

Overview of Injury Related Legislation for MD 2009 General Session

Legislative Bills sent to DHMH for a position:

House Bill 129- Vehicle Laws- Horse Riding-Helmet Requirements for Minors

Overview: Requires minors under the age of 18 to wear a helmet when riding a horse on a public roadway, horse-riding path, or other property open to the public.

Position: The Department supported HB 129 because it keeps with the Department's goal in reducing injury and deaths associated with hazardous activities. There are many face, neck, and head injuries each year that could be prevented or have been less severe had head protection been worn.

Action: There was no action taken by the House.

House Bill 187- Vehicle Laws-Bicycles and Motor Scooters- Protective Headgear

Overview: Prohibits all individuals, not just those under age 16 from operating or riding as a passenger on a motor scooter, bicycle or moped without a helmet.

Position: The Department supported HB 187 citing reports demonstrating that helmet use could have prevented a substantial number of bicycle related head injuries in previous years.

Action: There was no action taken by the House.

House Bill 437- Vehicle Laws-Bicycles, Mopeds, and Motor Scooters- Minors- Protective Headgear

Overview: Requires individuals ages 18 and under to wear protective headgear when operating or a passenger on a bicycle, moped, or motor scooter.

Position: The Department supported HB 437 citing the numerous injuries and medial expenses resulting from crashes involving individuals on bicycles, mopeds and motor scooters not wearing protective headgear.

Action: There was no action taken by the House.

House Bill 496/ Senate Bill 428- Vehicle Laws- Bicycles, Play Vehicles, EPAMDs, and Motor Scooters- Rules of the Road

- Overview: Requires a driver of a motor vehicle to pass safely at a distance of not less than three feet when overtaking a bicycle, play vehicle, EPAMD or motor scooter. It also requires that motor vehicles yield the right-of-way to a person in a designated bicycle lane.
- Position: The Department provided a letter of information. There is an abundance of literature that demonstrates the failure of motor vehicle operators to yield to bicyclists. This results in a large number of emergency room visits, deaths, and expensive medical care.
- Action: Passed through Senate with amendments. Unfavorable report by Environmental Matters Committee.

House Bill 1079- Vehicle Laws- Mandatory Seat Belt Use – Enforcement

- Overview: Limiting a police officer to enforcing certain mandatory seat belt laws as a secondary action when detaining a driver for another suspected violation of the law.
- Position: The Department opposed HB 1079 because it would compromise the public health and safety of Maryland's drivers and passengers. Research has repeatedly demonstrated that seatbelts save lives.
- Action: Unfavorable report by Environmental Matters Committee.

House Bill 1445- Criminal Procedure- Transfer of Sexual Assault Crisis Program Funding and the Domestic Violence Program to the Governor's Office of Crime Control and Prevention

- Overview: Allow for the transfer of funding and related responsibilities for certain sexual assault crisis programs and domestic violence programs from the Department of Human Resources to the Governor's Office of Crime Control and Prevention.
- Position: The Department supported HB 1445 because the funding will prove beneficial to stakeholders given that the consolidation should eliminate program and reporting duplication, facilitate the leverage of scarce resources, create a "one stop shop" agency for victim services and several additional positive outcomes.

Action: There was no action taken by the House.

Senate Bill 210- Family Law- Final Protective Orders- Surrender of Firearms

Overview: Making it mandatory, rather than discretionary for a final protective order to order the respondent to surrender certain firearms to law enforcement authorities and refrain from possessing any firearm for a certain duration.

Position: The Department supported SB 210 citing research that shows a relationship between domestic violence and firearm use. It is imperative that during these periods of high volatility, that the respondent not have ready access to firearms.

Action: There was no action taken by the Senate.

Senate Bill 253- Vehicle Laws- Protective Headgear Requirement for Motorcycle Riders- Exceptions

Overview: Provides exceptions to the current law that requires helmets to be worn by all operators and passengers of a motorcycle.

Position: The Department opposed SB 253 because of the anticipated injuries and fatalities and a substantial economic burden placed on the State because of those injuries and fatalities.

Action: There was no action taken by the Senate.

Senate Bill 267- Family Law-Protective Orders- Surrender of Firearms

Overview: Making it mandatory, rather than discretionary for a final protective order to order the respondent to surrender certain firearms to law enforcement authorities and refrain from possessing any firearm for a certain duration.

Position: The Department supported SB 267 citing research that shows a relationship between domestic violence and firearm use. It is imperative that during these periods of high volatility, that the respondent not have ready access to firearms.

Action: Passed through House and Senate. Approved by the Governor on May 19, 2009; effective October 1, 2009.

Senate Bill 268- Family Law- Temporary Protective Orders- Surrender of Firearms

- Overview: Authorizes a court, when issuing a temporary protective order, to order the respondent to surrender to law enforcement any firearm in the respondent's possession if the abuse consisted of the use of the firearm by the respondent against a person eligible for relief.
- Position: The Department supported SB 268 citing research that shows a relationship between domestic violence and firearm use. It is imperative that during these periods of high volatility, that the respondent not have ready access to firearms.
- Action: Passed through House and Senate. Approved by the Governor on April 24, 2009; effective October 1, 2009.

Senate Bill 547- All-Terrain Vehicles- Protective Equipment

- Overview: Prohibiting an individual from operating or riding on an all-terrain vehicle unless the individual is wearing protective headgear and an eye protective device that meet specified standards.
- Position: The Department supported SB 547 because as ATV technology has developed, increasing the power and speed of ATVs, there has also been an increase in ATV-related injuries and deaths. Injuries to the head could have been less severe or prevented through the use of head protection.
- Action: There was no action taken by the Senate.

Senate Bill 548- All-Terrain Vehicles- Safety Standards and Training

- Overview: Requiring the EMS board to establish criteria for all-terrain vehicle safety programs and approve qualifying programs; establishing specified prohibitions related to the operation of all-terrain vehicles by individuals of specified ages.
- Position: The Department supported SB 548 because as ATV technology has developed, increasing the power and speed of ATVs, there has also been an increase in ATV-related injuries and deaths. This bill would put in place provisions that would improve the safety for all riders of ATVs.
- Action: There was no action taken by the Senate.

Senate Bill 766- Vehicle Laws- Protective Headgear Requirement for Motorcycle Riders- Exceptions

- Overview: Provides exceptions to the current law that requires helmets to be worn by all operators and passengers of a motorcycle. This bill would also require the MVA to study the effect of this act and provide a report to the Governor and General Assembly.
- Position: The Department opposed SB 766 for the same reasons it opposed SB 253. Additionally, further research on the effect of the act would be redundant; research already exists demonstrating that wearing protective headgear is safer than not wearing it.
- Action: Unfavorable report by the Judicial Proceeding Committee.
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Other Injury Prevention related bills

Senate Bill 98- The Delegate John Arnick Electronic Communications Traffic Safety Act

- Overview: Prohibiting a person from using a text messaging device to write or send a message while operating a motor vehicle in motion.
- Action: Passed through House and Senate, approved by the Governor on April 7, 2009; effective October 1, 2009.

House Bill 518- Vehicle Laws- Use of Wireless Communication Devices While Driving- Prohibitions

- Overview: Prohibits a person from using a wireless communication device while the vehicle is in motion.
- Action: Unfavorable report by the Environmental Matters Committee.

House Bill 1038- Public Safety-New Construction-Carbon Monoxide Alarms and Radon Detectors

- Overview: Requiring the installation of carbon monoxide detectors and radon detectors in residential dwellings that are to be constructed on or after January 1, 2010.
- Action: Unfavorable report by the Environmental Matters Committee.

Senate Bill 277- Vehicle Laws- Speed Monitoring Systems- Statewide Authorization and Use in Highway Work Zones

Overview: Authorizing in all counties in the State and in specified highway work zones the use of speed monitoring systems to enforce speed laws.

Action: Passed through House and Senate. Approved by the Governor on April 19, 2009; effective October 1, 2009. Each local jurisdiction that enforces speed limits with automated enforcement under the bill must report to the Governor and the General Assembly by December 31, 2013, on the effectiveness of speed monitoring systems in the jurisdiction.

Senate Bill 729-Alcoholic Beverages Tax- Increase and Distribution of Funds

Overview: Increasing the State tax rates for alcoholic beverages sold in Maryland, providing that the distribution of the additional revenue to special funds be used for the purpose of providing additional funding for specified services.

Action: There was no action taken by the Senate.

House Bill 353- Public Institutions of Higher Education- Firearms, Knives, and Deadly Weapons-Prohibition

Overview: Prohibiting the carrying or possession of firearms, knives, and deadly weapons on the property of public institutions of higher education.

Action: Unfavorable report by the Judiciary Committee.

House Bill 1309- Natural Resources- Hunting- Expansion of Safety Zone

Overview: Extending the hunter safety zone, within which specified persons are prohibited from discharging a weapon or chasing birds or mammals without permission, from 150 to 300 yards from buildings occupied by human beings.

Action: Unfavorable report by Environmental Matters Committee Withdrawn.