

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

Senate Bill 499

(Senator Manno)

Judicial Proceedings

Vehicle Laws - Obstruction of Driver's View

This bill clarifies the prohibition against driving with any sign, poster, card, sticker, or other nontransparent material on the windshield, rear window, side windows, or side wings of the vehicle. The bill increases the penalty for this misdemeanor, from a maximum fine of \$500 to a maximum fine of \$1,000.

Materials placed on the side windows of the vehicle to the rear of the driver, if they are placed on the side windows so as not to interfere with the driver's clear view of traffic, are not subject to this prohibition.

Fiscal Summary

State Effect: Minimal increase in general fund revenues due to the fine increase imposed by the bill. Enforcement can be handled with existing resources.

Local Effect: Enforcement can be handled with existing resources.

Small Business Effect: None.

Analysis

Current Law: Except as otherwise provided, a person may not drive a vehicle with any sign, poster, card, sticker, or other nontransparent material on the windshield, side wings, or side or rear windows of the vehicle. The prohibition does not apply to (1) materials on the windshield or rear window, within a seven-inch square area in the lower corner; (2) materials on the side windows of the vehicle to the rear of the driver if they are placed so as not to interfere with the driver's clear view of traffic; (3) direction, destination, or

termini signs on any passenger common carrier motor vehicle; or (4) electronic toll collection tags placed in the windshield of a vehicle in accordance with Maryland Transportation Authority regulations. The Motor Vehicle Administration (MVA) is required to adopt regulations that exempt from the prohibition those materials placed on the windshield of a vehicle in compliance with security measures required by a federal or State government agency and approved by MVA.

A violation of a provision of the Maryland Vehicle Law is a misdemeanor unless the violation is a felony under the Maryland Vehicle Law or any other law of the State or is punishable by a civil penalty. Generally, the penalty for a misdemeanor is a fine of up to \$500. The prepayment penalty established by the District Court for this offense is \$70 and one point against the driver's license. If the violation contributes to an accident, the prepayment penalty is \$110 and three points against the driver's license.

According to the District Court, during fiscal 2012, 294 citations were issued for sign materials that unlawfully obstructed the windshield and windows of a vehicle. Of those, 104 paid the prepayment penalty, 115 were disposed of at trial, and 75 were open.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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mlm/ljm

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