

Department of Legislative Services
2010 Session

FISCAL AND POLICY NOTE

House Bill 210 (Delegates Ali and Glenn)
Environmental Matters

Malfunctioning Traffic Light Act

This bill creates a new driver duty in the Maryland Vehicle Law by requiring a driver, who approaches 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, unless otherwise directed by a police officer. 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 due to the penalty provision applicable to this offense under the Maryland Vehicle Law. 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: HB 6 of 2009 received a hearing in the House Environmental Matters Committee but was subsequently withdrawn. Its cross file, SB 206, received an unfavorable report from the Senate Judicial Proceedings Committee. A similar bill, SB 317 of 2008, was referred to the Senate Judicial Proceedings Committee but was withdrawn without being heard. Its cross file, HB 111, was heard by the Environmental Matters Committee; however, no further action was taken.

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 - January 28, 2010
mlm/ljm

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