

SENATE BILL 460

R5

9lr1330
CF 9lr0904

By: **Senators Waldstreicher, Benson, Feldman, Kagan, King, Kramer, Lee, Peters, Smith, Young, and Zucker**

Introduced and read first time: February 4, 2019

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Pedestrian Safety Fund Act of 2019**

3 FOR the purpose of establishing the minimum fine that may be imposed for a violation of
4 certain provisions of the Maryland Vehicle Law regarding crosswalks; establishing
5 the Pedestrian Safety Fund as a special, nonlapsing fund; requiring the Secretary of
6 Transportation to administer the Fund; requiring the State Treasurer to hold the
7 Fund separately, and the Comptroller to account for the Fund; specifying the
8 contents of the Fund; specifying the purpose for which the Fund may be used;
9 providing for the investment of money in the Fund; requiring interest earnings of
10 the Fund to be credited to the Fund; exempting the Fund from a certain provision of
11 law requiring interest earnings on State money to accrue to the General Fund of the
12 State; defining a certain term; and generally relating to the Pedestrian Safety Fund.

13 BY repealing and reenacting, without amendments,
14 Article – State Finance and Procurement
15 Section 6–226(a)(2)(i)
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2018 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – State Finance and Procurement
20 Section 6–226(a)(2)(ii)112. and 113.
21 Annotated Code of Maryland
22 (2015 Replacement Volume and 2018 Supplement)

23 BY adding to
24 Article – State Finance and Procurement
25 Section 6–226(a)(2)(ii)114.
26 Annotated Code of Maryland
27 (2015 Replacement Volume and 2018 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
 2 Article – Transportation
 3 Section 21–502
 4 Annotated Code of Maryland
 5 (2012 Replacement Volume and 2018 Supplement)

6 BY adding to
 7 Article – Transportation
 8 Section 21–502.1
 9 Annotated Code of Maryland
 10 (2012 Replacement Volume and 2018 Supplement)

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

13 **Article – State Finance and Procurement**

14 6–226.

15 (a) (2) (i) Notwithstanding any other provision of law, and unless
 16 inconsistent with a federal law, grant agreement, or other federal requirement or with the
 17 terms of a gift or settlement agreement, net interest on all State money allocated by the
 18 State Treasurer under this section to special funds or accounts, and otherwise entitled to
 19 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
 20 Fund of the State.

21 (ii) The provisions of subparagraph (i) of this paragraph do not apply
 22 to the following funds:

23 112. the Pretrial Services Program Grant Fund; [and]

24 113. the Veteran Employment and Transition Success Fund;

25 **AND**

26 **114. THE PEDESTRIAN SAFETY FUND.**

27 **Article – Transportation**

28 21–502.

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

30 (i) A pedestrian tunnel or overhead pedestrian crossing is provided,
 31 as described in § 21–503(b) of this subtitle; or

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

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

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

4 (ii) Approaching from an adjacent lane on the other half of the
5 roadway.

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

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

11 (d) A person may not commit a violation of subsection (a) or (c) of this section that
12 contributes to an accident.

13 (e) A person convicted of a violation of subsection (d) of this section is subject to
14 imprisonment not exceeding 2 months or a fine **OF NOT LESS THAN \$150 AND** not
15 exceeding \$500 or both.

16 **21-502.1.**

17 **(A) IN THIS SECTION, "FUND" MEANS THE PEDESTRIAN SAFETY FUND.**

18 **(B) THERE IS A PEDESTRIAN SAFETY FUND.**

19 **(C) THE SECRETARY SHALL ADMINISTER THE FUND.**

20 **(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND WHICH IS NOT**
21 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

22 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
23 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

24 **(E) THE FUND CONSISTS OF:**

25 **(1) \$150 FROM EACH FINE COLLECTED UNDER § 21-502(E) OF THIS**
26 **SUBTITLE;**

27 **(2) MONEY APPROPRIATED IN THE STATE BUDGET FOR THE FUND;**

28 **(3) ANY INTEREST EARNINGS OF THE FUND; AND**

1 **(4) ANY OTHER MONEY FROM ANY SOURCE ACCEPTED FOR THE**
2 **BENEFIT OF THE FUND.**

3 **(F) THE FUND MAY BE USED ONLY FOR ENHANCING THE SAFETY AND**
4 **QUALITY OF PEDESTRIAN AND BICYCLE TRANSPORTATION, INCLUDING:**

5 **(1) DEVELOPING AND PROVIDING EDUCATIONAL PROGRAMMING FOR**
6 **BICYCLISTS, MOTORISTS, AND PEDESTRIANS THAT RAISES AWARENESS OF THEIR**
7 **JOINT RESPONSIBILITY TO FOLLOW THE RULES OF THE ROAD;**

8 **(2) PHYSICAL DESIGN CHANGES THAT CALM TRAFFIC, MINIMIZE**
9 **CONFLICTS AMONG STREET USERS, AND PROTECT BICYCLISTS, MOTORISTS, AND**
10 **PEDESTRIANS, INCLUDING DESIGN CHANGES SUCH AS:**

11 **(I) LANE NARROWING;**

12 **(II) ESTABLISHMENT OF BICYCLE WAYS;**

13 **(III) SIDEWALK CONSTRUCTION;**

14 **(IV) PEDESTRIAN CONTROL SIGNAL UPGRADES;**

15 **(V) SPEED BUMPS;**

16 **(VI) CURB EXTENSIONS; AND**

17 **(VII) SAFETY ZONES; AND**

18 **(3) INCREASING ENFORCEMENT OF EXISTING RULES OF THE ROAD,**
19 **SUCH AS BY USING RADAR SPEED DISPLAY SIGNS IN AREAS WHERE PEDESTRIAN**
20 **CRASHES HAVE OCCURRED.**

21 **(G) (1) THE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE**
22 **SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

23 **(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED**
24 **TO THE FUND.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2019.