

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

Senate Bill 206

(Senator Robey, *et al.*)

Judicial Proceedings

Malfunctioning Traffic Light Act

This bill creates a new driver duty in 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. The bill does not apply, however, to vehicular traffic approaching a highway from an expressway exit ramp and facing a nonfunctioning traffic control signal, as the vehicle is required to stop, as specified. A violation is a misdemeanor, punishable by a maximum fine of \$500.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues for cases heard in the District Court due to the bill's penalty provision. No effect on expenditures as the bill's requirements can be enforced with existing resources.

Local Effect: None. The bill's requirements can 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. (*See* Transportation Article § 21-202.)

Vehicular traffic approaching a highway from an expressway exit ramp and facing a nonfunctioning traffic control signal at the intersection of the exit ramp and the highway must stop at a clearly marked stop line. If there is no clearly marked stop line, the vehicle must stop before entering any crosswalk. If there is no crosswalk, the vehicle must stop before entering the highway and remain stopped until it is safe to continue onto the highway.

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 two points on the driver's license or three points, if a violation contributes to an accident. For the first provision, the prepayment penalty assessed by the District Court is \$140 or \$180 if a violation contributes to an accident. For the second provision, the prepayment penalty is \$90, or, if the violation contributes to an accident, \$130. (*See* Transportation Article § 27-101.)

Additional Information

Prior Introductions: This bill is similar to SB 317/HB111 of 2008. SB 317 was referred to the Senate Judicial Proceedings Committee but withdrawn without being heard. HB 111 was heard by the House Environmental Matters Committee; however, no further action was taken.

Cross File: HB 6 (Delegate Ali) - Environmental Matters.

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

Fiscal Note History: First Reader - January 30, 2009
ncs/ljm

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