

HOUSE BILL 118

R5
HB 721/20 – ENT

(PRE-FILED)

11r0454
CF SB 293

By: **Delegates Stein and Malone**

Requested: July 13, 2020

Introduced and read first time: January 13, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Injury or Death of Vulnerable Individual – Penalties**

3 FOR the purpose of prohibiting an individual from causing the serious physical injury or
4 death of a vulnerable individual as a result of the individual operating a vehicle in
5 violation of certain provisions of the Maryland Vehicle Law; establishing certain
6 penalties for a violation of this Act; establishing that an individual charged with a
7 violation of this Act must appear in court and may not prepay the fine; requiring the
8 Motor Vehicle Administration to suspend for a certain amount of time the driver's
9 license of an individual convicted of a violation of this Act; defining the term
10 "vulnerable individual" for purposes of this Act; and generally relating to penalties
11 for causing the serious physical injury or death of a vulnerable individual.

12 BY repealing and reenacting, without amendments,
13 Article – Transportation
14 Section 11–101 and 11–145
15 Annotated Code of Maryland
16 (2020 Replacement Volume)

17 BY adding to
18 Article – Transportation
19 Section 21–901.3
20 Annotated Code of Maryland
21 (2020 Replacement Volume)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
23 That the Laws of Maryland read as follows:

24 **Article – Transportation**

25 11–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



In the Maryland Vehicle Law, the following words have the meanings indicated, unless the context requires otherwise.

11–145.

“Pedestrian” means an individual afoot.

21–901.3.

(A) IN THIS SECTION, “VULNERABLE INDIVIDUAL” MEANS:

(1) A PEDESTRIAN, INCLUDING AN INDIVIDUAL WHO IS:

**(I) ACTIVELY WORKING ON A HIGHWAY OR A UTILITY FACILITY
ALONG A HIGHWAY;**

(II) PROVIDING EMERGENCY SERVICES ON A HIGHWAY; OR

(III) ON A SIDEWALK OR FOOTPATH;

**(2) AN INDIVIDUAL WHO IS RIDING OR LEADING AN ANIMAL ON A
HIGHWAY, SHOULDER, CROSSWALK, OR SIDEWALK; OR**

**(3) AN INDIVIDUAL WHO IS LAWFULLY OPERATING OR RIDING ANY OF
THE FOLLOWING ON A HIGHWAY, SHOULDER, CROSSWALK, OR SIDEWALK:**

(I) A BICYCLE;

(II) A FARM TRACTOR OR FARM EQUIPMENT;

(III) A PLAY VEHICLE;

(IV) A MOTOR SCOOTER;

(V) A MOTORCYCLE;

(VI) AN ANIMAL–DRAWN VEHICLE;

(VII) AN EPAMD; OR

(VIII) A WHEELCHAIR.

1 **(B) AN INDIVIDUAL MAY NOT CAUSE THE SERIOUS PHYSICAL INJURY OR**
2 **DEATH OF A VULNERABLE INDIVIDUAL AS A RESULT OF THE INDIVIDUAL OPERATING**
3 **A MOTOR VEHICLE IN VIOLATION OF ANY PROVISION OF THIS TITLE.**

4 **(C) (1) AN INDIVIDUAL CHARGED WITH A VIOLATION OF SUBSECTION (B)**
5 **OF THIS SECTION:**

6 **(I) MUST APPEAR IN COURT; AND**

7 **(II) MAY NOT PREPAY THE FINE.**

8 **(2) AN INDIVIDUAL CONVICTED OF A VIOLATION OF SUBSECTION (B)**
9 **OF THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$2,000.**

10 **(D) IN ADDITION TO THE PENALTIES PROVIDED UNDER SUBSECTION (C) OF**
11 **THIS SECTION, THE COURT MAY ORDER AN INDIVIDUAL CONVICTED OF A VIOLATION**
12 **OF SUBSECTION (B) OF THIS SECTION TO:**

13 **(1) PARTICIPATE IN A MOTOR VEHICLE SAFETY COURSE; AND**

14 **(2) PERFORM UP TO 150 HOURS OF COMMUNITY SERVICE.**

15 **(E) THE ADMINISTRATION SHALL SUSPEND THE DRIVER'S LICENSE OF AN**
16 **INDIVIDUAL CONVICTED OF A VIOLATION OF SUBSECTION (B) OF THIS SECTION FOR**
17 **AT LEAST 7 DAYS BUT NOT MORE THAN 6 MONTHS.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2021.