
January 27, 2021

The Honorable William C. Smith, Jr.
Chairman, Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis MD 21401

Re: Letter of Support – Senate Bill 293 – Vehicle Laws - Injury or Death of Vulnerable Individual - Penalties

Dear Chairman Smith and Committee Members:

The Maryland Department of Transportation Motor Vehicle Administration (MDOT MVA) and State Highway Administration (MDOT SHA) supports Senate Bill 293 as an important highway safety measure that will expand efforts aimed at combatting reckless driving that leads to pedestrian injuries and fatalities.

Senate Bill 293 serves to strengthen and increase penalties around reckless or negligent driving offenses that are leading to an increase in serious pedestrian injuries and fatalities on Maryland roadways, including work zones. Namely, a driver who commits a violation of MD TA §21–901.3 and is convicted, will face a suspension of that driver’s license by MDOT MVA for a minimum of seven days up to six months.

The Vulnerable Roadway User bill comes as a recommendation from the Maryland Bicycle Safety Task Force (BSTF). The task force was a legislatively mandated group which brought together various roadway user groups, law enforcement officials, transportation planners, and engineers. Senate Bill 293 provides legal protection for vulnerable roadway users in that the offending motorist must appear in court. This requirement is based on a history of motorists who have injured or killed vulnerable roadway users, only to pay a fine for the offense and not have to appear in court. The action of appearing in court was recommended to help underscore the severity of the offense, in part by providing an opportunity for victims to address their losses in a court of law. Additionally, vulnerable roadway user laws reduce the double jeopardy exposure of the offending motorists by eliminating the prepay of the fine. The language of Senate Bill 293 only applies to motorists operating a motor vehicle in a careless or distracted manner or while committing another moving violation.

The safety of vulnerable road users is an issue that affects everyone in Maryland. Everyone is a pedestrian in some capacity at one point or another, including maintenance and construction workers in work zones. Many unnecessary injuries and fatalities occur because of intoxication, ignorance, or inattentiveness by either motorists and/or pedestrians.

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Annually, Maryland drivers were involved in over 3,000 pedestrian crashes. In 2019, pedestrian crashes accounted for three percent of the State's approximately 116,000 crashes but accounted for 23 percent of statewide fatalities. Approximately one out of every four people killed in Maryland in a traffic crash was a pedestrian on foot. Maryland's roadways should be safe places for all transportation modes.

Nine states currently have some form of Vulnerable Road User law, which typically involve harsher penalties, requirements to appear in court, and other provisions to further protect people lawfully walking, biking, scooting, using wheelchairs, or operating farm vehicles on roadways. These laws have been enacted to add protection for these user groups due to their higher susceptibility to serious injury in roadway crashes.

For these reasons, the Maryland Department of Transportation respectfully requests the Committee grant Senate Bill 293 a favorable report.

Respectfully Submitted,

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