

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 672

(Delegate Carr, *et al.*)

Environment and Transportation

Judicial Proceedings

Vehicle Laws - Intersections - Prohibited Acts

This bill generally prohibits a vehicle at a green circular 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 (1) a left turn when facing a circular green signal may enter an intersection while yielding the right-of-way to a pedestrian or any other vehicle approaching from the opposite direction or (2) a right turn may enter into an intersection while yielding the right-of-way to a pedestrian or bicyclist. A police officer may not issue a citation for the offense unless the approach to the intersection has appropriate signs installed in accordance with the Maryland Manual on Uniform Traffic Control Devices (MDMUTCD), which notify the public that a vehicle may not make the movement at the intersection in violation of the rule. A violation of this provision is a misdemeanor, subject to the existing penalty of a \$500 maximum fine.

Fiscal Summary

State Effect: Potential minimal general fund revenue increase from the penalty provisions applicable to this offense 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 a 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. If the violation results in death or serious bodily injury, the prepaid fine is \$750.

Background: MDMUTCD is the combined document of the national and State traffic control device standards, including guidance promulgated by the Federal Highway Administration and Maryland's supplemental guidance.

Additional Information

Prior Introductions: HB 237 of 2017, a similar bill, passed as amended, but received no further action after being heard in the Senate Judicial Proceedings Committee. SB 779, its cross file, was heard in the Senate Judicial Proceedings Committee, but no further action was taken.

Cross File: None.

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

Fiscal Note History: First Reader - February 20, 2018
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