGrange, Dyson, Hollinger, Hooper,
Jacobs, Kelley, Klausmeier, Lawlah, Munson, and Schrader**

Introduced and read first time: January 31, 2003

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 or remain stopped for a school vehicle with
6 activated alternately flashing red lights; altering the fine that a person is
7 subject to for failing to stop or remain stopped for a school vehicle with activated
8 alternately flashing red lights; making stylistic changes; and generally relating
9 to penalties for failing to stop or remain stopped for a school vehicle with
10 activated alternately flashing red lights.

11 BY repealing

12 Article - Transportation
13 Section 16-402(a)(5)
14 Annotated Code of Maryland
15 (2002 Replacement Volume)

16 BY renumbering

17 Article - Transportation
18 Section 16-402(a)(6) through (22), respectively
19 to be Section 16-402(a)(5) through (21), respectively
20 Annotated Code of Maryland
21 (2002 Replacement Volume)

22 BY adding to

23 Article - Transportation
24 Section 16-402(a)(22)
25 Annotated Code of Maryland
26 (2002 Replacement Volume)

27 BY repealing and reenacting, without amendments,

28 Article - Transportation

1 Section 21-706
2 Annotated Code of Maryland
3 (2002 Replacement Volume)

4 BY repealing and reenacting, with amendments,
5 Article - Transportation
6 Section 27-101(g)
7 Annotated Code of Maryland
8 (2002 Replacement Volume)

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11 Annotated Code of Maryland be repealed.

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

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

17 **Article - Transportation**

18 16-402.

19 (a) After the conviction of an individual for a violation of Title 2, Subtitle 5, §
20 2-209, or § 3-211 of the Criminal Law Article, or of the vehicle laws or regulations of
21 this State or of any local authority, points shall be assessed against the individual as
22 of the date of violation and as follows:

23 (22) ANY VIOLATION OF § 21-706 OF THIS ARTICLE5 POINTS

24 21-706.

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

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

35 (c) This section does not apply to the driver of a vehicle on a divided highway,
36 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")] FOLLOWING
4 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, 2003.