

HOUSE BILL 890

R5

9lr1580

By: **Delegates Stein, Cardin, Glenn, Morhaim, and Weir**

Introduced and read first time: February 12, 2009

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Failure to Yield to Emergency Vehicle – Penalty**

3 FOR the purpose of increasing the maximum penalty for failure of a driver of a vehicle
4 to yield to an emergency vehicle.

5 BY repealing and reenacting, without amendments,
6 Article – Transportation
7 Section 21–405 and 27–101(a) and (b)
8 Annotated Code of Maryland
9 (2006 Replacement Volume and 2008 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article – Transportation
12 Section 27–101(g)
13 Annotated Code of Maryland
14 (2006 Replacement Volume and 2008 Supplement)

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

17 **Article – Transportation**

18 21–405.

19 (a) On the immediate approach of an emergency vehicle using audible and
20 visual signals that meet the requirements of § 22–218 of this article or of a police
21 vehicle lawfully using an audible signal, the driver of every other vehicle, unless
22 otherwise directed by a police officer, shall yield the right-of-way.

23 (b) On the immediate approach of an emergency vehicle using audible and
24 visual signals that meet the requirements of § 22–218 of this article or of a police

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



vehicle lawfully using an audible signal, the driver of every other vehicle, unless otherwise directed by a police officer, shall drive immediately to a position parallel to and as close as possible to the edge or curb of the roadway, clear of any intersection.

(c) On the immediate approach of an emergency vehicle using audible and visual signals that meet the requirements of § 22–218 of this article or of a police vehicle lawfully using an audible signal, the driver of every other vehicle, unless otherwise directed by a police officer, shall stop and stay in this position until the emergency vehicle has passed.

(d) A driver, when proceeding in the same direction as an emergency or police vehicle, may not pass an emergency vehicle using audible and visual signals that meet the requirements of § 22–218 of this article or a police vehicle lawfully using an audible signal unless:

(1) The emergency vehicle has stopped; or

(2) Otherwise directed by a police officer.

(e) This section does not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons.

27–101.

(a) It is a misdemeanor for any person to violate any of the provisions of the Maryland Vehicle Law unless the violation:

(1) Is declared to be a felony by the Maryland Vehicle Law or by any other law of this State; or

(2) Is punishable by a civil penalty under the applicable provision of the Maryland Vehicle Law.

(b) Except as otherwise provided in this section, any person convicted of a misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is subject to a fine of not more than \$500.

(g) Any person who is convicted of a violation of any of the following sections of this article is subject to a fine of not more than \$1,000:

(1) § 13–704 (“Fraud in application”);

(2) **§ 21–405(A) THROUGH (D) (“OPERATION OF VEHICLES ON APPROACH OF EMERGENCY VEHICLES”);**

(3) § 21–706 (“Overtaking and passing school vehicle”); or

1 ~~[(3)]~~ **(4)** § 21-901.1(a) (“Reckless driving”).

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2009.