

HOUSE BILL 105

R5

2lr1143

(PRE-FILED)

By: **Delegate Healey**

Requested: November 1, 2021

Introduced and read first time: January 12, 2022

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Operation When Approaching Disabled Vehicles**

3 FOR the purpose of requiring a driver to make a certain lane change or to slow the speed
4 of the driver's vehicle in a certain manner when approaching from the rear a disabled
5 vehicle displaying certain signals; and generally relating to the rules of the road
6 when approaching disabled vehicles.

7 BY repealing and reenacting, with amendments,

8 Article – Transportation

9 Section 21–405(e)

10 Annotated Code of Maryland

11 (2020 Replacement Volume and 2021 Supplement)

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

14 **Article – Transportation**

15 21–405.

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

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

19 2. Using a visual signal that meets the requirements of §
20 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.] **3. A.** A commercial motor vehicle providing emergency
2 maintenance to a disabled vehicle;

3 [2.] **B.** An emergency vehicle;

4 [3.] **C.** A service vehicle as defined under § 22–201 of this
5 article;

6 [4.] **D.** A tow truck that is properly registered in accordance
7 with § 13–920 of this article; or

8 [5.] **E.** A waste or recycling collection vehicle; **OR**

9 **(II) 1. ON A HIGHWAY; AND**

10 **2. A DISABLED VEHICLE DISPLAYING:**

11 **A. HAZARD WARNING LIGHTS;**

12 **B. ROAD FLARES; OR**

13 **C. OTHER CAUTION SIGNALS, INCLUDING TRAFFIC**
14 **CONES, CAUTION SIGNS, OR NONVEHICULAR WARNING LIGHTS.**

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

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

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

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2022.