



Maryland Chiefs of Police Association Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William C. Smith, Jr. Chairman and
Members of the Judicial Proceedings Committee

FROM: Chief David Morris, Co-Chair, MCPA, Joint Legislative Committee
Sheriff Darren Popkin, Co-Chair, MSA, Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 4, 2020

RE: **SB 199 Vehicle Laws – Overtaking and Passing Bicycles**

POSITION: OPPOSE

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) OPPOSE SB 199. This bill would authorize the driver of a vehicle to drive on the left side of the roadway in a no-passing zone, including to the left of any pavement striping marking a no-passing zone, and to make the minimum adjustment necessary to overtake and pass at a bicycle at a safe distance that is traveling in the same direction while yielding to the right of way of the bicycle and oncoming traffic.

MCPA and MSA oppose this legislation for safety reasons. This bill would allow a driver to make the judgment of when it would be safe to not follow existing laws and/or road markings. By doing so, the driver would be electing to put themselves and/or others into a dangerous and potentially fatal situation based on their instantaneous judgment. Further, the bill is silent on road conditions, time of day or night, traffic conditions, etc. As with other laws, the "rules of the road" exist to protect all who use them, not to be ignored based on the judgment of a driver.

For these reasons, MCPA and MSA OPPOSE SB 199 and urge an UNFAVORABLE Committee Report.