

# SENATE BILL 3

R5  
SB 378/13 – JPR

(PRE-FILED)

4r0312  
CF HB 436

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By: **Senators Jacobs and Simonaire**

Requested: June 12, 2013

Introduced and read first time: January 8, 2014

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2014

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Vehicle Laws – Operation of Vehicle When Approaching a Tow Truck ~~or~~**  
3 **~~Service Vehicle~~**

4 FOR the purpose of requiring drivers approaching ~~a tow truck or service vehicle that is~~  
5 certain tow trucks that are stopped, standing, or parked on a highway and using  
6 certain visual signals, unless otherwise directed by a police officer or traffic  
7 control device, to make a lane change into an available lane not immediately  
8 adjacent to the tow truck ~~or service vehicle~~ under certain circumstances, or to  
9 slow to a reasonable and prudent speed that is safe for certain existing  
10 conditions under certain circumstances; and generally relating to the rules of  
11 the road when approaching tow trucks ~~or service vehicles~~.

12 BY repealing and reenacting, with amendments,  
13 Article – Transportation  
14 Section 21–405(e)  
15 Annotated Code of Maryland  
16 (2012 Replacement Volume and 2013 Supplement)

17 BY repealing and reenacting, without amendments,  
18 Article – Transportation  
19 Section 22–218(c)(6) and (11)  
20 Annotated Code of Maryland  
21 (2012 Replacement Volume and 2013 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Transportation**

4 21–405.

5 (e) Unless otherwise directed by a police officer or a traffic control device,  
6 when an emergency vehicle, ~~A TOW TRUCK, OR A SERVICE VEHICLE~~ OR A TOW  
7 TRUCK THAT IS PROPERLY REGISTERED IN ACCORDANCE WITH § 13–920 OF  
8 THIS ARTICLE using any visual signal that meets the requirements of § 22–218 of this  
9 article is stopped, standing, or parked on a highway, the driver of a motor vehicle  
10 approaching the emergency vehicle, OR TOW TRUCK, ~~OR SERVICE VEHICLE~~ from the  
11 rear shall:

12 (1) If practicable and not otherwise prohibited, make a lane change  
13 into an available lane not immediately adjacent to the emergency vehicle, OR TOW  
14 TRUCK, ~~OR SERVICE VEHICLE~~ with due regard for safety and traffic conditions; or

15 (2) If the driver of the motor vehicle is unable to make a lane change  
16 in accordance with item (1) of this subsection, slow to a reasonable and prudent speed  
17 that is safe for existing weather, road, and vehicular or pedestrian traffic conditions.

18 22–218.

19 (c) (6) Service vehicles, rural letter carrier vehicles, slow moving farm  
20 vehicles, and tow trucks may be equipped with or display yellow or amber lights or  
21 signal devices.

22 (11) The yellow or amber lights or signal devices permitted on vehicles  
23 under paragraph (6) of this subsection may be flashed or oscillated or otherwise used  
24 only in the course of official duties, to indicate to the public that the vehicle is a slow  
25 moving vehicle or otherwise is impeding traffic.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2014.