

SENATE BILL 445

R5

8lr1498
CF 8lr1499

By: **Senators Norman, Lee, Middleton, Ready, Rosapepe, and Smith**

Introduced and read first time: January 25, 2018

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Operation When Approaching Vehicle With Visual Signals**

3 FOR the purpose of requiring drivers approaching from the rear certain vehicles that are
4 stopped, standing, or parked on a highway and using certain visual signals to make
5 a lane change to an available lane not immediately adjacent to the stopped, standing,
6 or parked vehicle under certain circumstances, or to slow to a reasonable and
7 prudent speed that is safe for certain existing conditions under certain
8 circumstances; providing for the application of this Act; and generally relating to the
9 rules of the road when approaching certain vehicles.

10 BY repealing and reenacting, with amendments,
11 Article – Transportation
12 Section 21–405(e)
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2017 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article – Transportation
17 Section 22–201, 22–218(c)(6) and (11), and 22–218.2(a)
18 Annotated Code of Maryland
19 (2012 Replacement Volume and 2017 Supplement)

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

Article – Transportation

22 21–405.

24 (e) **(1) THIS SUBSECTION APPLIES TO A STOPPED, STANDING, OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **PARKED VEHICLE THAT IS:**

2 **(I) 1. ON A HIGHWAY; AND**

3 **2. USING A VISUAL SIGNAL THAT MEETS THE**
 4 **REQUIREMENTS OF § 22-218 OR § 22-218.2 OF THIS ARTICLE; AND**

5 **(II) 1. A COMMERCIAL MOTOR VEHICLE PROVIDING**
 6 **EMERGENCY MAINTENANCE TO A DISABLED VEHICLE;**

7 **2. AN EMERGENCY VEHICLE;**

8 **3. A SERVICE VEHICLE AS DEFINED UNDER § 22-201 OF**
 9 **THIS ARTICLE;**

10 **4. A TOW TRUCK THAT IS PROPERLY REGISTERED IN**
 11 **ACCORDANCE WITH § 13-920 OF THIS ARTICLE; OR**

12 **5. A WASTE OR RECYCLING COLLECTION VEHICLE.**

13 **(2)** Unless otherwise directed by a police officer or a traffic control device,
 14 [when an emergency vehicle or a tow truck that is properly registered in accordance with §
 15 13-920 of this article using any visual signal that meets the requirements of § 22-218 of
 16 this article is stopped, standing, or parked on a highway, the driver of a motor vehicle
 17 approaching the emergency vehicle or tow truck from the rear] **THE DRIVER OF A MOTOR**
 18 **VEHICLE THAT APPROACHES FROM THE REAR A STOPPED, STANDING, OR PARKED**
 19 **VEHICLE TO WHICH THIS SUBSECTION APPLIES shall:**

20 **[(1)] (I)** If practicable and not otherwise prohibited **AND WITH DUE**
 21 **REGARD FOR SAFETY AND TRAFFIC CONDITIONS**, make a lane change into an available
 22 lane not immediately adjacent to the [emergency vehicle or tow truck with due regard for
 23 safety and traffic conditions] **STOPPED, STANDING, OR PARKED VEHICLE; or**

24 **[(2)] (II)** If the driver of the motor vehicle is unable to make a lane change
 25 in accordance with item [(1) of this subsection] **(I) OF THIS PARAGRAPH**, slow to a
 26 reasonable and prudent speed that is safe for existing weather, road, and vehicular or
 27 pedestrian traffic conditions.

28 22-201.

29 In this subtitle, “service vehicles” means any of the following vehicles that are
 30 designated by the Administration as service vehicles:

31 (1) Vehicles of federal, State, or local agencies;

1 (2) Vehicles of public service companies; and

2 (3) Vehicles of persons performing governmental functions under a
3 contract with any federal, State, or local government.

4 22-218.

5 (c) (6) Service vehicles, waste or recycling collection vehicles, rural letter
6 carrier vehicles, slow moving farm vehicles, and tow trucks may be equipped with or display
7 yellow or amber lights or signal devices.

8 (11) The yellow or amber lights or signal devices permitted on vehicles
9 under paragraph (6) of this subsection may be flashed or oscillated or otherwise used only
10 in the course of official duties, to indicate to the public that the vehicle is a slow moving
11 vehicle or otherwise is impeding traffic.

12 22-218.2.

13 (a) One or more amber flashing lights may be displayed:

14 (1) By a tow truck while at the scene of an accident or a disabled vehicle or
15 while towing a vehicle; and

16 (2) By snow removal and other highway maintenance and service
17 equipment and escort vehicles.

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