

2025 HB0234 Testimony For 2025-02-06.pdf

Uploaded by: Alan Lang

Position: FAV

HB0234 – Favorable

Honorable Delegates

I support

- altering the penalties for causing the serious physical injury or death of a vulnerable individual as the result of an individual operating a motor vehicle in violation of certain provisions of the Maryland Vehicle Law; and
- providing that an individual convicted of a certain violation is subject to not just a fine of \$2,000 but also imprisonment of up to 2 months or both. (I especially support the possibility of imprisonment)

Please enter a Favorable report for HB0234.

Alan Lang
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February 6, 2025

CSG MD HB234 Vulnerable Road User testimony.pdf

Uploaded by: Cheryl Cort

Position: FAV

**Testimony on HB 234
Vehicle Laws - Injury or Death of Vulnerable Individual - Penalties
House Environment & Transportation Committee**

Date: February 4, 2025

Position: SUPPORT

The Coalition for Smarter Growth supports **HB 234 Vehicle Laws - Injury or Death of Vulnerable Individual - Penalties**. Our organization advocates for walkable, bikeable, inclusive, and transit-oriented communities as the most sustainable and equitable way for the Washington, DC region to grow and provide opportunities for all.

Bicycling is an important transportation mode in the Maryland suburbs of DC where we work. However, too many residents and workers that use bikes are at risk of traffic violence from careless drivers.

According to Bike Maryland: **HB 234 aims to promote greater consistency in Maryland traffic law with respect to penalties for crashes involving the serious injury or death of vulnerable road users**. The bill would update the [Vulnerable Road User law the General Assembly passed in 2021](#) to include additional penalties that were included under the [Sarah Debbink Langenkamp Memorial Act](#), which passed last session and exists also in the law protecting pedestrians in a crosswalk, adding the penalties of imprisonment not exceeding 2 months or a fine not exceeding \$2,000, or both.

We ask for a **favorable report for HB 234** by the committee. Thank you.

Stein Testimony Support HB 234.pdf

Uploaded by: Dana Stein

Position: FAV

DANA M. STEIN
Legislative District 11B
Baltimore County

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SPEAKER PRO TEM
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Environment and Transportation
Committee

Subcommittees

Chair, Environment

Natural Resources,
Agriculture and Open Space



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Delegate Dana Stein’s Testimony in Support of

HB 234 Vehicle Laws-Injury or Death of a Vulnerable Individual - Penalties

Four years ago, we passed increased protections for what we defined as vulnerable road users - pedestrians, cyclists, wheelchair users, a parent pushing a stroller, a highway worker. These road users are all of us, and are particularly vulnerable to being hit, injured or killed by drivers.

Our 2021 legislation increased fines and added other civil penalties for when a driver seriously injures or kills a vulnerable road user.

Last year, then-Del. Love introduced, and we passed, a bill that added a penalty of up to 60 days (2 months) jail time for injuring or killing someone lawfully riding a bike, EPAMD, or motor scooter in a bike lane or shoulder. Her bill, HB337, was named for a bicyclist who had been hit and killed by a truck while riding on a bike path: “Sara Debbink Langenkamp Memorial Act.” The purpose of that bill was to send a message to motorists that Maryland was taking traffic crashes involving cyclists seriously.

This year, we want the message to be that accidents involving any vulnerable road user will be taken seriously. The bill makes the possibility of up to 2 months jail time apply to any motorist injuring or killing a vulnerable road user lawfully in the road: whether in a crosswalk, sidewalk or footpath, working along a highway, etc., we’re saying to motorists that these areas of the road are protected spaces and the people entering or in them deserve to be protected.

A recent article in the *Baltimore Banner* was headlined: “Maryland road fatalities decreased in 2024, but number is still ‘ridiculously high’.” According to statistics kept by the Maryland Highway Safety Office, total lives lost in traffic accidents declined from 621 in 2023 to 573 in 2024, while the deaths of pedestrians and bicyclists remained about the same (158 pedestrians and 15 bicyclists in 2023; 156 pedestrians and 9 bicyclists in 2024).

Five years ago, we set a goal of reaching zero deaths on the state’s roads by 2030, and required Maryland Department of Transportation agencies to focus on efforts that would make Maryland’s roads safer. Yet, according to MDOT’s “2025 Vision Zero” report to the Governor and General Assembly, driver behaviors—including speeding and impaired driving—are the main factors behind road fatalities.

That is why this bill, and the additional penalty of incarceration, is necessary: We need to change driver behavior if we really want to protect those most vulnerable on our roads—pedestrians, cyclists, wheelchair users, those with disabilities, first responders, roadworkers—each of us when we are in a crosswalk, bike lane or shoulder.

I urge a favorable report on HB 234.

BikeMarylandetal-FAV-HB234VRUSafety-Penalties20250

Uploaded by: Jon Korin

Position: FAV



HB234 – Vehicle Laws - Injury or Death of Vulnerable Individual - Penalties

House Environment & Transportation Committee

February 2, 2025

Position: Favorable

Greetings Chair and Members of the Committee,

Our mission is to promote bicycling, increase safety, improve conditions, and provide a voice for bicyclists in Maryland. We partner with advocacy organizations to promote vulnerable road user safety legislation on the state and county level and work with government agencies, including police departments, to develop policy and awareness campaigns that protect the rights and well-being of bicyclists and pedestrians in Maryland.

We the undersigned represent multiple community-based organizations advocating for safe biking, walking and active transportation, submit this testimony on behalf of tens of thousands of members across the State of Maryland.

On behalf of the undersigned organizations, we ask for your favorable support of HB234, which would raise the duty of care for drivers in the vicinity of Vulnerable Road Users by adding up to 2 months incarceration to the menu of penalties.

Background on Vulnerable Road User Statute

In 2021, the Maryland Legislature unanimously passed the Vulnerable Road User (VRU) Bill HB118/SB293 to address the deadly trend of an increasing number of people outside of vehicles getting killed on Maryland roads. In 2024 there were approximately 570 people killed on Maryland roads and over 40% were VRUs (pedestrians, bicycle riders, motorcyclists, wheelchair users, emergency responders, etc). The law (Transportation Article 21-901.3) defines Vulnerable Individual (aka VRU) in statute and establishes a menu of higher penalties when drivers hit and injure or kill a VRU lawfully in or near the roadway. The law fills a gap between ordinary traffic offenses and the more serious vehicular homicide laws. The goal is to raise the duty of care for drivers in the vicinity of VRUs and reduce the number of crashes.

The current menu of penalties in 21-901.3 include:

Court Appearance and Fine

- Must appear in court
- May not prepay the fine
- Subject to a fine of up to \$2000

Motor Vehicle Safety Course and Community Service

- Participate in a safety course
- Perform up to 150 hours of community service

Suspension of Driver's License

The Administration shall suspend the driver's license of an individual convicted of a violation of subsection (b) of this section for at least 7 days but not more than 6 months.

2024 Langenkamp Bill for Safety of Cyclists in Bike Lane

In 2024 The Maryland House and Senate unanimously passed HB337/SB315 The Sarah Debbink Langenkamp Memorial Act which provides for incarceration up to 2 months for drivers who hit and injure or kill a person biking in a bike lane (Transportation 21-1209). This was to address the lack of incarceration as a potential penalty in the Vulnerable Road User law which was charged and convicted against the truck driver who hit and killed Sarah, a U.S. diplomat who was biking home from a meeting at her children's school. The incarceration up to 2 months was set to align with the same potential incarceration penalty for hitting and injuring or killing a person in a crosswalk under Transportation 21-502.

HB234 - Penalties - Why is This Important

This bill adds the same potential 2 month incarceration to the menu of penalties in the Vulnerable Road User statute 21-901.3 to align with the pedestrians in crosswalks and bicyclists in bike lanes penalties. Here is why this is important:

Safety for All VRUs: There is now a glaring inconsistency in MD traffic law with respect to protecting VRUs. Hitting and injuring a pedestrian in a crosswalk or a cyclist in a bike lane is subject to up to 2 months incarceration but hitting and injuring or killing a pedestrian, cyclist, emergency responder or wheelchair user lawfully in a shoulder, on a road with no shoulder or sidewalk would NOT be subject to that penalty.

Fairness to victims: A driver could hit and injure a pedestrian in a crosswalk or cyclist in a bike lane and face incarceration up to 2 months. A driver with the same degree of negligence could hit and KILL a cyclist lawfully riding on a shoulder or in a travel lane or a pedestrian or emergency worker and not face incarceration. Same degree of negligence, far worse consequence for the victim and yet a lesser penalty. This is unfair to victims and their families.

Deterrence: Maryland has seen an increasing proportion of VRUs injured and killed on our roads. These higher penalties are a deterrent to careless and lethal driving in the vicinity of VRUs. It can be applied by the court on a case by case basis.

Maryland Commitment to Vision Zero: In 2024, app. 570 people were killed on Maryland roads and about 43% were VRUs (people outside a vehicle). Unfortunately this percentage has been rising and Zero Deaths Maryland has made VRU safety a priority area. There is a multi-prong strategy to reverse this trend that includes education, infrastructure design (Complete Streets), speed reduction, technology and others. Our laws must also align to address these preventable tragedies.

Please support a Favorable Report on HB234.

Baltimore Bicycling Club (BBC)

Baltimoreans for People-Oriented Places

Bicycle Advocates for Annapolis & Anne Arundel County (BikeAAA)

Bike Harford

Bike HoCo

Bike Maryland

Bikemore

Maryland Eastern Shore Trail Network

Frederick Bicycle Coalition

National Federation of the Blind of Maryland

Talbot Thrive

Washington Area Bicyclist Association (WABA)

MGA 2025 Testimony Bill HB0234 (Injury or Death of

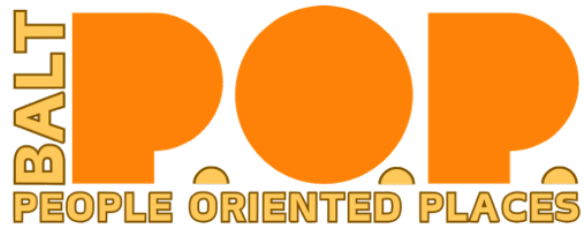
Uploaded by: Michael Scepaniak

Position: FAV

Bill: HB0234

Bill Title: Vehicle Laws - Injury or Death of Vulnerable Individual - Penalties

Position: **Favorable**



Members of the House Environment and Transportation Committee,

As a group which advocates for a built environment which is safe and convenient for all people, whether they are moving through that environment on foot, on a bicycle, in a wheelchair, via public transit, or in an automobile, we support HB0234.

Maryland's roadways are not safe, especially for vulnerable road users (VRUs). Despite the Vision Zero efforts of the past several years, those roadways have actually gotten less safe - for everyone.

Specific to the Baltimore region, the Baltimore Regional Transportation Board (BRTB), on an annual basis, tracks five performance/safety measures to carry out the Federal Highway Administration's Highway Safety Improvement Program. The last of those five measures is "Number of Non-motorized Fatalities & Serious Injuries". The numbers for this measure are abysmal.

The 2023 number for this measure was **410**, which is a **41% increase** over the 2005-2009 baseline number of **290**. The Maryland Department of Transportation's (MDOT's) current target for this measure is **294 by 2030**. [1] In terms of VRU deaths and serious injuries, MDOT is hoping to basically get us back to where we were 20 years ago. That's not progress - that's standing still.

The vehicle speed at which a pedestrian has a 50/50 chance of suffering a serious injury is just 31 mph. They have the same odds of dying at 42 mph. [2] We suspect that most drivers aren't aware of the life-changing/ending damage they are easily and effortlessly capable of inflicting - even at what they would probably consider to be relatively low speeds.

To be clear, we agree with Strong Towns that we need to move beyond our fixation on assigning blame for automobile crashes on drivers. [3] Our current go-to tools of driver education campaigns, shaming incorrect behaviors, levying fines, and (with this bill) threatening imprisonment aren't going to get us to where we really want to be (Vision Zero).

We need to, instead, focus on a) better roadway designs that compel slower speeds and safer driving and b) truly **deprioritize** high vehicle speeds and automobile flow over the safety of

VRUs. But, institutionalizing the crash analysis practices that Strong Towns has proven out will take time, as will the subsequent culture changes. Until then, we have to work within the parameters of the system we have today. In that light, we are in favor of this bill.

Whenever we find ourselves behind the wheel, we need to be fully aware of the harm we can inflict. Making imprisonment a possibility when striking a VRU who is lawfully making use of the roadway - whether they are in a crosswalk, in a bike lane, or (with this bill) on a sidewalk or shoulder - should help us all keep that awareness more top of mind.

We hope the committee finds these points helpful and convincing and we urge its members to **vote in favor of HB0234**. Thank you for your efforts and the opportunity for us to testify on this legislation.

[BaltPOP - Baltimoreans for People-Oriented Places](#)

References:

[1] "RESOLUTION #25-19 - ADOPTING HIGHWAY SAFETY TARGETS FOR THE BALTIMORE REGION". BRTB. January 2025.

<https://baltometro.org/sites/default/files/BRTBRes25-19.pdf>

[2] Tefft, B.C. "Impact Speed and a Pedestrian's Risk of Severe Injury or Death". AAA Foundation for Traffic Safety. September 2011.

<https://aaafoundation.org/impact-speed-pedestrians-risk-severe-injury-death/>

[3] Charles Marohn. "It's Time To Learn From Crashes and Create Safer Streets Today". October 30, 2024

<https://www.strongtowns.org/journal/2024/10/30/its-time-to-learn-from-crashes-and-create-safer-streets-today>

HB234_McKay_FAV

Uploaded by: Mike McKay

Position: FAV

MIKE MCKAY
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January 24, 2025

RE: Fire/EMS Coalition Support for HB234

Dear Chairman Korman, Vice Chair Boyce, and Members of the Committee,

The Fire/EMS Coalition would like to express their support for House Bill 234:
Vehicle Laws – Injury or Death of Vulnerable Individual – Penalties. This bill alters the penalty of the already existing offense of causing serious physical injury or death to a “vulnerable individual” by a motor vehicle. Originally it was only a fine of up to \$2,000 but this bill changes the penalty to imprisonment for up to two months and/or a fine of up to \$2,000.

The Fire/EMS Coalition supports House Bill 234 because so many of our first responders are vulnerable to serious bodily injury or death when working on the highway or side of the road. This will punish the offending individuals who commit an act like this.

Sincerely,

A handwritten signature in black ink that reads 'Mike McKay'.

Senator Mike McKay
Representing the Appalachia Region of Maryland
Serving Garrett, Allegany, and Washington Counties

Voting Organizations:

Maryland Fire Chief’s Association (MFCA)
Maryland State Firefighter’s Association (MSFA)
State Fire Marshal (OSFM)
Maryland Fire Rescue Institute (MFRI)
Maryland Institute for Emergency Medical Services System (MIEMMS)
Metro Fire Chief’s Association
Professional Firefighters of Maryland

Our Mission Statement

The Maryland Fire/EMS Coalition unites Republicans and Democrats in support of fire/emergency services legislation that benefit all first responders. Becoming a member does not require taking positions on legislation; rather Coalition members are asked to offer support in a way that best benefits fire/emergency services in their respective Legislative Districts.

HB234 testimony.pdf

Uploaded by: Robert Phillips

Position: FAV

MARYLAND STATE FIREFIGHTERS ASSOCIATION

*Representing the Volunteer Fire, Rescue and Emergency Medical Services Personnel
-a 501(c)3 Organization*



Legislative Committee

17 State Circle
Annapolis MD, 21401
Chair: Robert Phillips
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Cell: 443-205-5030
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HB 234: Vehicle Laws – Injury or Death of Vulnerable Individual – Penalties

My name is Chief Robert Phillips, and I am the Legislative Committee Chair for the Maryland State Firefighters Association (MSFA)

I wish to present testimony in support of **House Bill 234: Vehicle Laws – Injury or Death of Vulnerable Individual – Penalties**

The MSFA is in full support of this bill. The bill will add another level of deterrent that hopefully will cause drivers to be more aware of those also operating vehicles around them on the roadways. The road crews, utility workers and emergency responders are the most likely to be injured, but there are others operating other types of vehicles that are also more apt to be seriously injured during a traffic collision. Hopefully the added possibility of incarceration will motivate drivers to be more alert when driving.

The MSFA asks that you return a FAVORABLE vote on HB 234

Thank you and I would be glad to answer any questions you might have

Respectfully:

Robert Phillips

Robert Phillips

Respectfully:

Written Testimony for HB 234_ Vehicle Laws - Inju

Uploaded by: Trudy Tibbals

Position: UNF

Written Testimony for **HB 234**: **Vehicle Laws - Injury or Death of Vulnerable Individual - Penalties** - Please **VOTE NO** on this bill as it is written.

Dear Environment and Transportation Committee:

This bill reads "...An individual convicted of a violation of subsection (b) of this section is subject to IMPRISONMENT NOT EXCEEDING 2 MONTHS OR a fine not exceeding \$2,000 OR BOTH. In addition to the penalties provided under subsection (c) of this section, the court may order an individual convicted of a violation of subsection (b) of this section to: Participate in a motor vehicle safety course; and Perform up to 150 hours of community service. The Administration shall suspend the driver's license of an individual convicted of a violation of subsection (b) of this section for at least 7 days but not more than 6 months..."

I appreciate the fact that Delegate Stein added a penalty for imprisonment in addition to the penalty of a fine for this infraction. However, I do not think that the penalties are strict enough for this particular infraction. Under this bill, if it becomes a law, a person convicted of killing or seriously injuring, say, a child on a bicycle or an elderly or disabled person in a wheelchair is only going to be **imprisoned for no more than 2 months, only pay a fine not exceeding \$2,000.00, participate in a motor vehicle safety course, only perform no more than 150 hours of community service, and only have their driver's license suspended for between one week and no more than 6 months?** That's it?!! For killing for basically maiming another innocent person?!!

According to 2024 Maryland Statutes Criminal Law, Title 2 - Homicide, Subtitle 2 - Murder and Manslaughter, Section 2-210 - **Manslaughter by Vehicle** or Vessel -- Criminal Negligence, "...a person who violates this section is guilty of a misdemeanor and on **conviction** is subject to **imprisonment not exceeding 3 years or a fine not exceeding \$5,000 or both.**

"...A person who violates this section, **having previously been convicted** under this section, § 2-209, § 2-503, § 2-504, § 2-505, § 2-506, or § 3-211 of this article, or § 21-902 of the Transportation Article, is guilty of a felony and on **conviction** is subject to **imprisonment not exceeding 5 years or a fine not exceeding \$10,000 or both.**

So, a person can kill a "vulnerable person" under **this bill** and receive **no more than 2 months in prison and only pay a fine not exceeding \$2,000.00 and only have their driver's license suspended for between one week and no more than 6**

months? There is a **vast** difference **between** the penalties under **this bill** and the penalties for **Manslaughter by Vehicle**, yet the actions are the same: killing an innocent person. This makes no sense!!

Unless the penalties for conviction under this bill are increased to be commensurate with the penalties for **Manslaughter by Vehicle**, then I would respectfully request that everyone on this Committee **VOTE NO** on this bill.

Thank you for your courtesy, cooperation and attention.

Respectfully,

Trudy Tibbals, A Very Concerned Mother of 3 and Maryland resident