

HOUSE BILL 1147

R1, D3

1lr2891

By: **Delegate Parrott**

Introduced and read first time: February 8, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Traffic Control Signal Modernization Fund – Establishment**

3 FOR the purpose of requiring the District Court to impose certain additional court costs on
4 a defendant convicted of or found liable for certain violations of the Maryland Vehicle
5 Law; requiring certain money collected under this Act to be paid to the State
6 Comptroller; requiring the Comptroller to deposit certain money into a certain fund;
7 exempting political subdivisions from liability for certain court costs; establishing
8 the Traffic Control Signal Modernization Fund as a special, nonlapsing fund;
9 specifying the purpose of the Fund; requiring the State Highway Administration to
10 administer the Fund; requiring the State Treasurer to hold the Fund and the
11 Comptroller to account for the Fund; specifying the contents of the Fund; specifying
12 the purpose for which the Fund may be used; providing for the investment of money
13 in and expenditures from the Fund; requiring interest earnings of the Fund to be
14 credited to the Fund; exempting the Fund from a certain provision of law requiring
15 interest earnings on State money to accrue to the General Fund of the State;
16 requiring the Administration to develop and implement a certain plan for
17 modernizing traffic control signals in the State on or before a certain date;
18 establishing certain requirements for the plan; defining certain terms; and generally
19 relating to the Traffic Control Signal Modernization Fund.

20 BY adding to

21 Article – Courts and Judicial Proceedings

22 Section 7–410

23 Annotated Code of Maryland

24 (2020 Replacement Volume)

25 BY repealing and reenacting, without amendments,

26 Article – State Finance and Procurement

27 Section 6–226(a)(2)(i)

28 Annotated Code of Maryland

29 (2015 Replacement Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)122. and 123.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)124.
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

BY adding to
Article – Transportation
Section 8–663
Annotated Code of Maryland
(2020 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–202(a) and (h) and 21–202.1(c) and (d)(1)
Annotated Code of Maryland
(2020 Replacement Volume)

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

Article – Courts and Judicial Proceedings

7–410.

(A) IN ADDITION TO ANY OTHER COSTS REQUIRED BY LAW, THE DISTRICT COURT SHALL IMPOSE AN ADDITIONAL COST OF \$8 IN A CASE IN WHICH:

(1) A DEFENDANT IS CONVICTED OF A VIOLATION OF § 21–202 OF THE TRANSPORTATION ARTICLE; OR

(2) A PERSON IS FOUND LIABLE UNDER § 21–202.1 OF THE TRANSPORTATION ARTICLE FOR A VIOLATION OF § 21–202(H) OF THE TRANSPORTATION ARTICLE.

(B) (1) ALL MONEY COLLECTED UNDER THIS SECTION SHALL BE PAID TO THE COMPTROLLER OF THE STATE.

(2) THE COMPTROLLER SHALL DEPOSIT ALL MONEY COLLECTED UNDER THIS SECTION INTO THE TRAFFIC CONTROL SIGNAL MODERNIZATION FUND ESTABLISHED UNDER § 8-663 OF THE TRANSPORTATION ARTICLE.

(C) A POLITICAL SUBDIVISION MAY NOT BE HELD LIABLE UNDER ANY CONDITION FOR THE PAYMENT OF SUMS UNDER THIS SECTION.

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

122. the Racing and Community Development Financing Fund;

[and]

123. the Racing and Community Development Facilities Fund;

AND

124. THE TRAFFIC CONTROL SIGNAL MODERNIZATION FUND.

Article – Transportation

8–663.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “FUND” MEANS THE TRAFFIC CONTROL SIGNAL MODERNIZATION FUND.

(3) “TRAFFIC CONTROL SIGNAL” HAS THE MEANING STATED IN § 11–168 OF THIS ARTICLE.

(B) THERE IS A TRAFFIC CONTROL SIGNAL MODERNIZATION FUND.

1 **(C) THE PURPOSE OF THE FUND IS TO FINANCE THE MODERNIZATION OF**
2 **TRAFFIC CONTROL SIGNALS IN THE STATE.**

3 **(D) THE ADMINISTRATION SHALL ADMINISTER THE FUND.**

4 **(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
5 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

6 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
7 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

8 **(F) THE FUND CONSISTS OF:**

9 **(1) REVENUE DISTRIBUTED TO THE FUND FROM THE ADDITIONAL**
10 **COURT COSTS COLLECTED UNDER § 7-410 OF THE COURTS ARTICLE;**

11 **(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

12 **(3) INTEREST EARNINGS; AND**

13 **(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
14 **THE BENEFIT OF THE FUND.**

15 **(G) (1) THE FUND SHALL BE USED TO PAY FOR EXPENSES ASSOCIATED**
16 **WITH THE PURCHASE AND INSTALLATION OF TRAFFIC CONTROL SIGNALS AS**
17 **REQUIRED UNDER THIS SUBSECTION.**

18 **(2) THE ADMINISTRATION SHALL DEVELOP AND IMPLEMENT A PLAN**
19 **TO REPLACE, ON OR BEFORE DECEMBER 31, 2028, TRAFFIC CONTROL SIGNALS IN**
20 **THE STATE THAT DO NOT USE LIGHT-EMITTING DIODE TECHNOLOGY WITH TRAFFIC**
21 **CONTROL SIGNALS THAT USE LIGHT-EMITTING DIODE TECHNOLOGY.**

22 **(3) THE PLAN DEVELOPED AND IMPLEMENTED BY THE**
23 **ADMINISTRATION SHALL GIVE:**

24 **(I) FIRST PRIORITY TO THE REPLACEMENT OF TRAFFIC**
25 **CONTROL SIGNALS ON OR AT THE INTERSECTION OF HIGHWAYS MAINTAINED BY**
26 **MUNICIPALITIES, EXCEPT BALTIMORE CITY;**

27 **(II) SECOND PRIORITY TO THE REPLACEMENT OF TRAFFIC**
28 **CONTROL SIGNALS ON OR AT THE INTERSECTION OF HIGHWAYS MAINTAINED BY A**
29 **COUNTY OR BALTIMORE CITY; AND**

(III) FINAL PRIORITY TO THE REPLACEMENT OF TRAFFIC CONTROL SIGNALS ON STATE HIGHWAYS.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(J) MONEY EXPENDED FROM THE FUND FOR MODERNIZING TRAFFIC CONTROL SIGNALS IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR UPGRADING, REPLACING, OR OTHERWISE MODERNIZING TRAFFIC CONTROL SIGNALS.

21–202.

(a) (1) Except for special pedestrian signals that carry a legend, where traffic is controlled by traffic control signals that show different colored lights or colored lighted arrows, whether successively one at a time or in combination, only the colors green, red, and yellow may be used.

(2) These lights apply to drivers and pedestrians as provided in this section.

(h) (1) Vehicular traffic facing a steady circular red signal alone:

(i) Shall stop at the near side of the intersection:

1. At a clearly marked stop line;

2. If there is no clearly marked stop line, before entering any crosswalk; or

3. If there is no crosswalk, before entering the intersection; and

(ii) Except as provided in subsections (i), (j), and (k) of this section, shall remain stopped until a signal to proceed is shown.

(2) Vehicular traffic facing a steady red arrow signal:

(i) May not enter the intersection to make the movement indicated by the arrow;

(ii) Unless entering the intersection to make a movement permitted by another signal, shall stop at the near side of the intersection:

1. At a clearly marked stop line;
 2. If there is no clearly marked stop line, before entering any crosswalk; or
 3. If there is no crosswalk, before entering the intersection;
- and

(iii) Except as provided in subsections (i), (j), and (k) of this section, shall remain stopped until a signal permitting the movement is shown.

21–202.1.

(c) This section applies to a violation of § 21–202(h) of this subtitle at an intersection monitored by a traffic control signal monitoring system.

(d) (1) Unless the driver of the motor vehicle received a citation from a police officer at the time of the violation, the owner or, in accordance with subsection (g)(5) of this section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is recorded by a traffic control signal monitoring system while being operated in violation of § 21–202(h) of this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.