

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

House Bill 70

(Delegate Carr, *et al.*)

Environment and Transportation

Judicial Proceedings

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Vehicle Laws - Intersections - Prohibited Acts

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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 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 to a vehicle approaching from the opposite direction, and a vehicle making a right turn may enter an intersection while yielding the right-of-way to a pedestrian or bicyclist.

A police officer may not issue 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.

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Fiscal Summary

**State Effect:** General fund revenues are not materially affected. Enforcement can be handled with existing resources.

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

**Small Business Effect:** None.

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## Analysis

### Current Law:

#### *Green Traffic Signals*

*Circular Green Signal:* 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 proceeding straight or 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.

*Green Arrow Signal:* 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.

*Penalties:* 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*

*Required Stop:* Vehicular traffic facing a steady red signal alone or a steady red arrow (unless entering the intersection to make a movement permitted by another signal) must stop at the near side of the intersection (1) at a clearly marked stop sign; (2) if there is no clearly marked stop sign, before entering any crosswalk; or (3) if there is no crosswalk, before entering the intersection. Traffic generally must remain stopped until a signal to proceed is displayed.

A violation is a misdemeanor, and a violator is subject to a maximum fine of \$500. The prepayment penalty established by the District Court is \$140, and MVA must assess two points against a violator's license. If, however, the violation contributes to an accident, the prepayment penalty is \$180, and MVA must assess three points against the violator's license.

*Authorized Turns:* Unless a sign prohibiting a turn is in place, vehicular traffic facing a steady red signal may, after stopping, cautiously enter the intersection and make (1) a right turn; (2) a left turn from a one-way street onto a one-way street; or (3) a turn as indicated

by a sign. Such traffic must yield the right-of-way to any pedestrian or bicycle lawfully within an adjacent crosswalk and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

A violation of these provisions is a misdemeanor, and a violator is subject to a maximum fine of \$500. The prepayment penalty assessed by the District Court is \$90 or, if a violation contributes to an accident, \$130. MVA must assess two points on the violator's license or, if the violation contributes to an accident, three points. For a failure to yield the intersection right-of-way after a turn on a red signal, MVA must assess one point against the violator's license or, if the violation contributes to an accident, three points.

**Background:** According to data provided by the District Court, there were a total of 82 citations issued statewide in fiscal 2019 for failure to yield the intersection right-of-way after a circular green traffic signal. Of these, 22 were prepaid, 22 went to trial, and 38 remain open. For failure to yield the right-of-way after a green arrow signal, there were a total of 8 citations issued statewide in fiscal 2019. Of these, 3 were prepaid, 1 went to trial, and 4 remain 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.

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### **Additional Information**

**Prior Introductions:** HB 108 of 2019, a substantially similar bill, passed the House as amended and was referred to the Senate Judicial Proceedings Committee, but no further action was taken. SB 291, its cross file, received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken. HB 672 of 2018 and HB 237 of 2017, similar bills, passed the House as amended and received hearings in the Senate Judicial Proceedings Committee, but no further action was taken on either bill. SB 779 of 2017, the cross file of HB 237, received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken.

**Designated 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 - January 28, 2020  
rh/aad Third Reader - March 15, 2020  
Revised - Amendment(s) - March 15, 2020  
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