

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 416

(Senator Edwards)

Judicial Proceedings

Rules and Executive Nominations

Vehicle Laws - Driving in Right-Hand Lanes - Interstate Highways in Rural Areas

This bill requires, on an interstate highway located in a rural area (as defined by the bill), a driver traveling slower than the general speed of traffic to drive in the right-hand lane or lanes, if practicable as determined by the driver. The bill establishes the policy of the State and guidance with respect to the rules of the road; a person may not be issued a citation for a violation of the bill's requirement. The Motor Vehicle Administration (MVA) must include the requirement in the State's driver education curriculum, and the State Highway Administration (SHA) must inform drivers of the requirement by placing and maintaining signs at regular intervals on appropriate highways and through the dynamic message sign system located throughout the State.

Fiscal Summary

State Effect: *Under one set of assumptions*, Transportation Trust Fund (TTF) expenditures increase by \$30,000 in FY 2023 only for sign installation, as discussed below. Revenues are not affected.

(in dollars)	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	30,000	0	0	0	0
Net Effect	(\$30,000)	\$0	\$0	\$0	\$0

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

Local Effect: Local government finances are not directly affected.

Small Business Effect: None.

Analysis

Bill Summary: By December 1, 2023, MVA and SHA must report to the Senate Judicial Proceedings and the House Environment and Transportation committees on the efforts made to provide driver education and notice throughout the State as required under the bill.

Current Law: On every roadway, any vehicle going at least 10 miles per hour below the applicable maximum speed limit or at less than the normal speed of traffic under existing conditions (if any existing conditions reasonably require a speed below that of the applicable maximum) generally must be driven in the right-hand lane then available for traffic or as close as practicable to the right-hand curb or edge of the roadway. The requirement to keep right does not apply when overtaking and passing another vehicle going in the same direction or when preparing for a lawful left turn. A violation is a misdemeanor subject to a maximum fine of \$500. Upon conviction, MVA must assess one point against the driver's license, or three points for a violation that contributes to an accident. The District Court assesses a prepayment penalty of \$90 for this offense or \$130 if the offense contributes to an accident.

“Urban area,” as defined under § 8-507 of the Transportation Article, means an area with boundaries fixed by SHA that includes and is adjacent to a municipality or other urban place having a population of at least 5,000 as determined by the latest federal census. (Under the bill, “rural area” means an area outside the fixed boundaries of an urban area.)

State Expenditures: The bill requires SHA to place and maintain signs at regular intervals on appropriate highways informing drivers of the bill’s requirements. SHA has the discretion to determine the placement and scope of signage installed in accordance with the bill. Thus, the precise impact on TTF expenditures depends on the scale at which SHA chooses to install signage informing drivers of the bill’s requirements. SHA estimates for sign installation costs have generally ranged from approximately \$500 to \$1,000 per sign.

SHA estimates costs totaling \$30,000 for 60 signs – a notable reduction from an earlier estimate (provided in response to similar 2021 legislation) of \$246,000 for 500 signs. SHA advises that the current, scaled-back estimate of \$30,000 assumes (1) that a total of 60 signs are installed at the entry points to and periodically on specified rural portions of Interstates 68, 70, and 83 and (2) that related material, labor, and equipment costs total approximately \$500 per sign.

The Department of Legislative Services generally concurs with SHA’s most recent assessment, given the more detailed assumptions articulated by SHA with respect to anticipated signage needs. Thus, TTF expenditures are assumed to increase by an estimated

\$30,000 in fiscal 2023 only for one-time sign installation costs. To the extent that a greater number of signs are installed as a result of the bill, TTF expenditures increase further.

Additional Information

Prior Introductions: HB 964 of 2021 passed the House with amendments and passed second reading in the Senate. However, the bill was special ordered in the Senate, and no further action was taken. HB 1262 of 2020, a bill with similar provisions, received an unfavorable report from the House Environment and Transportation Committee.

Designated Cross File: HB 222 (Delegate Parrott) - 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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