

# HOUSE BILL 142

R5

8lr1336  
CF 8lr2143

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By: **Delegate Lafferty**

Introduced and read first time: January 15, 2018

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Injury or Death of Vulnerable Road User – Penalties**

3 FOR the purpose of prohibiting a person from causing the serious physical injury or death  
4 of a vulnerable road user as a result of the person operating a vehicle in a careless  
5 or distracted manner or in violation of certain provisions of the Maryland Vehicle  
6 Law; establishing certain penalties for a violation of this Act; defining the term  
7 “vulnerable road user” for purposes of this Act; and generally relating to penalties  
8 for causing the serious physical injury or death of a vulnerable road user.

9 BY adding to

10 Article – Transportation

11 Section 21–901.3

12 Annotated Code of Maryland

13 (2012 Replacement Volume and 2017 Supplement)

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

16 **Article – Transportation**

17 **21–901.3.**

18 **(A) IN THIS SECTION, “VULNERABLE ROAD USER” MEANS:**

19 **(1) A PEDESTRIAN, INCLUDING AN INDIVIDUAL WHO IS:**

20 **(i) ACTIVELY WORKING ON A HIGHWAY OR A UTILITY FACILITY**  
21 **ALONG A HIGHWAY; OR**

22 **(ii) PROVIDING EMERGENCY SERVICES ON A HIGHWAY;**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2) AN INDIVIDUAL WHO IS RIDING OR LEADING AN ANIMAL ON A**  
2 **HIGHWAY, SHOULDER, OR CROSSWALK; OR**

3           **(3) A PERSON WHO IS LAWFULLY OPERATING OR RIDING ANY OF THE**  
4 **FOLLOWING ON A HIGHWAY, SHOULDER, OR CROSSWALK:**

5                   **(I) A BICYCLE;**

6                   **(II) A FARM TRACTOR OR FARM EQUIPMENT;**

7                   **(III) A PLAY VEHICLE;**

8                   **(IV) A MOTOR SCOOTER;**

9                   **(V) A MOTORCYCLE;**

10                  **(VI) AN ANIMAL-DRAWN VEHICLE;**

11                  **(VII) AN EPAMD; OR**

12                  **(VIII) A WHEELCHAIR.**

13           **(B) A PERSON MAY NOT CAUSE THE SERIOUS PHYSICAL INJURY OR DEATH**  
14 **OF A VULNERABLE ROAD USER AS A RESULT OF THE PERSON OPERATING A MOTOR**  
15 **VEHICLE:**

16                   **(1) IN A CARELESS OR DISTRACTED MANNER; OR**

17                   **(2) IN VIOLATION OF ANY PROVISION OF THIS TITLE.**

18           **(C) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B) OF THIS**  
19 **SECTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 30 DAYS OR A FINE NOT**  
20 **EXCEEDING \$2,000 OR BOTH.**

21           **(D) IN ADDITION TO THE PENALTIES PROVIDED UNDER SUBSECTION (C) OF**  
22 **THIS SECTION, THE COURT MAY ORDER A PERSON CONVICTED OF A VIOLATION OF**  
23 **SUBSECTION (B) OF THIS SECTION TO:**

24                   **(1) PARTICIPATE IN A MOTOR VEHICLE SAFETY COURSE; AND**

25                   **(2) PERFORM UP TO 200 HOURS OF COMMUNITY SERVICE.**

1           **(E) THE ADMINISTRATION SHALL SUSPEND THE DRIVER'S LICENSE OF A**  
2 **PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B) OF THIS SECTION FOR AT**  
3 **LEAST 6 MONTHS.**

4           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2018.