

Department of Legislative Services  
Maryland General Assembly  
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 89

(Senator Jacobs, *et al.*)

Judicial Proceedings

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Vehicle Laws - Nonfunctioning Traffic Control Signals - Requirement to Stop

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This bill alters the duties of a driver approaching a nonfunctioning traffic signal by expanding the applicability of those duties to any intersection, rather than just when approaching a highway from the exit ramp of an expressway. The bill requires a driver who approaches a traffic control signal where no lighted indication is visible, to stop and yield, as specified. A violation is a misdemeanor, punishable by a maximum fine of \$500.

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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.

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Analysis

**Bill Summary:** It is the duty of a driver approaching an intersection with a nonfunctioning traffic control signal to stop (1) at a clearly marked stop line; (2) if there is no clearly marked stop line, before entering any crosswalk; or (3) if there is no clearly marked stop line or crosswalk, before entering the intersection. The driver must then yield to any other vehicle approaching the intersection and remain stopped until it is safe to continue through the intersection.

**Current Law:** An “intersection” is the area within the prolongation or connection of the lateral curb lines or, in the absence of curbs, lateral boundary lines of the roadways of two highways that join at right angles. An intersection also means the area within which vehicles traveling on different highways joining at any other angle may come into conflict. Divided highways including two or more roadways that are 30 feet or more apart create separate intersections at every crossing of the roadways, as specified.

The duty of a driver when approaching a nonfunctioning traffic signal is not specified in the Maryland Vehicle Law unless the driver is approaching a highway from the exit ramp of an expressway. 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.

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. Vehicular traffic must 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.

**Additional Comments:** This bill is substantially similar to SB 177/HB 67 of 2012, except that this bill requires a driver to yield only to other vehicles approaching the intersection, whereas SB 177/HB 67 require the driver yield to any vehicle or pedestrian in the intersection. Also, this bill requires a driver to remain stopped until it is safe to continue through the intersection, whereas SB 177/HB 67 require a driver to remain stopped until it is safe to both enter and continue through the intersection.

## **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 - January 26, 2012  
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