

HOUSE BILL 975

R5

0lr0025

By: **Chair, Environmental Matters Committee (By Request – Departmental – Transportation)**

Introduced and read first time: February 12, 2010

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2010

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Maryland Transportation Authority – Highways**

3 FOR the purpose of altering and redesignating the definition of “vehicular crossing”
4 for purposes of certain provisions of the Maryland Vehicle Law to include
5 certain highways under the jurisdiction of the Maryland Transportation
6 Authority, thereby applying certain provisions of law to certain highways under
7 the jurisdiction of the Authority and providing that certain powers and
8 authority granted to the Authority are applicable to certain highways under the
9 jurisdiction of the Authority; making conforming changes; and generally
10 relating to highways under the jurisdiction of the Maryland Transportation
11 Authority.

12 BY repealing and reenacting, with amendments,

13 Article – Courts and Judicial Proceedings

14 Section 7-302(b)

15 Annotated Code of Maryland

16 (2006 Replacement Volume and 2009 Supplement)

17 BY repealing and reenacting, without amendments,

18 Article – Transportation

19 Section ~~11-127, 21-1402, and 21-1403~~

20 Annotated Code of Maryland

21 (2009 Replacement Volume and 2009 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,
 2 Article – Transportation
 3 Section ~~21-1401, 21-1407, 21-1411, and 21-1413~~ through 21-1411, 21-1413,
 4 and 21-1414(b)(1)
 5 Annotated Code of Maryland
 6 (2009 Replacement Volume and 2009 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 8 MARYLAND, That the Laws of Maryland read as follows:

9 **Article – Courts and Judicial Proceedings**

10 7-302.

11 (b) If a parking or impounding fine, penalty, or forfeiture, or a fine, penalty,
 12 or forfeiture relating to violation of housing, building, fire, health, or sanitation codes,
 13 or a Mass Transit Fare Payment Statute, or a fine or penalty relating to failure to pay
 14 the prescribed toll at [a highway or vehicular crossing] AN AUTHORITY HIGHWAY, AS
 15 DEFINED IN § 21-1401 OF THE TRANSPORTATION ARTICLE, is collected by the
 16 District Court pursuant to a local ordinance, law, or regulation of a political
 17 subdivision or municipality, or pursuant to a regulation of an agency of State
 18 government authorized to regulate parking of motor vehicles, or pursuant to a statute
 19 pertaining to the payment of mass transit fares, or pursuant to a statute pertaining to
 20 the failure to pay tolls, it shall be remitted to the respective local government, or to the
 21 State agency.

22 **Article – Transportation**

23 11-127.

24 “Highway” means:

25 (1) The entire width between the boundary lines of any way or
 26 thoroughfare of which any part is used by the public for vehicular travel, whether or
 27 not the way or thoroughfare has been dedicated to the public and accepted by any
 28 proper authority; and

29 (2) For purposes of the application of State laws, the entire width
 30 between the boundary lines of any way or thoroughfare used for purposes of vehicular
 31 travel on any property owned, leased, or controlled by the United States government
 32 and located in the State.

33 21-1401.

34 (a) In this subtitle the following words have the meanings indicated.

1 (b) "Approach" means any roadway, overhead structure, ramp, bridge,
2 causeway, entrance, and exit provided as a means of access to or departure from a
3 vehicular crossing.

4 (c) "AUTHORITY HIGHWAY" MEANS:

5 (1) EACH HIGHWAY, TUNNEL, AND BRIDGE WITHIN THE
6 JURISDICTION OF THE MARYLAND TRANSPORTATION AUTHORITY; AND

7 (2) EACH APPROACH TO THESE HIGHWAYS, TUNNELS, AND
8 BRIDGES.

9 (D) "Bridge" means any bridge within the jurisdiction of the Maryland
10 Transportation Authority.

11 ~~(d)~~ (E) "Tunnel" means:

12 (1) The Baltimore Harbor Tunnel; and

13 (2) Any other tunnel within the jurisdiction of the Maryland
14 Transportation Authority.

15 ~~(e) "Vehicular crossing" means:~~

16 ~~(1) Each [tunnel] HIGHWAY, TUNNEL, and bridge within the~~
17 ~~jurisdiction of the Maryland Transportation Authority; and~~

18 ~~(2) Each approach to these [tunnels] HIGHWAYS, TUNNELS, and~~
19 ~~bridges.~~

20 21-1402.

21 Unless specifically modified or changed by this subtitle, each provision of the
22 Maryland Vehicle Law applicable to motor vehicles on highways applies on all
23 ~~vehicular crossings~~ AUTHORITY HIGHWAYS.

24 21-1403.

25 To promote safety for users of ~~vehicular crossings~~ AUTHORITY HIGHWAYS, the
26 Maryland Transportation Authority may adopt rules and regulations governing traffic
27 using the ~~vehicular crossings~~ AUTHORITY HIGHWAYS.

28 21-1404.

29 (a) Traffic using any [vehicular crossing] AUTHORITY HIGHWAY shall obey
30 any lawful sign.

1 **(b) Traffic using any [vehicular crossing] AUTHORITY HIGHWAY shall obey**
2 **any lawful order of any authorized employee of the [vehicular crossing] AUTHORITY**
3 **HIGHWAY.**

4 **(c) Traffic using any [vehicular crossing] AUTHORITY HIGHWAY shall obey**
5 **any lawful signal of any authorized employee of the [vehicular crossing] AUTHORITY**
6 **HIGHWAY.**

7 **(d) Traffic using any [vehicular crossing] AUTHORITY HIGHWAY shall obey**
8 **any lawful direction by voice, sign, or hand of any authorized employee of the**
9 **[vehicular crossing] AUTHORITY HIGHWAY.**

10 21-1405.

11 **(a) Unless authorized by the Chairman of the Maryland Transportation**
12 **Authority, pedestrians may not use any [vehicular crossing] AUTHORITY HIGHWAY.**

13 **(b) Unless authorized by the Chairman of the Maryland Transportation**
14 **Authority, bicycles may not use any [vehicular crossing] AUTHORITY HIGHWAY.**

15 21-1406.

16 **A person may not hitchhike on any [vehicular crossing] AUTHORITY HIGHWAY**
17 **and a motorist may not pick up or discharge any person on any [vehicular crossing]**
18 **AUTHORITY HIGHWAY.**

19 21-1407.

20 (a) The driver of a vehicle may not stop, stand, or park the vehicle on any
21 ~~vehicular crossing~~ **AUTHORITY HIGHWAY** [or highway under the jurisdiction of the
22 Maryland Transportation Authority], except:

23 (1) If necessary to avoid injury or damage to any person or property;

24 (2) In compliance with the lawful direction of an authorized employee
25 of the ~~vehicular crossing~~ **AUTHORITY HIGHWAY**;

26 (3) At a designated area for the transaction of business at an
27 Administration building; or

28 (4) If the vehicle is disabled or involved in an accident, in which case
29 the vehicle shall be moved, if possible:

30 (i) To the shoulder of the roadway;

- 1 (ii) Adjacent to the emergency walkway on a bridge; or
2 (iii) As otherwise directed by a patrol officer.

3 (b) Notwithstanding § 25–201(b) of this article, the Maryland Transportation
4 Authority may adopt regulations governing the removal of vehicles left unattended for
5 12 or more hours on any ~~vehicular crossing~~ **AUTHORITY HIGHWAY** [or highway under
6 its jurisdiction].

7 21–1408.

8 (a) Except at the lawful direction of an authorized employee of the [vehicular
9 crossing] AUTHORITY HIGHWAY, a vehicular turn may not be made in any area
10 where turns are prohibited by signs.

11 (b) Except at the lawful direction of an authorized employee of the [vehicular
12 crossing] AUTHORITY HIGHWAY, a vehicular turn may not be made at crossovers
13 provided for emergency vehicles.

14 21–1409.

15 If a [vehicular crossing] AUTHORITY HIGHWAY has a posted minimum speed,
16 that minimum speed shall be maintained.

17 21–1410.

18 A vehicle may not be driven on any [vehicular crossing] AUTHORITY HIGHWAY
19 if the vehicle or its load exceeds the maximum weight, width, or height permitted by
20 the regulations of the Maryland Transportation Authority for that [vehicular crossing]
21 AUTHORITY HIGHWAY.

22 21–1411.

23 (a) Except as permitted by the rules and regulations of the Maryland
24 Transportation Authority and to the extent permitted by federal law, a person may not
25 transport or knowingly cause to be transported any of the following hazardous
26 materials across or through any ~~vehicular crossing~~ **AUTHORITY HIGHWAY** [or
27 highway within the jurisdiction of the Maryland Transportation Authority]:

- 28 (1) Combustible liquids;
29 (2) Compressed gases;
30 (3) Corrosive liquids;
31 (4) Explosives;

- 1 (5) Flammable liquids;
- 2 (6) Flammable solids;
- 3 (7) Oxidizing materials;
- 4 (8) Poisonous articles; or
- 5 (9) Radioactive materials.

6 (b) The provisions of § 22–409 of this article shall apply to the transportation
7 of any permitted hazardous material across or through any ~~vehicular crossing~~
8 **AUTHORITY HIGHWAY** [or highway within the jurisdiction of the Maryland
9 Transportation Authority].

10 (c) To secure and preserve life and property, the Maryland Transportation
11 Authority may adopt rules and regulations to carry out the provisions of subsection (a)
12 of this section.

13 21–1413.

14 (a) A person may not fail or refuse to pay the prescribed toll at any [highway
15 or] ~~vehicular crossing~~ **AUTHORITY HIGHWAY** for which the payment of a toll is fixed.

16 (b) A person may not attempt to evade the payment of the toll at any
17 [highway or] ~~vehicular crossing~~ **AUTHORITY HIGHWAY** for which the payment of a
18 toll is fixed.

19 21–1414.

20 (b) (1) If the operator of a motor vehicle fails to pay the prescribed toll at
21 any [highway or vehicular crossing] AUTHORITY HIGHWAY where tolls are collected
22 by means of electronic toll collection, the registered owner of the motor vehicle shall be
23 liable to the Maryland Transportation Authority for payment of the toll and a civil
24 penalty as provided for in the regulations of the Maryland Transportation Authority.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 2010.