

HOUSE BILL 1223

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R5  
SB 370/03 - JPR

2004 Regular Session  
4lr2658  
CF SB 280

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By: **Delegates Montgomery and Bronrott**  
Introduced and read first time: February 13, 2004  
Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Failing to Stop for a School Vehicle with Activated Flashing**  
3 **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 and 2003 Supplement)

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 and 2003 Supplement)

22 BY adding to  
23 Article - Transportation  
24 Section 16-402(a)(22)  
25 Annotated Code of Maryland  
26 (2002 Replacement Volume and 2003 Supplement)

27 BY repealing and reenacting, without amendments,  
28 Article - Transportation  
29 Section 21-706

1 Annotated Code of Maryland  
2 (2002 Replacement Volume and 2003 Supplement)

3 BY repealing and reenacting, with amendments,  
4 Article - Transportation  
5 Section 27-101(g)  
6 Annotated Code of Maryland  
7 (2002 Replacement Volume and 2003 Supplement)

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10 Annotated Code of Maryland be repealed.

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

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

16 **Article - Transportation**

17 16-402.

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

22 (22) ANY VIOLATION OF § 21-706 OF THIS ARTICLE ..... 5 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")] 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, 2004.