

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 779

(Senator Lee)

Judicial Proceedings

Vehicle Laws - Intersections - Prohibited Acts

This bill generally prohibits a vehicle at a green signal, green arrow signal, or steady yellow signal from entering an intersection if the vehicle is unable to safely and completely proceed through the intersection. However, a vehicle making a left turn may enter an intersection while yielding the right-of-way to any other vehicle approaching from the opposite direction. A violation of this provision is a misdemeanor, subject to the existing penalty of a \$500 maximum fine.

The bill also prohibits a driver of a vehicle at a stop sign placed at the entrance of an intersecting highway (even if the intersecting highway is not part of a through highway) from crossing into that intersecting highway if the driver is unable to safely and completely proceed through the intersection. A violation of this provision is a misdemeanor and is generally subject to the existing penalty of a \$500 maximum fine. However, if the violation contributes to an accident causing serious bodily injury or death, it is subject to the existing penalty of a \$1,000 maximum fine, and the violator is subject to a driver's license suspension for up to 180 days.

Fiscal Summary

State Effect: Minimal general fund revenue increase from the penalty provisions applicable to these offenses under the Maryland Vehicle Law. Enforcement can be handled with existing resources.

Local Effect: Enforcement can be handled with existing resources. Revenues are not affected.

Small Business Effect: None.

Analysis

Current Law:

Green Traffic Signals: Vehicular traffic facing a circular green signal may proceed straight through or turn, unless a sign otherwise prohibits the turn. A vehicle turning right or left must yield the right-of-way to any other vehicle or pedestrian lawfully in the intersection or an adjacent crosswalk. Vehicular traffic facing a green arrow signal may cautiously enter the intersection but only to make the movement indicated by the arrow or another movement if so permitted by other indications shown at the same time as the arrow. A person who violates these provisions is guilty of a misdemeanor and subject to a maximum fine of \$500. The prepayment penalty assessed by the District Court is \$90, and the Motor Vehicle Administration (MVA) must assess one point against the driver's license. If the violation contributes to an accident, the prepayment penalty increases to \$130, and three points must be assessed against the driver's license.

Red Traffic Signals: 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. Vehicular traffic facing a steady red arrow signal may not enter the intersection to make the movement indicated by the arrow. 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. Unless a sign prohibiting a turn is in place, and after stopping, vehicular traffic may cautiously enter the intersection and make right turn or a left turn from a one-way street onto a one-way street or a turn as indicated by a sign. A violation of this provision is a misdemeanor and a violator is subject to a maximum fine of \$500. MVA must assess two points on the driver's license or three points, if a violation contributes to an accident. The prepayment penalty assessed by the District Court is \$140 or \$180, if a violation contributes to an accident.

Right-of-way – Generally: A vehicle at an intersection generally has the right-of-way over any other vehicle approaching from the left and must yield the right-of-way to any other vehicle approaching from the right. At a "T" intersection with no traffic control device, any person driving on a highway that intersects, but does not cross, the highway must yield to any other vehicle traveling on the other highway. A violation of any of these provisions is a misdemeanor and a violator is subject to a maximum fine of \$500. MVA must assess one point on the driver's license or three points, if a violation contributes to an accident. The prepayment penalty assessed by the District Court is \$110 or \$150, if a violation contributes to an accident.

Stop or Yield Intersections: Under the Maryland Vehicle Law, stop signs or yield signs may indicate a preferential right-of-way at an intersection. Generally, if a driver approaches a through highway, the driver must stop at the entrance of the through highway

and yield the right-of-way to any other vehicle approaching on the through highway. If a stop sign is placed at the entrance to an intersecting highway, even if the intersecting highway is not a part of the through highway, the driver approaching the intersecting highway must obey the stop sign, stop the vehicle, and yield the right-of-way to any other vehicle that is approaching on the intersecting highway. If a yield sign facing the driver of a vehicle is placed on the approach to an intersection, the driver must approach the intersection with caution, yield the right-of-way to any other vehicle approaching on the other highway, and stop, if necessary, to yield the right-of-way. A violation of any of these provisions is a misdemeanor and a violator is subject to a maximum fine of \$500. MVA must assess one point on the driver's license or three points, if a violation contributes to an accident. The prepayment penalty assessed by the District Court is \$110 or \$150, if a violation contributes to an accident.

Right-of-way Accidents Resulting in Serious Injury or Death – Penalties: A violation of right-of-way provisions that contributes to an accident involving serious bodily injury or death is a misdemeanor with a maximum fine of \$1,000, and the prepayment penalty is \$750. Although three points are assessed against the driver's license, the driver may also have his or her license suspended for up to 180 days.

Additional Information

Prior Introductions: None.

Cross File: HB 237 (Delegate Carr, *et al.*) - Environment and Transportation.

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

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