

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 234

(Delegate Stein, *et al.*)

Environment and Transportation

Judicial Proceedings

Vehicle Laws - Injury or Death of Vulnerable Individual - Penalties

This bill alters the existing offense of causing the serious physical injury or death of a “vulnerable individual” by motor vehicle by (1) expanding the definition of a “vulnerable individual”; (2) altering the type of behavior prohibited under the offense; and (3) establishing an incarceration penalty for the offense.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: The bill is not anticipated to materially affect local finances or operations.

Small Business Effect: None.

Analysis

Current Law/Bill Summary:

Serious Physical Injury or Death of a Vulnerable Individual Caused by Motor Vehicle

Under current law, pursuant to § 21.901.3 of the Transportation Article, an individual may not cause the serious physical injury or death of a “vulnerable individual” as a result of their operation of a motor vehicle in violation of any provision in Title 21 of the Transportation Article (Rules of the Road). A violator is guilty of a misdemeanor and is subject to a maximum fine of \$2,000. An individual who is charged with this offense must appear in court and may not prepay the fine.

The bill specifies that an individual may not cause the serious physical injury or death of a “vulnerable individual” as a result of operating a motor vehicle *in a negligent manner* and in violation of any provision in Title 21 of the Transportation Article. A violator is subject to *imprisonment for up to two months and/or a fine of up to \$2,000*. Because the bill establishes an incarceration penalty for this offense, the bill makes a corresponding change by repealing provisions requiring an individual charged to appear in court that apply to the fine-only penalty under existing statute.

Under current law (and unchanged by the bill), a court may, in addition to imposing any other penalties, order a violator to participate in a motor vehicle safety course and perform up to 150 hours of community service. The Motor Vehicle Administration (MVA) must suspend the driver’s license of an individual convicted of this offense for at least seven days and up to six months.

Under current law, “vulnerable individual” means (1) a pedestrian, including an individual who is lawfully actively working on a highway or utility facility along a highway, providing emergency services on a highway, or on a sidewalk or footpath; (2) an individual who is lawfully riding or leading an animal on a highway, shoulder, crosswalk, or sidewalk; or (3) an individual who is lawfully operating or riding – on a highway, shoulder, crosswalk, or sidewalk – a bicycle, farm tractor or farm equipment, play vehicle, motor scooter, motorcycle, animal-drawn vehicle, electric personal assistive mobility device, or wheelchair. The bill expands the definition of “vulnerable individual” to include an individual who is lawfully operating or riding a unicycle or golf cart on a highway, shoulder, crosswalk, or sidewalk.

Negligent Driving

Under current law (and unchanged by the bill), an individual is guilty of negligent driving if the individual drives a motor vehicle in a careless or imprudent manner that endangers any property or the life or safety of any person. This violation is a misdemeanor, subject to a maximum fine of \$500. Upon conviction, MVA must assess one point against the driver’s license, or three points if the offense contributes to an accident. The District Court assesses a prepayment penalty of \$240 for this offense or \$280 if the offense contributes to an accident.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 385 (Senators Love and Gile) - Judicial Proceedings.

Information Source(s): Maryland Association of Counties; Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Maryland State's Attorneys' Association; Department of Public Safety and Correctional Services; Maryland Department of Transportation; Department of Legislative Services

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Analysis by: Ralph W. Kettell

Direct Inquiries to:
(410) 946-5510
(301) 970-5510