
By: ~~Delegates Dembrow and Bronrott~~, **Bronrott, Bobo, Clagett, Dobson,
Dypski, Mandel, McIntosh, Parrott, Riley, Shank, and Snodgrass**

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Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 16, 1999

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws - Failure to Stop at Red Light - Points**

3 FOR the purpose of increasing, ~~under certain circumstances,~~ the number of points
4 required to be assessed by the Motor Vehicle Administration against an
5 individual convicted of failing to stop a vehicle as directed by a traffic control
6 signal displaying a steady red light; making conforming changes; and generally
7 relating to the assessment of points for red light violations.

8 BY renumbering

9 Article - Transportation
10 Section 16-402(a)(9) through (35), respectively
11 to be Section 16-402(a)(10) through (36), respectively
12 Annotated Code of Maryland
13 (1998 Replacement Volume and 1998 Supplement)

14 BY repealing and reenacting, with amendments,

15 Article - Transportation
16 Section 16-303(j), ~~16-402(a)~~, 16-404(c)(2), and 16-404.1(b)(3)(i) and (4)(ii) and
17 (iii)
18 Annotated Code of Maryland
19 (1998 Replacement Volume and 1998 Supplement)

20 BY adding to

21 Article - Transportation
22 Section 16-402(a)(9)

1 Annotated Code of Maryland
2 (1998 Replacement Volume and 1998 Supplement)

3 BY repealing and reenacting, without amendments,
4 Article - Transportation
5 Section 21-202(h), (i), (j), and (m)
6 Annotated Code of Maryland
7 (1998 Replacement Volume and 1998 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
9 MARYLAND, That Section(s) 16-402(a)(9) through (35), respectively, of Article -
10 Transportation of the Annotated Code of Maryland be renumbered to be Section(s)
11 16-402(a)(10) through (36), respectively.

12 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
13 read as follows:

14 **Article - Transportation**

15 16-303.

16 (j) (1) Except as provided in paragraph (2) of this subsection, any individual
17 who violates a provision of this section shall be assessed the points as provided for in
18 [§ 16-402(a)(28)] § 16-402(A)(~~30~~) (29) of this title.

19 (2) Any individual who violates a provision of subsection (h) or
20 subsection (i) of this section shall be assessed the points as provided for in §
21 16-402(a)(~~10~~) (11) of this title.

22 16-402.

23 (a) After the conviction of an individual for a violation of Article 27, § 388, §
24 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any
25 local authority, points shall be assessed against the individual as of the date of
26 violation and as follows:

27 (9) FAILURE TO STOP A VEHICLE FOR A STEADY RED TRAFFIC SIGNAL IN
28 VIOLATION OF § 21-202 OF THIS ARTICLE2 POINTS

29 (1) ~~Any moving violation not listed below and not contributing~~
30 ~~to an accident..... 1 point~~

31 (2) ~~Following another vehicle too closely..... 2 points~~

32 (3) ~~Speeding in excess of the posted speed limit by 10 miles an~~
33 ~~hour or more..... 2 points~~

34 (4) ~~Driving with an improper class of license..... 2 points~~

- 1 (5) Failing to stop for a school vehicle with alternately flashing
 2 red warning lights.....2 points
- 3 (6) Any violation of § 21-1111 of this article2 points
- 4 (7) Passing an emergency or police vehicle under the provisions
 5 of § 21-405(d) of this article.....2 points
- 6 (8) A violation of § 21-511(a) of this article2 points
- 7 (9) Any moving violation contributing to an accident..... 3 points
- 8 (10) Driving after suspension of license under the provisions of §
 9 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic
 10 laws or regulations of another state as described in § 16-303(i) of this title3 points
- 11 (11) Any violation, except violations committed on the John F.
 12 Kennedy Memorial Highway, of § 21-1411 of this article3 points
- 13 (12) FAILURE TO STOP A VEHICLE FOR A STEADY RED TRAFFIC
 14 SIGNAL IN VIOLATION OF § 21-202 OF THIS ARTICLE IF THE TRAFFIC SIGNAL
 15 WAS RED FOR MORE THAN 3 SECONDS BUT LESS THAN 5 SECONDS BEFORE
 16 THE DRIVER UNLAWFULLY ENTERED THE INTERSECTION CONTROLLED BY
 17 THE TRAFFIC CONTROL SIGNAL.....3 POINTS
- 18 [(12)] (13) Reckless driving..... 4 points
- 19 [(13)] (14) Speeding in excess of the posted speed limit by 30
 20 miles an hour or more..... 5 points
- 21 [(14)] (15) Driving while not licensed..... 5 points
- 22 [(15)] (16) Failure to report an accident..... 5 points
- 23 [(16)] (17) Driving on a learner's permit unaccompanied..... 5 points
- 24 [(17)] (18) Any violation of § 17-107 of this article..... 5 points
- 25 [(18)] (19) Participating in a race or speed contest on a
 26 highway..... 5 points
- 27 [(19)] (20) Any violation of § 16-304 or § 16-305 of this title..... 5 points
- 28 (21) FAILURE TO STOP A VEHICLE FOR A STEADY RED TRAFFIC
 29 SIGNAL IN VIOLATION OF § 21-202 OF THIS ARTICLE IF THE TRAFFIC SIGNAL
 30 WAS RED FOR 5 SECONDS OR MORE BEFORE THE DRIVER UNLAWFULLY
 31 ENTERED THE INTERSECTION CONTROLLED BY THE TRAFFIC CONTROL
 32 SIGNAL.....5 POINTS
- 33 [(20)] (22) Any violation of § 22-404.5 of this article..... 5 points

1	[(21)]	(23)	Speeding in excess of a posted speed limit of 65 miles	
2			an hour by 20 miles an hour or more.....	5 points
3	[(22)]	(24)	Driving while under the influence of alcohol or while	
4			under influence of a drug, combination of drugs, or combination of drugs and	
5			alcohol.....	8 points
6	[(23)]	(25)	Turning off lights of a vehicle to avoid identification.....	8 points
7	[(24)]	(26)	Failing to stop after accident resulting in damage to	
8			attended vehicle or property.....	8 points
9	[(25)]	(27)	Failing to stop after accident resulting in damage to	
10			unattended vehicle or property.....	8 points
11	[(26)]	(28)	Any violation of § 16-815 or § 16-816 of this title.....	8 points
12	[(27)]	(29)	Failing to stop after an accident resulting in bodily	
13			injury or death.....	12 points
14	[(28)]	(30)	Driving after refusal, suspension, cancellation, or	
15			revocation of license except for suspensions of license under the provisions of	
16			§ 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the	
17			traffic laws or regulations of another state as described in § 16-303(i) of this	
18			title.....	12 points
19	[(29)]	(31)	Any violation of § 16-301, § 16-302, § 16-804, or §	
20			16-808(1) through (9) of this title.....	12 points
21	[(30)]	(32)	Homicide, life threatening injury under Article 27, §	
22			388B of the Code, or assault committed by means of a vehicle.....	12 points
23	[(31)]	(33)	Driving while intoxicated, while intoxicated per se,	
24			or while under the influence of illegally used controlled dangerous	
25			substance.....	12 points
26	[(32)]	(34)	Any felony involving use of a vehicle.....	12 points
27	[(33)]	(35)	Fleeing or attempting to elude a police officer.....	12 points
28	[(34)]	(36)	The making of a false affidavit or statement under	
29			oath, or falsely certifying to the truth of any fact or information to the	
30			Administration under the Maryland Vehicle Law or under any law relating	
31			to the ownership or operation of motor vehicles.....	12 points
32	[(35)]	(37)	Any violation involving an unlawful taking or unauthorized	
33			use of a motor vehicle under Article 27, § 342A or § 349, or § 14-102 of this	
34			article.....	12 points

1 16-404.

2 (c) (2) Subject to the provisions of paragraph (3) of this subsection, the
3 following suspension periods may apply to a suspension for an accumulation of points
4 under [§ 16-402(a)(22)] § 16-402(A)(~~24~~) (23) of this subtitle for a violation of §
5 21-902(b) or (c) of this article or a suspension imposed under § 16-404.1(b)(4)(iii) of
6 this subtitle:

7 (i) For a first conviction, not more than 6 months;

8 (ii) For a second conviction at least 5 years after the date of the
9 first conviction, not more than 9 months;

10 (iii) For a second conviction less than 5 years after the date of the
11 first conviction or for a third conviction, not more than 12 months; and

12 (iv) For a fourth or subsequent conviction, not more than 24
13 months.

14 16-404.1.

15 (b) (3) An individual may be a participant if:

16 (i) The individual's license is suspended or revoked for a violation
17 of § 21-902(a), (b), or (c) of this article or an accumulation of points under [§
18 16-402(a)(22) or (31)] § 16-402(A)(~~24~~) (23) OR ~~(33)~~ (32) of this subtitle;

19 (4) The Administration may:

20 (ii) Reinstate the driver's license of a participant whose license has
21 been revoked for a violation of § 21-902(a), (b), or (c) of this article or revoked for an
22 accumulation of points under [§ 16-402(a)(31)] § 16-402(A)(~~33~~) (32) of this subtitle for
23 a violation of § 21-902(a) of this article; and

24 (iii) Notwithstanding any other provision of law, impose on a
25 participant a period of suspension in accordance with § 16-404(c)(2) and (3) of this
26 subtitle in lieu of a license revocation for:

27 1. A violation of § 21-902(a), (b), or (c) of this article; or

28 2. An accumulation of points under [§ 16-402(a)(31)] §
29 16-402(A)(~~33~~) (32) of this subtitle for a violation of § 21-902(a) of this article.

30 21-202.

31 (h) (1) Vehicular traffic facing a steady circular red signal alone:

32 (i) Shall stop at the near side of the intersection:

33 1. At a clearly marked stop line;

- 1
2 crosswalk; or
- 3
4 and
- 5 (ii) Except as provided in subsections (i), (j), and (k) of this section,
6 shall remain stopped until a signal to proceed is shown.
- 7 (2) Vehicular traffic facing a steady red arrow signal:
- 8 (i) May not enter the intersection to make the movement indicated
9 by the arrow;
- 10 (ii) Unless entering the intersection to make a movement permitted
11 by another signal, shall stop at the near side of the intersection:
- 12 1. At a clearly marked stop line;
- 13 2. If there is no clearly marked stop line, before entering any
14 crosswalk; or
- 15 3. If there is no crosswalk, before entering the intersection;
16 and
- 17 (iii) Except as provided in subsections (i), (j), and (k) of this section,
18 shall remain stopped until a signal permitting the movement is shown.
- 19 (i) Unless a sign prohibiting a turn is in place, vehicular traffic facing a
20 steady red signal, after stopping as required by subsection (h) of this section,
21 cautiously may enter the intersection and make:
- 22 (1) A right turn; or
- 23 (2) A left turn from a one-way street onto a one-way street.
- 24 (j) If a sign permitting any other turn is in place, vehicular traffic facing a
25 steady red signal, after stopping as required by subsection (h) of this section,
26 cautiously may enter the intersection and make the turn indicated by the sign.
- 27 (m) Except for those provisions of this section that by their very nature cannot
28 apply, this section applies to a traffic control signal placed at a location other than an
29 intersection. Each stop required by the signal shall be made at a sign or marking on
30 the pavement indicating where the stop shall be made or, if there is no sign or
31 marking, at the signal.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 1999.

