

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 108

(Delegates Carr and Korman)

Environment and Transportation

Judicial Proceedings

Vehicle Laws - Intersections - Prohibited Acts

This bill generally prohibits a vehicle facing a circular green signal, a green arrow signal, or a 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 at a circular green signal may enter an intersection while yielding the right-of-way to a pedestrian or vehicle approaching from the opposite direction. A vehicle making a right turn may enter an intersection while yielding the right-of-way to a pedestrian or bicyclist.

The bill prohibits a police officer from issuing a citation for a violation unless the approach to the intersection has appropriate signage installed in accordance with the Maryland Manual on Uniform Traffic Control Devices notifying the public that a vehicle may not make a movement at the intersection that violates the bill's provisions. A violation is a misdemeanor, subject to the existing penalty of a \$500 maximum fine.

Fiscal Summary

State Effect: Potential minimal reduction in general fund revenues. 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 the intersection or, unless a sign otherwise prohibits the turn, turn right or left. A vehicle turning right or left at a circular green signal must yield the right-of-way to a vehicle or pedestrian lawfully in the intersection or adjacent crosswalk.

Vehicular traffic facing a green arrow signal may cautiously enter the intersection only to make the movement indicated by the arrow or by another indication shown at the same time as the arrow. Vehicular traffic facing a green arrow signal must, when making an authorized movement, yield the right-of-way to any pedestrian or bicycle lawfully within the adjacent crosswalk and to other traffic lawfully using the intersection.

A violation of these provisions is a misdemeanor, and a violator is subject to a maximum fine of \$500. The prepayment penalty established by the District Court is \$90, and the Motor Vehicle Administration (MVA) must assess one point against a violator's license. If, however, the violation contributes to an accident, the prepayment penalty is \$130, and MVA must assess three points against the violator'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 violator'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

Except as otherwise specified, a vehicle at an intersection has the right-of-way over a vehicle approaching from the left and must yield the right-of-way to a vehicle approaching

from the right. At a “T” intersection with no traffic control device, a vehicle traveling on a highway that intersects, but does not cross, the other highway must yield the right-of-way to a vehicle traveling on the other highway.

A violation of these provisions is a misdemeanor, and a violator is subject to a maximum fine of \$500. The prepayment penalty is \$110, and MVA must assess one point against a violator’s license. If, however, the violation contributes to an accident, the prepayment penalty is \$150 or, if the violation contributes to an accident resulting in serious bodily injury, \$750. MVA must assess three points against a violator’s license if the violation contributes to an accident.

Background: The District Court advises that, during fiscal 2018, there were a total of 55 citations issued statewide for failure to yield the intersection right-of-way after a green traffic signal. Of the 55 citations issued, 23 were prepaid, 21 went to trial, and 11 remained open. For failure to yield the right-of-way to a pedestrian or bicycle after a green arrow signal, there were a total of 12 citations issued statewide during fiscal 2018. Of these, 5 citations were prepaid, 5 went to trial, and 2 remained open.

The Maryland Manual on Uniform Traffic Control Devices contains the national Manual on Uniform Traffic Control Devices, which includes national standards and federal guidance pertaining to traffic control devices, and State supplemental guidance.

Additional Information

Prior Introductions: HB 672 of 2018 passed the House as amended and received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken. HB 237 of 2017, a similar bill, passed the House as amended and received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken. SB 779, its cross file, received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken.

Cross File: SB 291 (Senator Smith, *et al.*) - Judicial Proceedings.

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 6, 2019
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