

Department of Legislative Services  
 Maryland General Assembly  
 2019 Session

FISCAL AND POLICY NOTE  
 First Reader

House Bill 984 (Delegate Parrott)  
 Environment and Transportation

Vehicle Laws - Left Lane - Use for Passing

This bill specifies that, on a roadway with at least three lanes for traffic moving in the same direction *and* a posted maximum speed limit of at least 55 miles per hour, a driver may use the far left lane *only* for overtaking and passing another vehicle, with specified exceptions. After overtaking and passing another vehicle in this manner, a driver must return to the right lane as soon as it is reasonably safe to do so. The Motor Vehicle Administration (MVA) must include information on these provisions in its driver education curriculum, pamphlets, and driver’s manuals, and on its website. Law enforcement may not issue a citation for a violation until October 1, 2021. The Maryland Department of Transportation must post signage on State highways advising drivers of these provisions and alerting drivers to the implementation of enforcement.

Fiscal Summary

**State Effect:** Transportation Trust Fund (TTF) expenditures increase by \$500,000 and nonbudgeted expenditures increase by \$56,000 in FY 2020 only. General fund revenues increase minimally beginning in FY 2022 to the extent additional traffic citations are issued under the bill. Enforcement can be handled with existing resources.

(in dollars)	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
GF Revenue	\$0	\$0	-	-	-
SF Expenditure	\$500,000	\$0	\$0	\$0	\$0
NonBud Exp.	\$56,000	\$0	\$0	\$0	\$0
Net Effect	(\$556,000)	\$0	\$0	\$0	\$0

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

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

**Small Business Effect:** None.

## Analysis

**Bill Summary:** The bill's restrictions pertaining to left-lane use do not apply (1) to a vehicle in the far left lane preparing for a left turn or left exit; (2) to a vehicle in a high occupancy vehicle (HOV) lane if the HOV lane is a single lane moving in one direction and HOV restrictions are in effect; or (3) when traffic conditions require the use of all roadway lanes.

**Current Law:** The Maryland Vehicle Law requires that, when overtaking another vehicle that is going in the same direction, the driver must pass to the left of the overtaken vehicle at a safe distance and wait until safely clear of the overtaken vehicle before driving in front of the overtaken vehicle. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle, upon audible signal, must give way to the right in favor of an overtaking vehicle and may not increase speed until completely passed by the overtaking vehicle.

The prepayment penalty established by the District Court for a violation of these provisions is \$90, and MVA must assess one point against a violator's license. For a violation that contributes to an accident, the prepayment penalty increases to \$130, and three points must be assessed against the violator's license.

**Background: Exhibit 1** shows the frequency of charges for unlawfully overtaking another vehicle in fiscal 2018.

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### Exhibit 1 Citations – Overtaking Vehicles Fiscal 2018

<u>Overtaking Vehicles</u>	<u>Open</u>	<u>Prepaid</u>	<u>Trial</u>	<u>Total</u>
Failure to Overtake at a Safe Distance	232	129	139	500
Driving in Front of Overtaken Vehicle – Not Safely Clear	18	18	23	59
Failure to Yield to Overtaking Vehicle on Audible Signal	1	4	0	5
Overtaken Vehicle Increasing Speed	12	8	33	53

Source: District Court of Maryland

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### *State Highway Administration and Maryland Transportation Authority*

The State Highway Administration (SHA) is responsible for more than 5,200 miles or approximately 16,800 lane miles of road, 2,500 bridges, 3,500 small stream crossing

structures, and 80 miles of sound barriers in the State. It also has responsibility for planning, designing, constructing, and maintaining these roads and bridges to safety and performance standards while considering sociological, ecological, and economic concerns.

Since 1971, the Maryland Transportation Authority (MDTA) has been responsible for constructing, managing, operating, and improving the State's toll facilities (for example, the Chesapeake Bay Bridge and Intercounty Connector) and for financing new revenue-producing transportation projects. MDTA is governed by nine individuals appointed by the Governor with the advice and consent of the Senate. The Secretary of Transportation serves as MDTA's chair.

**State Expenditures:** Signs are necessary for both the State's highways and toll highways to ensure that drivers are aware of the new passing requirements established under the bill. SHA estimates that it must erect 250 signs at an approximate cost of \$2,000 per sign; accordingly, TTF expenditures increase by \$500,000 in fiscal 2020 only. MDTA estimates that it must erect 28 signs at an approximate cost of \$2,000 per sign; accordingly, nonbudgeted expenditures increase by \$56,000 in fiscal 2020 only.

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### **Additional Information**

**Prior Introductions:** HB 965 of 2018, a similar bill, received a hearing in the House Environment and Transportation Committee, but no further action was taken. HB 1451 of 2017, another similar bill, passed the House as amended and received a hearing 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; Department of Legislative Services

**Fiscal Note History:** First Reader - February 28, 2019  
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