
By: **Delegates Boteler, Cluster, Aumann, Boutin, Bromwell, DeBoy, Frank, Impallaria, Jennings, Kach, McDonough, Montgomery, Parker, Trueschler, V. Turner, and Weir**

Introduced and read first time: February 13, 2004

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Pedestrians' Right-of-Way in Crosswalks - Penalties**

3 FOR the purpose of requiring that a certain number of points be assessed against an
4 individual for certain violations involving a pedestrian's right-of-way in a
5 crosswalk; altering the penalty for certain violations involving a pedestrian's
6 right-of-way in a crosswalk; and generally relating to pedestrians' right-of-way
7 in crosswalks.

8 BY renumbering

9 Article - Transportation
10 Section 16-402(a)(11) through (37), respectively
11 to be Section 16-402(a)(12) through (38), respectively
12 Annotated Code of Maryland
13 (2002 Replacement Volume and 2003 Supplement)

14 BY repealing and reenacting, with amendments,

15 Article - Transportation
16 Section 16-402(a)(10) and 27-101(c)(23) through (27)
17 Annotated Code of Maryland
18 (2002 Replacement Volume and 2003 Supplement)

19 BY adding to

20 Article - Transportation
21 Section 16-402(a)(10) and 27-101(w)
22 Annotated Code of Maryland
23 (2002 Replacement Volume and 2003 Supplement)

24 BY repealing and reenacting, without amendments,

25 Article - Transportation
26 Section 21-502
27 Annotated Code of Maryland

1 (2002 Replacement Volume and 2003 Supplement)

2 BY repealing

3 Article - Transportation

4 Section 27-101(c)(21) and (22)

5 Annotated Code of Maryland

6 (2002 Replacement Volume and 2003 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

8 MARYLAND, That Section(s) 16-402(a)(11) through (37), respectively, of Article -

9 Transportation of the Annotated Code of Maryland be renumbered to be Section(s)

10 16-402(a)(12) through (38), respectively.

11 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland

12 read as follows:

13 **Article - Transportation**

14 16-402.

15 (a) After the conviction of an individual for a violation of Title 2, Subtitle 5, §
16 2-209, or § 3-211 of the Criminal Law Article, or of the vehicle laws or regulations of
17 this State or of any local authority, points shall be assessed against the individual as
18 of the date of violation and as follows:

19 (10) A VIOLATION OF § 21-502(A) OR (C) OF THIS ARTICLE 2 POINTS

20 [(10)] (11) Any moving violation contributing to an accident 3 points

21 21-502.

22 (a) (1) This subsection does not apply where:

23 (i) A pedestrian tunnel or overhead pedestrian crossing is
24 provided, as described in § 21-503(b) of this subtitle; or

25 (ii) A traffic control signal is in operation.

26 (2) The driver of a vehicle shall come to a stop when a pedestrian
27 crossing the roadway in a crosswalk is:

28 (i) On the half of the roadway on which the vehicle is traveling; or

29 (ii) Approaching from an adjacent lane on the other half of the
30 roadway.

31 (b) A pedestrian may not suddenly leave a curb or other place of safety and
32 walk or run into the path of a vehicle which is so close that it is impossible for the
33 driver to yield.

1 (c) If, at a marked crosswalk or at an unmarked crosswalk at an intersection,
2 a vehicle is stopped to let a pedestrian cross the roadway, the driver of any other
3 vehicle approaching from the rear may not overtake and pass the stopped vehicle.

4 27-101.

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

8 [(21) As to a pedestrian in a marked crosswalk, § 21-502(a) ("Pedestrians'
9 right-of-way in crosswalks: In general");

10 (22) As to another vehicle stopped at a marked crosswalk, § 21-502(c)
11 ("Passing of vehicle stopped for pedestrian prohibited");]

12 [(23)] (21) Except as provided in subsections (f) and (q) of this section, §
13 21-902(b) ("Driving while impaired by alcohol");

14 [(24)] (22) Except as provided in subsections (f) and (q) of this section, §
15 21-902(c) ("Driving while impaired by drugs or drugs and alcohol");

16 [(25)] (23) Except as provided in subsections (f) and (q) of this section, §
17 21-902(d) ("Driving while impaired by controlled dangerous substance");

18 [(26)] (24) § 21-902.1 ("Driving within 12 hours after arrest"); or

19 [(27)] (25) § 27-107(d), (e), (f), or (g) ("Prohibited acts - Ignition interlock
20 systems").

21 (W) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 21-502(A) OF THIS
22 ARTICLE ("PEDESTRIAN RIGHT-OF-WAY IN CROSSWALKS: IN GENERAL") OR §
23 21-502(C) OF THIS ARTICLE ("PASSING OF VEHICLE STOPPED FOR PEDESTRIAN
24 PROHIBITED") IS SUBJECT TO A FINE OF \$125.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2004.