

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

Senate Bill 87

(Senator Munson)

Judicial Proceedings

Vehicle Laws - Approaching Emergency Vehicles Parked on Highway - Driver's Duties

This bill requires that as soon as it is safe, a driver approaching an emergency or police vehicle from the rear that is using an authorized visual signal, and is stopped, standing, or parked on a highway must take the following actions, unless otherwise directed by a police officer:

- vacate the lane closest to the emergency or police vehicle if the driver's vehicle is on a highway with two or more lanes of traffic moving in the direction that the emergency or police vehicle is facing; and
- if the driver's vehicle is traveling on a highway with only one lane of traffic moving in the direction that the emergency or police vehicle is facing, slow to a speed that is 20 miles per hour less than the posted speed limit if the posted speed limit is 25 miles per hour or greater, or travel at 5 miles per hour if the posted speed limit is 20 miles per hour or less.

A violation of this provision requires the assessment of one point against the driving record and is a misdemeanor subject to a penalty not exceeding \$500.

Fiscal Summary

State Effect: Minimum general fund revenue increase from the penalty provision applicable to this offense under the Maryland Vehicle Law (maximum \$500 fine). Enforcement could be handled with existing resources.

Local Effect: Enforcement could be handled with existing resources.

Small Business Effect: None.

Analysis

Current Law: On the immediate approach of an emergency vehicle using authorized audible and visual signals or of a police vehicle lawfully using an audible signal, the driver of every other vehicle, unless otherwise directed by a police officer, must yield the right-of-way and: (1) drive immediately to a position parallel to and as close as possible to the edge or curb of the roadway, clear of any intersection; and (2) stop and stay in that position until the emergency vehicle has passed.

When proceeding in the same direction as an emergency or police vehicle using authorized audible and visual signals, or a police vehicle using an authorized audible signal, a driver may not pass that vehicle unless the emergency vehicle has stopped or unless otherwise directed by a police officer. The driver of an emergency vehicle has the duty to drive with due regard for the safety of all persons.

A violation of these provisions requires the assessment of one point against the driving record and is a misdemeanor, punishable by a penalty not exceeding \$500.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Prince George's County, Department of State Police, Baltimore City, Department of Legislative Services

Fiscal Note History: First Reader - January 30, 2003
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Analysis by: Karen D. Morgan

Direct Inquiries to:
(410) 946-5510
(301) 970-5510