

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

Senate Bill 317

(Senator Robey, *et al.*)

Judicial Proceedings

Vehicle Laws - Rules of the Road - Malfunctioning Traffic Control Signals

This bill creates a new violation of the Maryland Vehicle Law by requiring a driver approaching a traffic control signal where no lighted indication is visible to reduce speed and prepare to yield to other vehicles that are either in or approaching the intersection. If a driver approaches a traffic control signal that normally uses a flashing light and no lighted indication is visible, the driver must reduce speed and prepare to yield to other vehicles that are in or approaching the intersection. If facing a stop sign, the approaching driver must obey the stop sign. The violation is a misdemeanor, punishable by a maximum fine of \$500.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues due to the bill's penalty provision. No effect on expenditures as this bill's requirements could be enforced with existing resources.

Local Effect: None. This bill's requirements could be enforced with existing resources.

Small Business Effect: None.

Analysis

Current Law: Vehicular traffic facing a steady red arrow signal may not enter the intersection to make the movement indicated by the arrow. Vehicular traffic facing a steady red signal or a steady red arrow must stop at the near side of the intersection at a clearly marked stop line. If there is no stop line, traffic must stop before entering any

crosswalk. If there is no crosswalk, traffic must stop before entering the intersection. Traffic must remain stopped until a signal to proceed is displayed. This provision also applies to a traffic control signal placed at a location other than an intersection. The required stop must be made at a sign or marking on the pavement indicating where the stop must be made, or at the signal, if there is no sign or marking.

If a flashing red or yellow light is used in a traffic control signal or traffic sign, vehicular traffic must obey the signal. A red flashing signal requires vehicular traffic to stop at the near side of the intersection, if there is no clearly marked stop line, before entering any crosswalk. If there is no crosswalk, the vehicular traffic must stop before entering the intersection. A driver may then proceed under the same rules that would allow the driver to proceed after stopping at a stop sign. A yellow flashing signal requires vehicular traffic to proceed through the intersection or past the flashing signal only with caution. The flashing light provision does not apply to railroad crossings.

A violation of either of the above provisions is a misdemeanor and a violator is subject to a maximum fine of \$500. The Motor Vehicle Administration must assess one point on the driver's license or three points, if a violation contributes to an accident. The prepayment penalty assessed by the District Court is \$90 or, if a violation contributes to an accident, \$130.

State Revenues: General fund revenues could increase minimally under the bill's monetary penalty provision for those cases heard in the District Court.

Additional Information

Prior Introductions: None.

Cross File: HB 111 (Delegate Ali, *et al.*) – Environmental Matters.

Information Source(s): Judiciary (Administrative Office of the Courts), Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - February 3, 2008
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