HOUSE BILL 395

R5 SB 445/18 – JPR

By: Delegates Cassilly, Arikan, Johnson, McComas, and Reilly

Introduced and read first time: January 30, 2019 Assigned to: Environment and Transportation

A BILL ENTITLED

AN ACT concerning 1 2 Motor Vehicles - Operation When Approaching Vehicle With Visual Signals 3 FOR the purpose of requiring the driver of a motor vehicle who is unable to make a lane change when approaching from the rear certain vehicles that are stopped, standing, 4 5 or parked and using certain visual signals to slow to a certain speed on a certain type 6 of highway; and generally relating to rules of the road when approaching certain vehicles. 7 8 BY repealing and reenacting, with amendments, 9 Article – Transportation 10 Section 21–405(e) Annotated Code of Maryland 11 (2012 Replacement Volume and 2018 Supplement) 12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 13 14 That the Laws of Maryland read as follows: 15 Article - Transportation

- 16 21–405.
- 17 (e) (1) This subsection applies to a stopped, standing, or parked vehicle that 18 is:
- 19 (i) 1. On a highway; and
- 20 Using a visual signal that meets the requirements of § 21-22-218 or § 22-218.2 of this article; and
- 22 (ii) 1. A commercial motor vehicle providing emergency 23 maintenance to a disabled vehicle;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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1	2. An emergency vehicle;
2	3. A service vehicle as defined under § 22–201 of this article
3 4	4. A tow truck that is properly registered in accordance with § 13–920 of this article; or
5	5. A waste or recycling collection vehicle.
6 7 8	(2) Unless otherwise directed by a police officer or a traffic control device the driver of a motor vehicle that approaches from the rear a stopped, standing, or parked vehicle to which this subsection applies shall:
9 10 11	(i) If practicable and not otherwise prohibited and with due regard for safety and traffic conditions, make a lane change into an available lane not immediately adjacent to the stopped, standing, or parked vehicle; or
12 13 14	(ii) If the driver of the motor vehicle is unable to make a lane change in accordance with item (i) of this paragraph, slow [to a reasonable and prudent speed that is safe for existing weather, road, and vehicular or pedestrian traffic conditions]:
15 16	1. FOR A DIVIDED HIGHWAY, TO AT LEAST 15 MILES PER HOUR BELOW THE POSTED SPEED LIMIT; AND
17 18 19	2. FOR A NONDIVIDED HIGHWAY OR STREET WITH A POSTED SPEED LIMIT OF AT LEAST 15 MILES PER HOUR, TO AT LEAST 10 MILES PER HOUR BELOW THE POSTED SPEED LIMIT.
20 21	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019