

# **HB130\_FAV\_Healey**

Uploaded by: Anne Healey

Position: FAV

**ANNE HEALEY**  
*Legislative District 22*  
Prince George's County

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*Chair*  
Rules and Executive  
Nominations Committee

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Environment and Transportation  
Committee

*Chair*  
Local Government and  
Bi-County Issues Subcommittee



**THE MARYLAND HOUSE OF DELEGATES**  
ANNAPOLIS, MARYLAND 21401

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E&T Hearing – Jan. 27

*HB151 – Traffic control device monitoring*

Mr. Chair, members of the committee, for the record, Del. Anne Healey. Thank you for the opportunity to present HB151, a bill that creates a more efficient system for local governments across the state to enforce traffic violations.

**What does the bill do?**

This legislation enables local governments to use photo enforcement for stop signs, one-way streets, no left turns and other similar traffic enforcement with fines being \$40 – the same as for speed cameras. This is a companion bill to another you'll hear today (HB130) that would make these offenses secondary in most cases and thereby eliminating some unnecessary traffic stops.

We have heard many complaints from our constituents in communities that have a lot of complaints about stop sign running and other similar traffic violations. But they want a more efficient solution for their local government other than continually asking the police to park nearby, watch, and enforce the violations, which is not a very effective long-term strategy or a

good use of police time. Cameras are already used for toll booths and speeding violations, I'm confident this would be an effective solution for other traffic enforcement.

I ask for a favorable report on HB151.

# **HB 130 Letter of Opposition.pdf**

Uploaded by: Kevin Anderson

Position: UNF



# MARYLAND CHIEFS OF POLICE ASSOCIATION



532 Baltimore, Boulevard, Suite 308  
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## MEMORANDUM

TO: The Honorable Anne Healey, District 22, Prince George's County

FROM: Colonel Kevin M. Anderson, Chair-MCPA Traffic Safety Committee

DATE: January 25, 2022

RE: **HB 130- Motor Vehicles – Required Stops – Secondary Enforcement**

POSITION: OPPOSE

The Traffic Safety Committee of the Maryland Chiefs of Police Association (MCPA) OPPOSE HB 130. Yearly, law enforcement and other emergency services respond to thousands of crashes for property damage and personnel injury. Unfortunately, we also experience more than five hundred (500) fatal motor vehicle crashes yearly. As Maryland has adopted, "Toward Zero Deaths" as our only acceptable highway traffic safety goal, this bill has the potential to weaken our efforts to reduce crashes and save lives.

As you know, current state law permits law enforcement an ability to enforce Transportation Article section 21-204, 21-404, 21-705(a), and 21-707, and section 21-403(b) and (c) as a primary offense. By repealing and reenacting with amendments to make these offenses only enforceable as a secondary violation would certainly increase the potential for crashes and decrease the current enforcement efforts statewide. Over the past three years a review of data from the Maryland Highway Safety Office shows that law enforcement throughout the state has issued more than 40,000 citations for these specific offenses.

To further explain, if these offenses are reenacted as a secondary offense only, then we would clearly begin to see the direct correlation between reduced enforcement and crashes occurring at interesting roads. These crashes have a high potential to involve pedestrians and destructive cross intersecting crashes between vehicles traveling within an intersection.

For these reasons, the Traffic Safety Committee of the MCPA OPPOSE HB 130 and urge an UNFAVORABLE Committee report.

# **MSP Position Paper for HB 130.pdf**

Uploaded by: Thomas Williams

Position: INFO



**State of Maryland**  
**Department of State Police**  
Government Affairs Section  
Annapolis Office (410) 260-6100

**POSITION ON PROPOSED LEGISLATION**

**DATE:** January 27, 2022

**BILL NUMBER:** House Bill 130 **Position:** Letter of Information

**BILL TITLE:** Motor Vehicles – Required Stops – Secondary Enforcement

**REVIEW AND ANALYSIS:**

This legislation seeks to alter the enforcement of the required stops at a flashing red signal, stop signs or highway crossings from a primary violation to a secondary violation for purposes of enforcement. The law may be enforced as a primary violation if the police officer determines the driver recklessly failed to slow or yield in any way.

Under current law, a driver is required to come to a complete stop upon approach to a red flashing light, a stop sign, or before entering or crossing a highway. Law enforcement is able to enforce these violations as a primary offense. Reckless Driving is currently defined as “Wanton and willful disregard for the safety of persons or property”.

This legislation will require the police officer to either observe another violation that occurs at the same time as the failure to stop or make the determination that the driver recklessly fails to stop or yield in any way in order to enforce this violation.

According to the Maryland Transportation Article, Reckless Driving requires the driver to operate a vehicle in a wanton or willful disregard for the safety of persons or property. This language has been determined by the courts to mean intentional actions. This standard is very high and difficult to prove. Should a vehicle fail to stop and cause an accident, the failure to stop may not be enforced as it was the primary violation leading to the cause of the accident. The other option for enforcement is if the driver makes no attempt to reduce the speed of their vehicle prior to entering the intersection. In order to prove this, the officer would have to use a speed detection device to ensure no reduction in speed occurred.

According to all crash data, it is proven that intersection related collisions are more severe and cause more property and human damage than in-line collisions.