

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 322

(Senator Stone)

Judicial Proceedings

Environmental Matters

Motor Vehicles - Use of Video and Electronic Display Equipment

This bill prohibits the use of television-type receiving or video display equipment that is turned on and displaying an image visible to the driver while driving. The prohibition does not apply to the use of such equipment in conjunction with (1) a vehicle navigation system; (2) broadcast and satellite radio system graphics; or (3) the display of information or images related to the operation of a motor vehicle.

Fiscal Summary

State Effect: General fund revenues may increase minimally to the extent that additional fines are collected as a result of extending the applicability of the current offense. Enforcement can be handled with existing resources.

Local Effect: Enforcement can be handled with existing resources.

Small Business Effect: Potential minimal.

Analysis

Bill Summary: The bill defines “video display equipment” to mean equipment capable of displaying a dynamic visual image, other than text, from a digital video disc or other storage device. Accordingly, except as otherwise provided, a motor vehicle driven on a highway in Maryland may be equipped with video display equipment only if the video display equipment is turned off when the screen is visible to the driver. This restriction does not apply to video display equipment on a vehicle used by a public service company.

Current Law: A motor vehicle driven on a highway in Maryland may not be equipped with television-type receiving equipment in front of the back of the driver's seat or otherwise visible to the driver. Exempted from this prohibition are (1) vehicles used exclusively for safety or law enforcement purposes; (2) equipment used for alphanumeric data and text transmission; and (3) navigation systems with picture display.

The misdemeanor for equipping a vehicle with television-type receiving equipment is punishable by a fine of up to \$500. The prepayment penalty charged by the District Court for this violation is \$50. The average number of violations of this provision over the last three fiscal years is 88.

Background: DVD players and other types of electronic video display devices are becoming increasingly popular in vehicles. Most DVD players are intended to be viewed by passengers; however, in-dash models are becoming more common. Many of these video players have built-in safety functions that prevent them from being used while the vehicle is in motion; however, these functions can be bypassed.

Many states (at least 38) prohibit the operation of televisions within the view of drivers. According to the National Conference of State Legislatures, at least 14 of those states (Alaska, California, Illinois, Louisiana, Michigan, Minnesota, Nevada, New Mexico, North Carolina, Pennsylvania, Tennessee, Texas, Virginia, and Wyoming) have enacted prohibitions to include other types of video displays, with some of these states also providing specific exemptions for visual displays that assist with navigation, parking, or safe driving.

In the last few years, state legislatures have focused on the use of cell phones and other wireless communication devices by drivers, rather than driver use of video display terminals. Many states had already prohibited the use of television receivers by drivers before considering legislation on cell phones and other wireless communication devices.

Since 2009, however, there has been a concerted push by auto makers to include full Internet connectivity, with access to video feeds, in cars for all occupants – including the driver. This push has occurred, in spite of concerns about the impact of such systems on the problem of driver distraction. Some additional safety features are connected to this development – like real-time displays of the car perimeter, better location tracking by GPS, and more targeted roadside assistance, for example. However, these developments may also create many more variations of – and opportunities for – driver distraction. Some states that already have enacted legislation prohibiting the use of television receivers by drivers are beginning to reconsider the scope of their prohibitions in an effort to encompass the almost dizzying number of technological devices that are being developed and in light of consumer expectations for instant and constant connectivity. At the Consumer Electronics Show, held in January 2010, reportedly one of the most

popular exhibits was from the Ford Motor Company, which has developed a system called the “MyFord Touch.” This system provides Internet access in certain makes of Ford cars and the ability of the driver to operate the car’s electronic devices, including those devices providing video, by voice or touch screens.

Additional Information

Prior Introductions: A similar bill, HB 678 of 2009, was heard in the House Environmental Matters Committee but received no further action.

Cross File: Although HB 190 (Delegate Malone) - Environmental Matters is designated as a cross file, it is not identical.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of State Police, Maryland Department of Transportation, National Conference of State Legislatures, *stateline.org*, *This Week In Tech*, *The New York Times*, Ford Motor Company, Department of Legislative Services

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