

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 382 (Senator Jennings)
Judicial Proceedings

State Highway Administration - Roundabouts - Displaying Flag of the United States

This bill requires the State Highway Administration (SHA) to establish a permit program to allow the United States flag to be displayed on State-owned circular islands at the center of traffic roundabouts. SHA is authorized to establish a permit fee that offsets the costs of implementing the program. SHA must adopt implementing regulations.

Fiscal Summary

State Effect: Since it is assumed that this bill will apply in a limited number of cases, State finances are not materially affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The United States flag, the State flag, and the POW/MIA flag of the National League of Families of American Prisoners and Missing in Southeast Asia must be flown year-round at each rest area, welcome center, and exhibit center within interstate and State highway-rights-of-way.

Background: After coming to their attention, SHA workers removed a 25-foot flagpole from within the median of a roundabout at the intersection of MD 94 and Old Frederick Road in the Woodbine community located in Howard County. The flag was lowered, folded, and placed in the cab of an SHA vehicle and subsequently stored at an

SHA facility. The Maryland Department of Transportation advises that the structure, which had been cemented into the ground, posed a safety threat to motorists and was installed without a permit. At the time, SHA was not aware of who had installed the flag and pole. Some individuals have voiced concern about how and why the flag was removed by SHA.

While objects placed in SHA's right-of-way can present serious safety hazards to drivers and passengers, SHA tries to accommodate these types of community requests. For example, after the events of September 11, 2001, SHA established parameters for displaying flags on bridges, which was a popular activity at the time.

SHA is completing an assessment of its statewide policy on the placement of fixed objects, such as flag poles, in roundabouts. The assessment will consider a number of safety-related factors, including the width of a roundabout's median, the approach speeds along roads leading to a roundabout, and the distance of the travel lane to the median.

Additional Information

Prior Introductions: None.

Cross File: HB 132 (Delegates W. Miller and Bates) - Environmental Matters.

Information Source(s): Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - February 3, 2012
ncs/lgc

Analysis by: Amanda Mock

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