

Department of Legislative Services  
Maryland General Assembly  
2009 Session

FISCAL AND POLICY NOTE

House Bill 890 (Delegate Stein, *et al.*)  
Environmental Matters

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Vehicle Laws - Failure to Yield to Emergency Vehicle - Penalty

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This bill increases the maximum penalty from \$500 to \$1,000 for failing to yield the right-of-way on the immediate approach of an emergency vehicle using authorized audible and visual signals or a police vehicle using an authorized audible signal.

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Fiscal Summary

**State Effect:** Minimal increase in general fund revenues due to increasing the existing penalty applicable to such offenses. No effect on expenditures.

**Local Effect:** None.

**Small Business Effect:** None.

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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 first, yield the right-of-way; second, 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 third, 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 or two points against the driving record and is a misdemeanor, punishable by a penalty of up to \$500. The District Court has established a prepayment penalty of \$110 if the violation does not contribute to an accident. If the violation does contribute to an accident, however, the prepayment penalty increases to \$150 and three points must be assessed against the driving record. If bodily injury or death results from the accident, the District Court assesses a penalty of \$750.

**Background:** The District Court advises that, in fiscal 2008, 752 people were convicted for violating provisions for the operation of vehicles on the approach of emergency vehicles.

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### Additional Information

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 27, 2009  
mam/ljm

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Analysis by: Karen D. Morgan

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