

HOUSE BILL 1305

R5

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By: **Delegates Terrasa, Healey, and Palakovich Carr**

Introduced and read first time: February 7, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Operation When Approaching Stopped, Standing, or Parked**
3 **Vehicles**

4 FOR the purpose of extending to all vehicles displaying certain warning lights or warning
5 lamps the application of a requirement to make a certain lane change or slow to a
6 reasonable and prudent speed that is safe for certain conditions when approaching
7 certain stopped, standing, or parked vehicles from the rear; and generally relating
8 to the rules of the road when approaching certain vehicles.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 21–405(e)
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2019 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 21–405.

18 (e) (1) This subsection applies to a stopped, standing, or parked vehicle that
19 is:

20 (i) [1.] On a highway; and

21 [2.] (ii) Using a visual signal that meets the requirements
22 of § 22–218 or § 22–218.2 of this article[]; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (ii) 1. A commercial motor vehicle providing emergency
2 maintenance to a disabled vehicle;
- 3 2. An emergency vehicle;
- 4 3. A service vehicle as defined under § 22–201 of this article;
- 5 4. A tow truck that is properly registered in accordance with
6 § 13–920 of this article; or
- 7 5. A waste or recycling collection vehicle] **OR WARNING**
8 **LAMPS THAT MEET THE REQUIREMENTS OF § 22–221 OF THIS ARTICLE.**

9 (2) Unless otherwise directed by a police officer or a traffic control device,
10 the driver of a motor vehicle that approaches from the rear a stopped, standing, or parked
11 vehicle to which this subsection applies shall:

12 (i) If practicable and not otherwise prohibited and with due regard
13 for safety and traffic conditions, make a lane change into an available lane not immediately
14 adjacent to the stopped, standing, or parked vehicle; or

15 (ii) If the driver of the motor vehicle is unable to make a lane change
16 in accordance with item (i) of this paragraph, slow to a reasonable and prudent speed that
17 is safe for existing weather, road, and vehicular or pedestrian traffic conditions.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2020.