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Bear Right at the Light

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must include all that is set forth in Maryland Rules of Procedure 73, including:

1. name, age, sex of the alleged disabled.
2. petitioner's relationship to the alleged disabled.
3. name and address of persons with whom the alleged disabled resides.
4. name and address of interested persons known to the petitioner.
5. reason for seeking appointment.
6. if guardianship of property is sought, the nature, value and situs of the property.
7. relief sought.

Traditionally, protective services laws have had a drastic effect on the infirm aged's liberty. The laws were broad and granted the guardian large discretionary powers over the disabled. Maryland's Revised Protective Services Act reflects an enlightened view. The statutes were drawn with sufficient safeguards and regulations to allow only the least amount of deprivation necessary to the disabled's liberty. Despite the progressive attitude of these laws, areas of controversy remain to be settled. It will be the attorney's obligation to litigate these points to determine whether protective services to the elderly truly are what the name imports.



photo by Ronald Gravitz

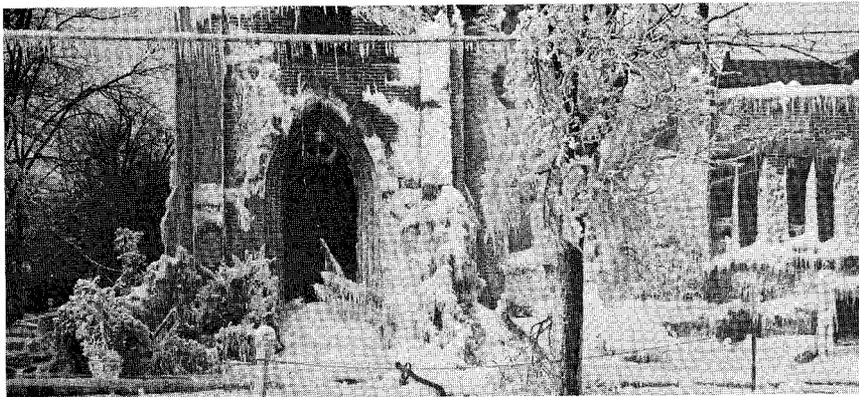


photo by John Clark Mayden

Bear Right at the Light. . .

A few recent drives on the Jones Falls Expressway, in which we bearly escaped with our lives, convinced us that this Attorney General's Opinion is as important today as when it first appeared.

March 24th, 1923.

*Colonel E. Austin Baughman,
Motor Vehicle Commissioner,
Baltimore, Md.*

DEAR COLONEL BAUGHMAN: In your letter of March 22, you set out the following facts: An automobile bearing the identification markers of another State was being operated by a trained bear. The owner of the car was sitting next to the driver's seat directing the bear's movements. A local justice of the peace in passing upon these facts ruled that there was nothing in the Motor Vehicle Law to prevent the operation of a car by any sort of animal, and that therefore no action should be taken. You ask me to give you my opinion as to whether or not the decision of the Justice of the Peace was correct.

It is very difficult to understand upon what theory the Justice arrived at the conclusion set forth in your letter. The man sitting beside the bear who was, to all intents and purposes, the real operator of the car, was guilty of reckless driving of the plainest type in permitting an animal to steer the car or manipulate any of the levers or brakes. It requires no argument to reach this obvious conclusion. An operator of any automobile who permits an animal to drive it, even though the operator direct the animal's movements, would be doing an act which, in my judgment, constitutes a menace to public safety and renders such an operator guilty of a violation of Section 149, sub-section 1 of the Motor Vehicle Law.

Moreover, the police authorities of any county or municipality have the right to prevent any act or conduct on the part of a man or animal which in any way endangers the public safety. In my judgment it is not only within the power of the Police Department or similar agency to prevent a trained bear from running an automobile on the public highway, but it is clearly their duty to do so.

Very truly yours,

ALEXANDER ARMSTRONG, *Attorney General.*