



HB594 – Comparative Negligence for Vulnerable Road Users

House Judiciary Committee

February 17, 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.

Pedestrians, bicyclists, people with disabilities, emergency responders and others that lawfully use or cross Maryland roads (“Vulnerable Road User” or “VRU”) are at risk of injury or death by the acts of drivers in lethal vehicles. But under Maryland law a lawful vulnerable road user injured or killed by a driver may not be able to recover damages if there is even a minimal perceived negligence on the VRU’s part. This is grossly unfair to the victim and denies Maryland a valuable deterrent for safe vehicle driving enjoyed by nearly all other states and since 2016, D.C. This bill fixes it. Here is a summary of why it is important:

- 1. More walking, biking and micro-mobility promotes health, reduces traffic, protects the environment and grows Maryland’s economy**
- 2. In 2024, more than 570 people were killed on Maryland roads and more than 40% were VRUs (an alarming increase in both numbers and percentage)**
- 3. Strong consequences deter dangerous behavior and provide a basis for educating all road users**
- 4. A seriously injured or dead VRU has no chance to provide a crash statement**
- 5. Nearly all judges and juries drive and are familiar with vehicle laws but few bike and therefore have misconceptions about rights, rules and safe practices for cyclists**
- 6. This bill provides equitable relief for victims and supports a stronger message of safety to drivers with regard to our most vulnerable users of the road**

7. This was recommended by the 2017 Maryland Bicycle Safety Task Force
8. Maryland is one of only 4 states with this issue. The District of Columbia passed a similar law in 2016.
9. This bill aligns with Maryland's commitment to Vision Zero, Complete Streets and other policies and laws aimed at reducing deaths and injuries on our roads

Some Marylanders walk or bike as a lifestyle or economic choice; others because they have no other affordable option. This bill makes our roads safer for all vulnerable road users and provides fair relief when crashes occur.

We request that the committee support the passage of HB594.

Baltimore Bicycling Club (BBC)

Baltimoreans for People-Oriented Places (BaltPOP)

Bicycle Advocates for Annapolis & Anne Arundel County (BikeAAA)

Bike Maryland

Bikemore

Bike Harford

Bike HoCo

East Coast Greenway Alliance

Frederick Bicycle Coalition

Talbot Thrive

Terps for Bike Lanes

Washington Area Bicyclist Association (WABA)

Worcester County Bike Pedestrian Coalition