

Department of Legislative Services

Maryland General Assembly

2017 Session

FISCAL AND POLICY NOTE

Third Reader - Revised

House Bill 578

(Delegate Kramer, *et al.*)

Environment and Transportation

Judicial Proceedings

Vehicle Laws - Pedestrian Hybrid Beacons

This bill authorizes the use of a pedestrian hybrid beacon (PHB) on Maryland roadways as a traffic control signal. The State Highway Administration (SHA) and local jurisdictions are authorized to install a PHB in accordance with the federal Manual on Uniform Traffic Control Devices (FMUTCD). The bill defines a PHB based on the latest edition of the FMUTCD and requires SHA to update the traffic sign manual to conform to the bill's provisions within 90 days of its October 1, 2017 effective date.

Fiscal Summary

State Effect: Enforcement can be handled with existing resources. Potential minimal increase in revenues and expenditures to the extent SHA installs and operates PHBs.

Local Effect: Enforcement can be handled with existing resources. Potential minimal increase in revenues and expenditures to the extent local governments install and operate PHBs and police issue citations.

Small Business Effect: Potential minimal.

Analysis

Bill Summary: A "PHB," according to the latest FMUTCD, means a special type of hybrid beacon used to warn and control traffic at an unsignalized location to assist pedestrians in crossing a street or highway at a marked crosswalk. Under the bill, State laws regulating traffic signals do not apply to a PHB.

Current Law: The Transportation Article does not define PHB or address the use of PHBs on Maryland roadways.

Duty to Obey Traffic Signals: Except as otherwise specified or unless otherwise directed by a police officer, the driver of any vehicle must obey any traffic control devices. A driver may not leave the roadway or drive across private property to avoid a traffic control device. A violation is a misdemeanor with a maximum \$500 fine. The prepayment penalty is \$90 with one point assessed against the license. If the violation contributes to an accident, the prepayment penalty is \$130 and three points must be assessed against the license.

Pedestrian Control Signals: Generally, a pedestrian is subject to all traffic control signals including special pedestrian control signals where the words “walk,” “don’t walk,” or “wait” or the symbols of “walking person” or “upraised hand” are in place. A pedestrian facing a walk or walking person signal may cross the roadway in the direction of the signal and must be given the right-of-way by the driver of any vehicle. At an intersection where an exclusive all-pedestrian interval is established, a pedestrian may cross the roadway in any direction within the intersection. A pedestrian may not start to cross the roadway in the direction of a “don’t walk” or upraised hand signal. A pedestrian may not start to cross the roadway in the direction of a “wait” signal. If a pedestrian has partly completed crossing on a “walk” or walking person signal, the pedestrian must proceed without delay to a sidewalk or safety island while the “don’t walk,” “wait,” or upraised hand signal is showing. A violation of the above provisions is a misdemeanor and a violator is subject to a maximum fine of \$500. The prepayment penalty assessed by the District Court is \$50.

Right-of-way of Pedestrians in Crosswalk: When there is no pedestrian tunnel, overhead pedestrian crossing, or a traffic signal in operation, the Maryland Vehicle Law requires the driver of a vehicle to come to a stop when a pedestrian is crossing in a crosswalk and is on the half of the roadway on which the vehicle is traveling. Likewise, the driver must stop when the pedestrian in a crosswalk is approaching from an adjacent lane on the other half of the roadway. A violation is a misdemeanor with a maximum fine of \$500. The prepayment penalty established by the District Court is \$80 and one point must be assessed against the driver’s license by MVA. However, if the violation contributes to an accident, the fine may not be prepaid; the violator must appear in court to answer the charge.

Background: PHBs are used in various locations, including Washington, DC, as well as cities in Arizona. They are intended to fill the gap between unprotected crosswalks and crossings with full traffic signals. According to the Federal Highway Administration (FHA), midblock locations account for more than 70% of pedestrian fatalities and vehicle speeds are generally higher at these locations, contributing to higher fatality rates. FHA cites a 2010 study that found use of a PHB can reduce pedestrian crashes by 69%.

According to the Administrative Office of the Courts, there were 5,760 red light citations in fiscal 2016. In fiscal 2016, 1,428 individuals received citations for failing to stop for a pedestrian in a crosswalk. Of that total, 144 contributed to an accident and were must-appear offenses.

FMUTCD specifies the national standards by which traffic signs, road surface markings, and signals are designed, installed, and used and approved by FHA. The Maryland Manual on Uniform Traffic Control Devices is the combined document of the national set of traffic control device standards and guidance promulgated by FHA and Maryland's supplemental guidance.

Additional Information

Prior Introductions: None.

Cross File: (Senator Manno, *et al.*) - Judicial Proceedings.

Information Source(s): Harford, Montgomery, and Wicomico counties; cities of College Park and Frostburg; Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Federal Highway Administration; Department of Legislative Services

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