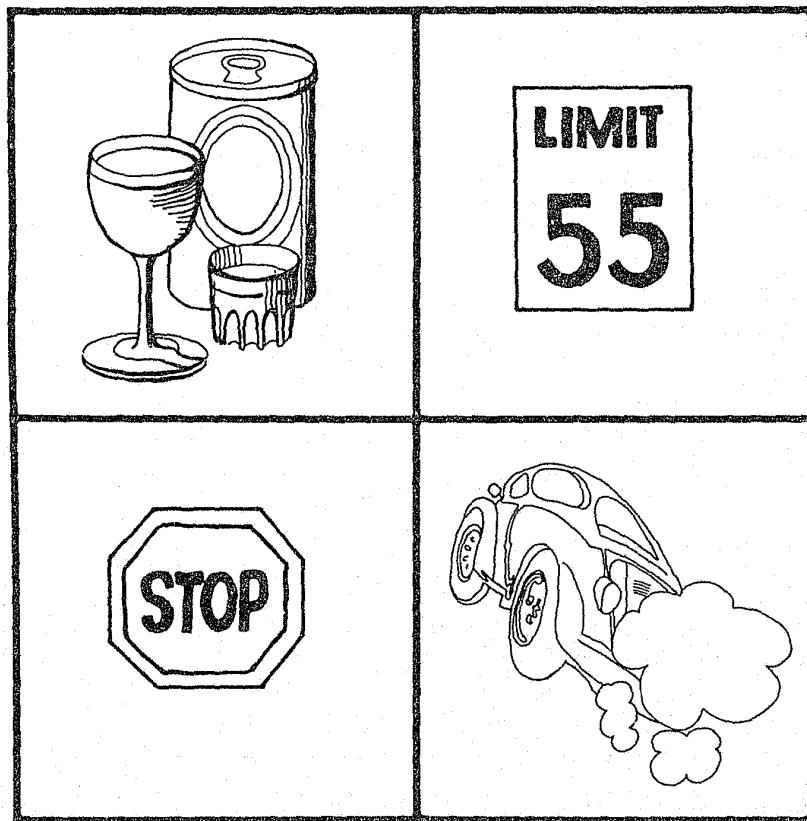


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TRAFFIC LAW ENFORCEMENT ROLES AND POLICY



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TRAFFIC LAW ENFORCEMENT RULES AND POLICY

ABSTRACT

This unit is an abridged version of Article 66 1/2 of the current issue of the Motor Vehicle Laws of Maryland. The student will find that only the most frequently cited sections have been included. A description of what constitutes the elements of an offense is provided as well as the traffic law enforcement actions available to the police officer.

BEHAVIORAL OBJECTIVES

Upon completion of this self-instructional unit the student will be able to:

- Describe what constitutes the elements of an offense
- Describe the traffic law enforcement actions available to a police officer in Maryland
- Describe the elements of an offense against each of the cited sections and subsections of Article 66 1/2
- Describe the traffic law enforcement action(s) required for violation(s) of the cited sections or subsections.

INTRODUCTION

This self-instructional unit serves as an abridged reference to the more detailed volume of Motor Vehicle Laws of Maryland, containing Article 66 1/2 of the annotated code of Maryland and related statutes. The sections and subtitles which have been included in this unit were selected because they are the most frequently cited by officers engaged in traffic law enforcement actions. Mastery of this unit should not be viewed as exempting one from studying Article 66 1/2 as presented in the official state publication.

To set the laws taken from Article 66 1/2 within the perspective of a total law enforcement action situation, a review of the elements of a traffic offense, the major groups of offenses, and the traffic law enforcement actions that should be taken have been placed at the beginning of this unit.

Remember: The TLE Action suggested does not necessarily have to be the action actually carried out by the police officer. Use your best judgment along with the Motor Vehicle Laws of Maryland to determine the appropriate action, i.e., warning, citation, or arrest.

THE INFORMATION CONTAINED IN THIS UNIT IN NO WAY AMENDS OR RESTRICTS DEPARTMENTAL POLICY AND PROCEDURES.

TRAFFIC OFFENSES

Definition

A traffic offense, or violation, is the term used to describe a group of elements that constitute a violation of a particular section of the motor vehicle (traffic) laws.

Elements of a Traffic Offense

The elements of a traffic offense are the observable conditions or behaviors that must be present or must have occurred in order for a traffic offense to have been committed. The elements of each offense are found in the motor vehicle laws and the police officer must account for all the elements before the violation can be charged. This is necessary since the elements of a traffic offense must be proven by the prosecution in court.

It is essential that the police officer have a clear working knowledge of the State of Maryland's motor vehicle laws (the classes of offenses and their elements) as well as the department's enforcement policy in order to be effective in the field in detecting traffic offenses. In addition to the elements implicit in each statute, it is crucial that the officer be able to add the following elements: the identity of the operator and/or owner of the suspect vehicle and the identification of the suspect vehicle itself.

Elements of a Wrong Way Offense

The following is an example of the elements involved in the violation of section 11-308 (b) of Article 66 1/2 of the Maryland motor vehicle laws. Section 11-308 (b) reads as follows: "Upon a roadway designated and signposted for one-way traffic a vehicle shall be driven only in the direction designated." A violation of this law results in the offense and the elements shown below.

<u>Offense</u>	<u>Elements</u>
Drove wrong way on one-way street.	Road restricted to use by traffic in one direction, operator drove the vehicle in the wrong direction, regulatory signs in proper place and clearly visible.

TRAFFIC LAW ENFORCEMENT ACTIONS

Once an officer has determined that a traffic law has been violated, he may respond to that traffic offense in one of the following ways:

- Give a traffic warning
- Issue a traffic citation
- Make a traffic arrest
- Issue a Safety Equipment Repair Order (SERO).

The course of action taken by a police officer depends upon the severity of the offense and departmental enforcement policy.

Traffic Warnings

A traffic warning is any traffic enforcement action (written or verbal) taken that does not involve the possible assessment of legal penalty as a result of the warning alone.

Warnings differ from citations, traffic arrests, and Safety Equipment Repair Orders, in that the officer's enforcement actions are concluded when the officer leaves the scene; the warning itself is the penalty.

Maryland Uniform Complaint and Citation

The issuance of a written uniform complaint and citation requires a person charged with a traffic violation to submit to trial adjudication to determine guilt or innocence, or in some cases to pay a fine in lieu of court appearance. Since citations often involve the inconvenience and distress of a court experience and/or a fine, they are a more extreme form of law enforcement action than a traffic warning.

Traffic Arrest

A traffic arrest is an action whereby a violator is taken into physical custody and detained until he or she can be brought before a District Court Commissioner.

A police officer will make an arrest for any of the serious offenses listed in 16-105 when the officer has probable cause or reasonable grounds to believe that the person arrested has committed any of those offenses, but the manner of making the arrest, or the force applied in making the arrest, shall be as in misdemeanor cases.

A police officer has the option to take a person before the commissioner when the person is halted for any violation of this article and is not required to be taken before a District Court Commissioner in any of the cases cited in 16-107.

Safety Equipment Repair Order (SERO)

The SERO is issued for observed violations of state requirements relating to vehicle equipment. Although the SERO is formally a warning, it does require compliance within ten days or vehicle registration will be suspended by the State Motor Vehicle Administration after 30 days.

MOTOR VEHICLE LAWS OF MARYLAND - ARTICLE 66 1/2

In the material which follows the student is urged to refer to a current copy of the Motor Vehicle Laws of Maryland for the complete wording of the law that is being discussed. Only the numbers and titles of the law (referred to as sections) will be presented in this unit.

The "Elements of an Offense" as presented under each section (law) lists the conditions or behaviors that constitute a violation of that law.

The traffic law enforcement action listed under each law is in most cases the one dictated by the motor vehicle law itself. The listing of several law enforcement actions merely indicates that a police officer, under departmental policy, may exercise some discretion in choosing what he deems to be the appropriate action.

ONCE AGAIN IT SHOULD BE EMPHASIZED THAT THIS UNIT DISCUSSES ONLY A LIMITED NUMBER OF MOTOR VEHICLE LAWS. THE STUDENT HAS THE RESPONSIBILITY TO BE AWARE OF THE ENTIRE BODY OF MARYLAND MOTOR VEHICLE LAWS AS CONTAINED IN MOTOR VEHICLE LAWS OF MARYLAND.

Subtitle 3

CERTIFICATES OF TITLE AND REGISTRATION OF VEHICLES

Part I. Certificate of Title

Law 3-116.2 Change of name of owner.

Elements of an Offense

- The person by marriage or court decree has changed names.
- The person has not properly notified the Department of Motor Vehicles of the change within 30 days.

Traffic Law Enforcement (TLE) Action

- Warning or Citation.

Subtitle 3

CERTIFICATES OF TITLE AND REGISTRATION OF VEHICLES

Part IV. Registration of Vehicles

Law 3-401. Operating, etc. unregistered vehicle or vehicle whose registration is suspended or revoked.

Elements of an Offense

- Defendant operating vehicle; vehicle operating on highway
- Vehicle is not registered or is operating with suspended or revoked registration.

TLE Action

- Citation.

Law 3-409. Registration card to be carried and exhibited on demand of police officer.

Elements of an Offense

- Defendant operating vehicle
- Defendant driving without registration card in vehicle or on his or her person
- Defendant refuses to display registration card to officer who has identified himself/herself and requested the registration card.

TLE Action

- Citation.

Law 3-410. Registration plates to be furnished by Administration.

Elements of an Offense

- Vehicle displays registration plates other than those issued by the Administration
- Vehicle displays registration plates that do not conform to Administration standards
- Vehicle displays validation tabs that are out of date
- Vehicle does not display tabs.

TLE Action

- Citation.

Law 3-411. Display of registration plates.

Elements of an Offense

- Vehicle is operated with only one plate where two are required
- The registration plate is positioned and/or maintained in a condition which makes it illegible
- Vehicle operated without valid registration plates
- Vehicle is operated with registration plates that have expired or that were issued to another vehicle.

TLE Action

- Citation.

Law 3-412. Expiration of registration.

Elements of an Offense

- Vehicle displays registration plate(s) which have expired.

TLE Action

- Citation.

Law 3-414. Notice of change of address or name.

Elements of an Offense

- Defendant has not notified the Department, within 30 days, of a change of address from that shown on his registration card.
- Defendant has not notified the Department, within 30 days, of a change of name from that shown on his registration card.

TLE Action

- Citation or Warning.

Subtitle 3

CERTIFICATES OF TITLE AND REGISTRATION OF VEHICLES

Part VI. Special Plates for Dealers, Transporters
and Finance Companies

Law 3-602. Use of temporary registration plates by purchasers of motor vehicles in lieu of the use of dealer's registration plates.

Elements of an Offense

- Dealer does not maintain the appropriate records according to Administration guidelines
- Dealer does not send the Administration the copies of applications for temporary registration plates
- The dealer has issued, assigned, transferred, or delivered a temporary registration plate to a person other than the bona fide purchaser of the vehicle
- The dealer issues a temporary registration plate without the required information marked on it
- The defendant continues to use the temporary plates after receipt of the annual registration plate or after 30 days from the date of issuance.

TLE Action

- Citation or Warning.
(After a hearing, the Administration may suspend the dealer's right to issue temporary registration plates.)

Subtitle 3

CERTIFICATES OF TITLE AND REGISTRATION OF VEHICLES

Part VII. Offenses Against Registration and Certificate
of Title Laws; Revocation of Registration of
Certificate of Title

Law 3-701. Operation of vehicle without evidence of registration.

Elements of an Offense

- Defendant operating vehicle; vehicle operated on highway
- Defendant cannot display a valid registration card and/or registration plate(s)

TLE Action

- Citation or Warning.

Law 3-702. Operation of vehicle when registration canceled,
suspended, or revoked.

Elements of an Offense

- Defendant operating vehicle; vehicle operating on highway
- Vehicle registration has been canceled, suspended, or revoked.

TLE Action

- Citation.

Law 3-703. Improper use of evidence of registration or certificate of title.

Elements of an Offense

- Defendant has permitted another person, not so entitled, to use his or her registration card, registration plate(s), and/or certificate of title
- Defendant is using or displaying upon his vehicle a registration card, plate, or certificate of title not issued for that vehicle.

TLE Action

- Citation.

Subtitle 4
ANTITHEFT LAWS

Law 4-102. Driving vehicle without consent of owner.

Elements of an Offense

- The defendant is operating a vehicle that is not his
- The defendant is operating a vehicle without the consent of the owner but without intent to steal it
- The defendant assisted, was party to, or an accomplice in the unauthorized taking or driving of a vehicle.

TLE Action

- Citation.
(Refer to Article 27, Section 348 of the Annotated Code for Automobile Larceny.)

Law 4-104. Damaging or tampering with vehicle.

Elements of an Offense

- The defendant has damaged a vehicle without the consent of the owner
- The defendant has thrown stones or other missiles at a vehicle or its occupants
- The defendant enters a vehicle and attempts to manipulate its controls with the intent of committing malicious mischief, damage, injury, or other crime.

TLE Action

- Citation or Arrest.

Law 4-106. False report of theft or conversion.

Elements of an Offense

- The defendant has knowingly made a false report of the theft or embezzlement of a vehicle to the police.

TLE Action

- Citation or Arrest.

Law 4-107. Removed, falsified, or unauthorized identification number, registration, or license plate on vehicle or engine.

Elements of an Offense

- The defendant has willfully removed or falsified the identification number of a vehicle or an engine
- The defendant has attempted to conceal or misrepresent the identity of a vehicle or engine by willfully removing or falsifying its identification number
- The defendant has either bought, sold, possessed, received, or disposed of a vehicle or engine with falsified or removed identification number
- The defendant commits any of the just mentioned offenses with the intent to conceal or misrepresent the identity of the vehicle or the engine
- The defendant has removed a registration card or plate from a vehicle with intent to misrepresent the vehicle
- The defendant has affixed to a vehicle a registration plate not authorized by law with the intent to conceal or misrepresent the identity of the vehicle.

TLE Action

- Citation or Arrest.

Subtitle 6

DRIVERS' LICENSES

Part I. Issuance of Licenses, Expiration and Renewal

Law 6-101. Drivers must be licensed; exceptions.

Elements of an Offense

- The defendant is operating a vehicle; vehicle is operated on the highway
- The defendant does not hold a valid driver's license
- The defendant does not hold a driver's license for a vehicle of the class which he is driving.

TLE Action

- Citation.

Law 6-102.2 Classes of license.

Elements of an Offense

- The defendant does not hold a driver's license for a vehicle of the class which he is driving.

TLE Action

- Citation.

Law 6-105. Instruction and examination license.

Elements of an Offense

- The defendant was driving a vehicle of a class other than that specified on his instruction and examination license
- The holder of an instruction and examination license was driving a vehicle unaccompanied by a driver with a license for that class of vehicle
- The defendant was driving with an expired instruction and examination license.

TLE Action

- Citation or Warning.

Law 6-112. License to be signed, carried, and exhibited on demand of uniformed police officer.

Elements of an Offense

- The defendant was operating a vehicle; vehicle was operated on the highway
- The defendant did not have his license in his immediate possession
- The defendant refused to display his license upon demand to a uniformed police officer
- The defendant had not endorsed his license
- The defendant refused to sign his name for purposes of comparison with the signature on his license.

TLE Action

- Warning, Citation, or Arrest.

Law 6-113. Restricted licenses.

Elements of an Offense

- The defendant operated a vehicle in violation of the restriction(s) on his license.

TLE Action

- Citation.

Law 6-116. Notice of change of address or name.

Elements of an Offense

- Licensee operating motor vehicle, vehicle on highway
- Address or name changed more than 30 days prior to apprehension,
no notice given MYA.

TLE Action

- Citation or Warning.

Subtitle 6

DRIVERS' LICENSES

Part II. Cancellation, Refusal, Suspension, or Revocation of Licenses

Law 6-210. No driving under foreign license during suspension or revocation in this State.

Elements of an Offense

- Defendant operating motor vehicle, vehicle on highway
- Maryland driver's license refused, suspended, or revoked
- Defendant operating motor vehicle under license issued by another State or equivalent jurisdiction.

TLE Action

- Citation.

Subtitle 6

DRIVERS' LICENSES

Part III. Violation of License Provisions

Law 6-301. Unlawful use of license.

Elements of an Offense

- Defendant using or possessing canceled, revoked, suspended, fictitious, fraudulently altered license, or one not issued to him
- Defendant loaned license to another person for use
- Failed to surrender suspended, revoked, or canceled license to SMVA upon demand
- Used false or fictitious name; knowingly made false statement, concealed material fact, or committed fraud in license application
- Permitted unlawful use of license issued to him
- Obtained or attempted to obtain license knowingly or fraudulently by misrepresentation.

TLE Action

- Citation or Arrest.

Law 6-301.1 Fraudulently using false or fictitious name in application.

Elements of an Offense

- Defendant (resident or nonresident) applies for driver's license using false or fictitious name
- Defendant's license refused, canceled, suspended, or revoked.

TLE Action

- Citation or Arrest.

Law 6-303. Driving while privilege is canceled, suspended, refused, or revoked.

Elements of an Offense

- Defendant operating motor vehicle, vehicle on highway
- License canceled, refused, suspended, or revoked.

TLE Action

- Citation.

Law 6-304. Permitting unauthorized minor to drive.

Elements of an Offense

- Defendant caused or knowingly permitted child or ward under 15 to drive motor vehicle upon highway
- Child or ward not authorized by law to operate motor vehicle
- Child or ward in violation of any provision of subtitle.

TLE Action

- Citation.

Law 6-305. Permitting vehicle to be driven by unauthorized person or in violation of subtitle (6).

Elements of an Offense

- Defendant knowingly permits a person to operate motor vehicle owned by him or under his control on any highway
- Person operating vehicle not authorized by law to operate motor vehicle
- Person operating vehicle in violation of any provision of subtitle (6).

TLE Action

- Citation.

Subtitle 10
ACCIDENTS AND ACCIDENT REPORTS

Common Elements

Elements common to all offenses under Subtitle 10 are:

- Driver operating motor vehicle
- Motor vehicle operated on highway or elsewhere in State
- Motor vehicle involved in accident.

For the laws that follow, these elements are assumed; other elements are listed as appropriate under the provisions of the law cited.

Law 10-101. Provisions of subtitle apply throughout State.

Law 10-102. Accidents involving death or personal injury.

Elements of an Offense

- Accident results in personal injury or death
- Driver fails to stop, to give information, or to render assistance.

TLE Action

- Citation and arrest (conviction results in automatic revocation of driver's license or nonresident operating privilege).

Law 10-103. Accidents involving damage to vehicle or property.

Elements of an Offense

- Accident results in vehicle or property damage
- Driver fails to stop and give information.

TLE Action

- Citation; arrest optional.

Law 10-104. Duty to give information and render aid.

Elements of an Offense

- Same as 10-102 and 10-103 above
- Driver fails to report accident and give information, if this cannot be done at scene of accident.

TLE Action

- As specified in 10-102 and 10-103, depending on nature of accident.

Law 10-105. Duty upon striking unattended vehicle or other property.

Elements of an Offense

- (a) • Driver collides with unattended vehicle
 - Driver fails to notify operator or owner, giving his name and address, either in person or by written note
- (b) • Driver collides with and damages fixtures legally upon or adjacent to highway
 - Driver fails to locate and notify owner, giving his name, address, registration number, showing his driver's license
 - Driver fails to report accident as required by 10-107.

TLE Action

- Citation.

Law 10-105.1 Sections 10-101 to 10-105 applicable to owner.

Elements of an Offense

- Owner present at accident scene (whether or not owner is driver)
- Owner fails to assure requirements of 10-101 to 10-105 are met.

TLE Action

- Citation.

Subtitle 11

RULES OF THE ROAD

Part I. Obedience to and Effect of Traffic Laws

Law 11-101. Provisions of subtitle refer to vehicles upon the highways.

- Provisions may apply to place other than highway
- Provisions of Part IX of this subtitle (Reckless and Negligent Driving, Driving While Intoxicated, etc.) and of Subtitle 10 (Accidents and Accident Reports) apply on highways and on private property used by public in general (except in Garrett and Somerset counties)
- Provisions of this subtitle apply to all property owned by the State, its political subdivisions, county boards of education, or community colleges, which is open to vehicular traffic and used by the public in general.

Law 11-102. Violation of subtitle a misdemeanor.

- It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this subtitle.

Law 11-106. Authorized emergency vehicles.

- Drivers of authorized emergency vehicles, when responding to an emergency call or when in pursuit of a violator of the law, may exercise the privileges set forth in this section, but subject to the conditions specified.

Subtitle 11

RULES OF THE ROAD

Part II. Traffic Signs, Signals, and Markings

Law 11-201. Obedience to and required traffic-control devices.

Elements of an Offense

- Driver operating motor vehicle*
- Motor vehicle operated on highway*
- Driver is not following directions of police or traffic officer*
- Traffic-control device (signs, signals, markings) is in proper position and operative*
- Device meets legal specifications and is legally authorized.*

TLE Action

- Citation or Warning.

*NOTE: Common elements to all offenses under Subtitle 11, Part II are those listed under Law 11-201:

- Driver operating motor vehicle
- Motor vehicle operated on highway
- Driver is not following directions of police or traffic officer
- Traffic-control device (signs, signals, markings) is in proper position and operative
- Device meets legal specifications and is legally authorized.

For the laws that follow, these elements are assumed; other elements are listed as appropriate to the law cited.

Law 11-202. Traffic lights with steady indication; signal at place other than intersection.

Elements of an Offense: Drivers or Pedestrians

- Driver or pedestrian made movement other than that indicated by green arrow
- Driver failed to yield right-of-way to vehicle(s) or pedestrian(s) lawfully using intersection at time signal to proceed exhibited
- Pedestrian failed to stop at intersection when yellow light exhibited
- Driver or pedestrian failed to stop for steady red light
- Driver failed to stop before making turn permitted during steady red light
- Driver or pedestrian failed to stop for sign or signal at place other than at intersection.

TLE Action

- Citation or Warning.

NOTE: Driver facing steady yellow light is not required to stop, but has same rights as driver facing a green light.

Law 11-202.1 Funeral processions.

Elements of an Offense

- Driver fails to yield right-of-way to funeral procession
- Driver in funeral procession fails to operate headlights while exercising privilege to proceed through red signal
- Driver of first vehicle in funeral procession enters and proceeds through, or turns at, intersection after signal light changes to red.

TLE Action

- Citation or Warning.

Law 11-203. Pedestrian control signals.

Elements of an Offense

- Pedestrian crosses roadway against "Don't Walk" or "Wait" signal
- Driver fails to yield right-of-way to pedestrian crossing intersection in response to "Walk" signal.

TLE Action

- Citation or Warning.

11-204. Flashing Signals.

Elements of an Offense

- Driver failed to stop at flashing red signal
- Driver failed to stop at stop line or at crosswalk
- Driver failed to exercise caution at flashing yellow signal
- Driver failed to yield right-of-way to vehicle(s) or pedestrian(s) lawfully within intersection.

TLE Action

- Citation or Warning.

Law 11-204.1 Lane-direction-control signals.

Elements of an Offense

- Driver enters or travels in lane over which a red signal is shown.

TLE Action

- Citation or Warning.

Law 11-205. Display of unauthorized signs, signals, or markings.

Elements of an Offense

- Person places or maintains on highway unauthorized traffic-control device, or railroad sign or signal, that attempts to direct traffic, or which hides from view or interferes with official devices
- Person displays on highway a traffic device bearing commercial advertising.

TLE Action

- Citation and/or removal of device.

Law 11-206. Interference with official traffic-control devices or railroad signs and signals.

Elements of an Offense

- Person defaced, injured, willfully knocked down, changed direction, twisted, or removed official traffic-control device or railroad sign or signal.

TLE Action

- Citation.

Subtitle 11

RULES OF THE ROAD

Part III. Driving on Right Side of Roadway (Overtaking and Passing--Use of Roadway)

Law 11-301. Vehicles must drive on right side of roadway.

Elements of an Offense

- Driver operating vehicle*
- Vehicle operated on highway*
- Vehicle in position prohibited*
- Failed to keep right of center when required to do so
- Failed to keep right when operating vehicle 10 miles per hour or more below applicable speed limit (not overtaking; not preparing for left turn)
- Failed to keep right of center line of roadway having four or more lanes (except where permitted or required to do so).

TLE Action

- Citation or Warning.

*NOTE: Common elements of all offenses under Part III are the first three listed under Law 11-301:

- Driver operating vehicle
- Vehicle operated on highway
- Vehicle in position prohibited.

For the laws that follow, these elements are assumed; other elements are listed as appropriate to the law cited.

Law 11-302. Passing vehicles proceeding in opposite directions.

Elements of an Offense

- Driver passed or attempted to pass oncoming traffic to the left
- Driver failed to give to oncoming vehicle(s) at least one-half the roadway.

TLE Action

- Citation or Warning.

Law 11-303. General rules governing overtaking and passing vehicles.

Elements of an Offense

- Driver passed vehicle proceeding in same direction on right when not permitted
- Driver failed to pass vehicle at safe distance
- Driver returned to original lane in front of overtaken vehicle before safely clear
- Driver being overtaken failed to give way to right on audible signal from overtaking vehicle
- Driver being overtaken increased speed before overtaking vehicle had completely passed.

TLE Action

- Citation or Warning.

Law 11-304. When overtaking on right is permitted.

Elements of an Offense

- Driver drove off pavement or main traveled portion of roadway (shoulder or berm) to pass on right
- Driver passed on right where highway did not have sufficient width for two or more lines of moving vehicles
- Driver passed on right on highway restricted to one way traffic, but which was not of sufficient width for two or more lines of moving vehicles
- Driver passed on right under unsafe conditions.

TLE Action

- Citation or Warning.

Note

- Overtaking on right is permitted when vehicle being overtaken is making left turn
- A right-turn lane is considered part of "the main traveled portion of the roadway," and, therefore, may be used when conditions are otherwise safe for overtaking on right.

Law 11-305. Limitations on overtaking on left.

Elements of an Offense

- Driver passed to left of vehicle traveling in same direction without clear visibility and the roadway free of oncoming traffic
- Driver failed to overtake and pass vehicle without interfering with operation of other vehicles approaching from opposite direction
- Driver failed to overtake and pass vehicle without interfering with operation of vehicle overtaken
- Driver failed to return to original lane before coming within 200 feet of approaching vehicle(s)
- Driver failed to keep right when view obstructed by hill or curve
- Driver failed to keep right within 100 feet or while traversing intersection or railroad grade crossing
- Driver failed to keep right within 100 feet of bridge, viaduct, or tunnel when view obstructed.

TLE Action

- Citation or Warning.

Note

The limitations with regard to overtaking on grades, curves, intersections, crossings, bridges, etc., do not apply to a one-way roadway.

Law 11-307. No-passing zones.

Elements of an Offense

- Driver passes to left in zone marked "No Passing"
- Driver passes to left where pavement striping indicates passing prohibited.

TLE Action

- Citation or Warning.

Law 11-308. One-way roadways and rotary traffic islands.

Elements of an Offense

- Driver drove wrong way on one-way roadway
- Driver drove to left around rotary traffic island.

TLE Action

- Citation or Warning.

Law 11-309. Driving on roadways laned for traffic.

Elements of an Offense

- Driver changed lanes in an unsafe manner
- Driver operated motor vehicle in center lane of three-lane roadway when not overtaking and passing another vehicle, preparing for a left turn, or when the center lane was marked for traffic moving in the same direction
- Driver failed to obey lane-direction signal or sign
- Driver failed to obey traffic-control device prohibiting the changing of lanes
- Driver of truck, truck tractor, trailer, or bus failed to follow instructions to drive in a certain lane.

TLE Action

- Citation or Warning.

Law 11-310. Following too closely.

Elements of an Offense

- Driver following too closely
- Truck or motor vehicle pulling another vehicle outside a business or residence district and which is following another truck or motor vehicle pulling another vehicle
- Driver failed to leave adequate space for an overtaking vehicle to enter and occupy the space without danger
- Motor vehicles operated in caravan or motorcade outside business or residence district
- Driver(s) failed to allow sufficient space between each two vehicles to allow another vehicle to enter and occupy the space between without danger.

TLE Action

- Citation or Warning.

Law 11-311. Driving on divided highways.

Elements of an Offense

- Driver operated motor vehicle on wrong side of divided highway.

TLE Action

- Citation or Warning.

Law 11-312. Entering or leaving controlled-access highways.

Elements of an Offense

- Controlled-access highway
- Driver entered at other than a designated entrance
- Driver left at other than a designated exit.

TLE Action

- Citation or Warning.

Law 11-313. Restrictions on use of controlled access highways.

Elements of an Offense

- Driver disregarded posted prohibition against parades, funeral processions, bicycles (or other nonmotorized traffic), or motorcycles.

TLE Action

- Citation or Warning.

Subtitle 11

RULES OF THE ROAD

Part IV. Right of Way

Law 11-401. Vehicle approaching or entering intersection.

Elements of an Offense

- Driver operating vehicle*
- Vehicle operated on highway*
- Vehicle with right-of-way affected so that evasive action required to prevent collision or so that accident occurs*
- Failed to yield right-of-way at intersection to vehicle approaching from right
- Intersection not controlled by traffic-control device, sign, or marker.

TLE Action

- Citation or Warning.

*NOTE: Common elements of all offenses under Part IV are the first three listed under Law 11-401:

- Driver operating motor vehicle
- Motor vehicle operated on highway
- Vehicle or pedestrian with right-of-way affected so that evasive action required to prevent accident or so that accident occurs.

For the laws that follow, these elements are assumed; other elements are listed as appropriate to the law cited.

Law 11-402. Vehicle turning left or making U-turn.

Elements of an Offense

- Driver made left turn without yielding right-of-way to approaching vehicle(s) within or near intersection
- Driver made U-turn without yielding to approaching motor vehicle(s).

TLE Action

- Citation or Warning.

Law 11-403. Vehicle entering stop or yield intersection or through highway.

Elements of an Offense

- Driver failed to yield at stop sign
- Driver failed to yield at yield sign
- Driver failed to come to full-stop at entrance to through highway
- Driver failed to yield to oncoming vehicle(s) at entrance to through highway
- Driver failed to come to full-stop at stop sign.

TLE Action

- Citation or Warning.

Law 11-404. Vehicle entering highway from private road or driveway;
vehicle entering paved highway from unpaved highway.

Elements of an Offense

- Vehicle about to enter or cross highway from private road or driveway
- Vehicle entering paved public highway from unpaved public highway
- Vehicular traffic approaching on highway
- Driver fails to stop
- Driver fails to yield right-of-way

TLE Action

- Citation or Warning.

Law 11-404.1 Vehicle entering highway from crossover.

Elements of an Offense

- Vehicle entering or crossing a highway from a crossover
- Vehicular traffic approaching on highway
- Driver fails to yield right-of-way.

TLE Action

- Citation or Warning.

Law 404.5 Operation of vehicles on approach of authorized emergency vehicles.

Elements of an Offense

- Authorized emergency vehicle approaching using audible and/or visual signals
- Driver fails to yield right-of-way, pull over, stop and remain until emergency vehicle past.

TLE Action

- Citation or warning.

Other laws that involve yielding the right-of-way:

Law 11-603. Starting parked vehicle.

Elements of an Offense

- Vehicle is stopped, standing, or parked
- Driver failed to yield right-of-way to oncoming traffic when starting or backing from stop.

TLE Action

- Citation or Warning.

Law 11-705. Emerging from alley, driveway, or building.

Elements of an Offense

- Vehicle emerging from alley, driveway, or building
- Driver fails to stop and yield to pedestrians on sidewalk or vehicles approaching on roadway.

TLE Action

- Citation or Warning.

Law 11-705.1 Entering alley, driveway, or building.

Elements of an Offense

- Vehicle entering alley, driveway, or building;
- Driver failed to yield right-of-way to pedestrian.

TLE Action

- Citation or Warning.

Subtitle 11

RULES OF THE ROAD

Part V. Pedestrians' Rights and Rules

Law 11-501.1 Pedestrians to yield right-of-way to authorized emergency vehicles.

Elements of an Offense

- Person on foot on or near a public highway or other place where the motor vehicle laws apply*
- Person on highway whose work requires his presence there*
- Person crossing a roadway
- Authorized emergency vehicle on roadway using audible or visual signals
- Pedestrian failed to yield right-of-way.

TLE Action

- Citation or Warning.

*NOTE: Common elements of all offenses involving pedestrians are the first two listed above under Law 11-501.1:

- Person on foot on or near a public highway or other place where the motor vehicle laws apply
- Person on highway whose work requires his presence there.

For the laws that follow, these elements are assumed; other elements are listed as appropriate to the provisions of the law cited.

Law 11-502.. Pedestrians' right-of-way in crosswalks.

Elements of an Offense

- (a) • Traffic-control signals not in place or not in operation
 - Pedestrian in crosswalk
 - Driver operating motor vehicle
 - Motor vehicle operated on highway
 - Driver fails to yield right-of-way to pedestrian
- (b) • Driver operating motor vehicle on highway
 - Motor vehicle so close that driver cannot yield
 - Pedestrian walks or runs into vehicle's path
- (d) • Vehicle stopped at crosswalk or at unmarked crosswalk at intersection
 - Pedestrian crossing roadway
 - Driver overtakes and passes vehicle stopped to permit pedestrian to cross.

TLE Action

- Citation or Warning.

Law 11-503. Crossing at other than crosswalks.

Elements of an Offense

- (a)
 - Pedestrian crossing roadway at other than crosswalk
 - Pedestrian fails to yield right-of-way to vehicle(s) on roadway
- (b)
 - Pedestrian tunnel or overhead crossing provided for pedestrians
 - Pedestrian crossing roadway at another point
 - Pedestrian fails to yield right-of-way to vehicle(s) on roadway
- (c)
 - Traffic-control signals in operation at adjacent intersections
 - Pedestrian crosses roadway at any place other than marked crosswalk (jaywalking)
- (d)
 - Traffic-control devices in place at intersection
 - Devices do not authorize diagonal crossing by pedestrians
 - Pedestrian crosses intersection diagonally.

TLE Action

- Citation or Warning.

Law 11-504. Drivers to exercise due care.

Elements of an Offense

- Pedestrian, or any child, obviously confused, or incapacitated person, upon any roadway whether or not presence is in accordance with the laws governing pedestrian movements
- Driver operating motor vehicle on roadway
- Driver fails to exercise due care to avoid colliding with person
- Driver fails to give warning by sounding horn when necessary.

TLE Action

- Citation or Warning.

Law 11-504.1 Blind pedestrians.

Elements of an Offense

(a) and (b)

- Street, road crossing, or intersection where traffic flow not regulated by officer or signals
- Blind or partially blind pedestrian extending a white cane at arm's length before him indicating intention to cross
- Driver operating motor vehicle on roadway
- Driver fails to come to full stop and to yield right-of-way
- Blind or partially blind pedestrian crosses or attempts to cross without signaling intention to do so by extending white cane at arm's length before him

(c) • Intersection regulated by traffic officer or traffic-control signals

- Blind or partially blind pedestrian, having a white cane or guide dog, is part way across intersection at time signals change

- Driver operating motor vehicle on roadway

- Driver fails to yield right-of-way to pedestrian

(d) • Person not blind or partially blind using white cane.

TLE Action

- Citation or Warning.

Law 11-505. Pedestrians to use right half of crosswalks.

Elements of an Offense

- Pedestrian walking on other than right half of crosswalk when practicable to walk on right half.

TLE Action

- Citation or Warning.

Law 11-506. Pedestrians on roadways.

Elements of an Offense

- (a) • Sidewalks provided along roadway
 - Pedestrian walking on adjacent roadway
- (b) • Sidewalks not provided along roadway
 - Pedestrian not walking on left shoulder, where practicable, left side of roadway, or facing traffic.

TLE Action

- Citation or Warning.

Law 11-507. Pedestrians soliciting rides or business.

Elements of an Offense

- Person standing on roadway to solicit ride, employment, or business, when not occupant of disabled vehicle and seeking assistance
- Person standing on or near highway to offer services to watch or guard vehicle parked or about to be parked on a street or highway.

TLE Action

- Citation or Warning.

Law 11-508. Driving through safety zone prohibited.

Elements of an Offense

- Driver operating motor vehicle on highway
- Driver drives through or within safety zone.

TLE Action

- Citation or Warning.

Law 11-509. Pedestrians on controlled-access highways leaving vehicle on controlled access highway.

Elements of an Offense

- Person walking along or upon controlled-access highway, or ramp, or access road leading to or from controlled-access highway
- Person leaves vehicle on controlled-access highway, or ramp, or access road (except to seek aid in case of disabled vehicle).

TLE Action

- Citation or Warning.

Subtitle 11

RULES OF THE ROAD

Part VI. Turning and Starting; Signals on Stopping, Turning, and Starting

Law 11-601. Required position and method of turning at intersections.

Elements of an Offense

- Driver operating motor vehicle*
- Motor vehicle operated on highway*
- Motor vehicle turning, stopping, or starting*
- Driver made improper right turn (wrong lane or too wide)
- Driver made improper left turn (wrong lane or cut corner)
- Driver failed to make turn as directed by traffic-control device (see also 11-201) (for example, no turns permitted, no left turn permitted, no right turn permitted).

TLE Action

- Citation or Warning.

*NOTE: Common elements of offenses under Part VI are the first three listed under Law 11-601:

- Driver operating motor vehicle
- Motor vehicle operating on highway
- Motor vehicle turning, stopping, or starting.

For the laws that follow, these elements are assumed; other elements are listed as appropriate to the provisions of the law cited.

Law 11-602. U-turn on curve or crest of grade prohibited.

Elements of an Offense

- Driver made U-turn on curve or hill
- Motor vehicle cannot be seen by another driver approaching from either direction within 500 feet.

TLE Action

- Citation or Warning.

Law 11-603. Starting parked vehicle.

Elements of an Offense

- Failed to signal before starting
- Started into traffic when unsafe to do so.

TLE Action

- Citation or Warning.

Law 11-604. Turning movements and required signals.

Elements of an Offense

- Made unsafe turn
- Failed to signal when turning
- Failed to begin signal 100 feet before turning
- Failed to signal when slowing or stopping when motor vehicle(s) following
- Used signal lamps as "do pass" signal to other driver(s).

TLE Action

- Citation or Warning.

Law 11-605. Signals by hand and arm or signal lamps.

Elements of an Offense

- Vehicle not equipped with signal lamps as required
- Signals not given by signal lamps when vehicle is equipped with same and when use is required.

TLE Action

- Citation or Warning.

Law 11-606. Method of giving hand and arm signals.

Elements of an Offense

- Gave wrong hand signal.

TLE Action

- Citation or Warning.

Subtitle 11

RULES OF THE ROAD

Part VII. Special Stops Required

Law 11-701. Obedience to signal indicating approach of train.

Elements of an Offense*

- Defendant stopped vehicle closer than 15 feet from the nearest rail at a railroad grade crossing
- Defendant failed to stop at a railroad grade crossing in disregard of one or more of the following signals:
 - An electrical or mechanical signal device
 - A flagman or lowered crossing gate
 - An audible signal from a train within 1500 feet of the crossing
 - An approaching train that is plainly visible and hazardously close to the crossing
 - Signals were clearly visible and/or audible
 - Defendant drove vehicle through, around, or under a crossing gate or barrier that was closed or in the process of being opened or closed.

TLE Action

- Citation or Warning.

*NOTE: For all paragraphs (701-706) the following elements must be present:

- Defendant was operating vehicle
- Vehicle was operated on highway.

Law 11-702. All vehicles must stop at certain railroad grade crossings.

Elements of an Offense

- Defendant disregarded stop sign at railroad grade crossing
- Defendant did not stop vehicle within the prescribed distance of not less than 15 feet from nearest rail but within 50 feet
- Stop sign was in proper position and clearly visible.

TLE Action

- Citation or Warning.

Law 11-703. Certain vehicles must stop at all railroad grade crossings.

Elements of an Offense

- Defendant was driving one of the following class of motor vehicles:
 - A vehicle carrying passengers for hire
 - A school bus
 - A bus owned or operated by a church carrying passengers
 - A vehicle carrying explosive substances or flammable liquids as cargo
- Defendant did not stop the vehicle within the prescribed distance (within 50 feet but not less than 15 feet from the nearest rail)
- Defendant did not stop the vehicle before crossing the track(s) of a railroad
- Defendant was shifting gears while crossing the track(s).

TLE Action

- Citation or Warning.

Note

This section does not apply to street railway crossings within a business or residence district.

Law 11-704. Moving heavy equipment at railroad grade crossings.

Elements of an Offense

- Defendant was driving one of the following types of motor vehicles:
 - Crawler-type tractor
 - Steam shovel
 - Derrick
 - Roller
 - A vehicle having a normal operating speed of 10 miles per hour or less
 - A vehicle having inadequate road clearance
- Driver did not notify a railroad station agent of intended crossing within a reasonable time so that proper protection could be provided at the crossing
- Driver did not stop, look or listen to determine if the crossing could be made safely
- Driver did not obey warning signals
- Warning signals were clearly visible and working.

TLE Action

- Citation or Warning.

Law 11-705. Emerging from alley, driveway, or building.

Elements of an Offense

- Motor vehicle was emerging from an alley, driveway, or building
- Driver did not stop prior to driving onto the sidewalk extending across the alley or driveway
- Driver did not yield right-of-way to a pedestrian on the sidewalk
- Driver did not yield right-of-way, upon entering the roadway, to vehicles approaching on the roadway.

TLE Action

- Citation or Warning.

Law 11-705.1 Entering alley, driveway, or building.

Elements of an Offense

- Driver did not yield the right-of-way to a pedestrian.

TLE Action

- Citation or Warning.

Law 11-705.2 Stop signs and yield signs.

Elements of an Offense

- Driver did not stop vehicle at an intersection marked by a stop sign
- Driver did not stop vehicle upon approaching a yield sign as required for safety
- Stop signs and yield signs were clearly visible and properly posted
- No police officer or traffic-control signal indicated that the driver should proceed against the signs.

TLE Action

- Citation or Warning.

Law 11-706. Overtaking and passing school vehicle.

Elements of an Offense

- Motorist's vehicle meeting (or overtaking) a stopped Type I or Type II (see 3-401.1) school vehicle
 - School vehicle stopped or stopping on roadway to discharge passengers
 - School vehicle had its alternately flashing warning lights (see 12-228) in operation
 - Motorist failed to stop for the school vehicle
 - Motorist stopped vehicle closer than 10 feet to either the front or rear of the school vehicle
 - Motorist stopped vehicle but resumed its motion before the school vehicle turned off its warning lights or resumed motion.

TLE Action

- Citation or Warning.

Note

The student should read paragraphs (b-d) for information on school vehicle identifying markings as well as when motorists do not have to stop for school vehicles.

Subtitle 11
RULES OF THE ROAD
Part VIII. Speed Restrictions

Law 11-801. Basic rules and maximum limits.

Elements of an Offense

- Driver operating motor vehicle*
- Motor vehicle operated on highway*
- Drove at a speed greater than is reasonable and prudent under the conditions and with regard to actual and potential hazards existing*
- Speed of vehicle*
- Exceeded posted speed limit
- Exceeded maximum lawful speed limit
- Failed to reduce speed when
 - Approaching an intersection; and crossing
 - Approaching a railway grade crossing
 - Approaching and going around a curve
 - Approaching a hill crest
 - Traveling a narrow or winding roadway
 - Special hazard exists with respect to pedestrians or other traffic
 - Weather or highway conditions require.

TLE Action

- Citation or Warning.

*NOTE: Common elements of all speed violations are the first four listed under Law 11-801:

- Driver operating motor vehicle
- Motor vehicle operated on highway
- Driver exceeds reasonable and prudent speed for conditions
- Speed of vehicle.

For the laws that follow, these elements are assumed; other elements are listed as appropriate to the provisions of the law cited.

Law 11-804. Minimum speed regulation.

Elements of an Offense

- Drove at such a slow speed as to impede traffic
- Reduced speed is not necessary for safe operated or required by law
- Drove below minimum posted speed limit
- Failed to display "slow-moving vehicle emblem" when required.

TLE Action

- Citation or Warning.

Law 11-806. Special speed limitations.

Elements of an Offense

- Motor vehicle towing another vehicle exceeded maximum speed permitted
- Type I school vehicle driven at more than 45 mph
- Failed to obey posted speed limit on bridge or other elevated structure.

TLE Action

- Citation or Warning.

Subtitle 11

RULES OF THE ROAD

Part IX: Reckless and Negligent Driving, Driving While Intoxicated, etc.

Law 11-901. Reckless and negligent driving.

Elements of an Offense

- Driver operating motor vehicle
- Motor vehicle on highway
- Driver disregarded safety of persons or property--
reckless driving
- Driver operated vehicle in careless or imprudent manner, so
as to endanger property or persons--negligent driving.

TLE Action

- Reckless driving: Arrest and Citation
- Negligent driving: Citation or Warning.

Law 11-902. Driving while intoxicated or while driving ability is impaired by consumption of alcohol or under the influence of drugs or combination of drugs and alcohol.

Elements of an Offense

- Driver operating motor vehicle
- Motor vehicle operated on highway
- Driver in an intoxicated condition
- Driver's ability impaired by the consumption of alcohol
- Driver under influence of any drug or combination of drugs, or combination of alcohol and any drug(s) so that he is incapable of driving safely
- Driver legally entitled to use drug(s) must be aware that they would render him incapable of driving safely
- Offense must occur in presence of arresting officer.

TLE Action

- Arrest and Citation.

Law 11-904. Fleeing or attempting to elude a police officer.

Elements of an Offense

- Driver operating motor vehicle on highway
- Driver willfully fails or refuses to bring vehicle to stop
- Driver flees on foot or otherwise attempts to elude a police vehicle or officer
- Driver signaled visually or audibly by officer as required by law
- Officer in uniform; badge or insignia of office displayed prominently
- Police vehicle marked showing it an official police vehicle.

TLE Action

- Arrest and Citation.

Subtitle 11

RULES OF THE ROAD

Part X: Stopping, Standing, and Parking

Law 11-1001. Stopping, standing, or parking outside of business or residence districts.

Elements of an Offense

- Driver operating motor vehicle on highway
- Driver parked vehicle on roadway
- Opportunity exists to park vehicle off roadway
- Driver parked vehicle so that a clear view 200 feet in each direction not available
- Vehicle intentionally disabled and left on roadway
(see subsection (b) for further elaboration).

TLE Action

- Citation or Warning.

Law 11-1002. Abandonment of motor vehicle.

Elements of an Offense

- Person abandons motor vehicle on public or private property which is not his own.

TLE Action

- Citation or Warning.

Law 11-1003. Stopping, standing, or parking prohibited in specified places.

Elements of an Offense

- Driver stops, stands, or parks in one of the following ways:
 - In front of a public driveway
 - On a sidewalk
 - Within an intersection
 - On a crosswalk
 - Between a safety zone and the adjacent curb
 - Within 30 feet of points on the curb immediately opposite the ends of a safety zone
 - Alongside or opposite street excavation or obstruction so as to obstruct traffic
 - On bridge, elevated structure on highway, or within highway tunnel
 - Where sign prohibits stopping
 - On entry or exit ramps of multi-lane highway
- Driver stands or parks vehicle, except momentarily to pick up or discharge passenger(s), in one of the following ways:
 - In front of private driveway without permission of owner or agent
 - Within 15 feet of fire hydrant
 - Within 20 feet of crosswalk at intersection
 - Within 30 feet upon approach to any stop or yield sign or signal
 - Within 20 feet of fire station driveway
 - Within 75 feet of fire station entrance on opposite side of street, when properly sign posted

- Where sign prohibits standing
- On roadway side of vehicle stopped or parked at curb (double parking)
- On curve or crest of hill where solid lines indicate no passing zone
- Driver parks vehicle, except to load or unload merchandise or passenger(s), in one of the following ways:
 - Within 50 feet of rail or railroad crossing
 - Where sign prohibits parking
 - In zone reserved for handicapped driver(s)
- Person moves vehicle not lawfully under his control into prohibited area or away from curb at unlawful distance.

TLE Action

- Citation or Warning.

Law 11-1004. Additional parking regulations.

Elements of an Offense

- Driver stops or parks in one of the following ways:
 - More than 12 inches from curb
 - On left side of roadway when traffic moves in two directions
 - Parking at an angle to curb or edge of roadway where not lawfully permitted
 - In violation of officially posted restrictions
 - On private property when requested not to do so by owner or agent.

TLE Action

- Citation or Warning.

Subtitle 11
RULES OF THE ROAD
Part XI. Miscellaneous Rules

Traffic Law Enforcement Action

A violation of any of the laws under Part XI is a misdemeanor, for which the appropriate TLE Action is the issuance of either a citation or a warning.

Common Elements

For those laws under this part that involve the operation or movement of motor vehicles, it can be assumed that the first and basic element of an offense is that a person is operating a motor vehicle on a highway; highway is defined for the purpose of Subtitle 11 as anywhere within the state where vehicles or pedestrians customarily move, and may include private property as well as such public areas as sidewalks, playgrounds, bicycle paths, and the like.

Law 11-1101. Unattended motor vehicle.

Elements of an Offense

- Person leaves car unattended without stopping engine, locking ignition, removing key, and setting brake
- Person parks on grade without turning front wheels to curb.

TLE Action

- Citation or Warning.

Law 11-1102. Limitations on backing.

Elements of an Offense

- Driver backs vehicle unsafely or so as to interfere with traffic
- Driver backs vehicle on shoulder or roadway of controlled-access highway.

TLE Action

- Citation or Warning.

Law 11-1103. Driving upon sidewalk: bicycles and play vehicles on sidewalk.

Elements of an Offense

- Person drives vehicle on sidewalk where not authorized
- Person operates bicycle, play vehicle, or unicycle on sidewalk where prohibited.

TLE Action

- Citation or Warning.

Law 11-1104. Obstruction to driver's view or driving mechanism.

Elements of an Offense

- Driver operates vehicle so loaded that passengers obstruct view
- Driver operates vehicle so loaded with passengers that his control over driving mechanism is interfered with
- Passenger rides so as to interfere with driver's view or control over vehicle driving mechanism
- Driver operates vehicle with clear view of approaching traffic obstructed by signs, stickers, etc. on windows
- Driver operates vehicle with view obstructed by any object or material in or upon vehicle.

TLE Action

- Citation or Warning.

Law 11-1105. Opening and closing vehicle doors.

Elements of an Offense

- Driver or passenger in vehicle opens door on traffic side when unsafe to do so
- Person leaves vehicle door open on traffic side longer than needed to load or unload passengers.

TLE Action

- Citation or Warning.

Law 11-1106. Riding in house trailers.

Elements of an Offense

- Driver of vehicle permits person(s) to occupy house trailer being moved on highway by driver
- Person occupies house trailer being moved on highway.

TLE Action

- Citation or Warning.

Law 11-1108. Coasting prohibited.

Elements of an Offense

- Driver shall not coast downhill in neutral or with clutch disengaged.

TLE Action

- Citation or Warning.

Law 11-1109. Following fire apparatus prohibited.

Elements of an Offense

- Driver follows fire apparatus on official business closer than 500 feet
- Driver parks vehicle within 300 feet of fire apparatus stopped in answer to fire alarm.

TLE Action

- Citation or Warning.

Law 11-1110. Crossing fire hose.

Elements of an Offense

- Drive crosses over unprotected fire hose without official permission.

TLE Action

- Citation or Warning.

Law 11-1111. Putting trash, glass, etc., on highway, etc., prohibited.

Elements of an Offense

- Person throws or deposits (litters) highway with object(s) likely to cause injury to any person, animal, or vehicle
- Person who drops or permits dropping hazardous material on highway fails to immediately remove or cause to be removed
- Person removing wrecked or damaged vehicle from highway fails to remove hazardous material from vehicle from highway
- Person throws, dumps, discharges, or deposits trash, junk, or other refuse upon highway, bridge, or in public waters.

TLE Action

- Citation or Warning.
(If a specific person cannot be identified, then it is the owner's responsibility, if present; if owner is not present, then it is the operator's responsibility.)

Note

Violation of provisions of this section is a moving violation.

Law 11-1112. Turning off lights to avoid identification.

Elements of an Offense

- Person turns off vehicle lights to avoid identification.

TLE Action

- Citation or Warning.

Law 11-1113. Placing of traffic hazard along any highway.

Elements of an Offense

- Person places structure, building, or vehicle on highway to sell or display produce or merchandise in such a way as to cause a traffic hazard
- Person fails to remove hazard when lawfully ordered to do so.

TLE Action

- Citation or Warning.

Law 11-1114. Use of road under construction; driving on parking strip; damage to highway, etc.

Elements of an Offense

- Person drives or walks on new roadbed or new repairs to roadbed before opened to public
- Person drives on parking strip or center parking area on dual highway when not authorized
- Person willfully damages highway under construction or thereafter, or any material or equipment used in connection therewith.

TLE Action

- Citation or Warning.

Law 11-1115. Removing lights or guards on highways.

Elements of an Offense

- Person moves, removes, or changes position of lights or guards set up to close highway or part of highway to traffic.

TLE Action

- Citation or Warning.

Law 11-1116. Racing or speed contest.

Elements of an Offense

- Driver engages in speed contest
- Person participates in illegal race or speed contest as timekeeper or flagman.

TLE Action

- Citation or Warning.

Law 11-1117. Skidding, spinning of wheels, and excessive noise prohibited.

Elements of an Offense

- Driver operates vehicle in intentional improper manner so as to cause skidding, spinning of wheels, or excessive noise
- Vehicle operated on or off highway
- Noise levels are in excess of those promulgated by the Administrator (see 12-701(b)).

TLE Action

- Citation or Warning.

Law 11-1119. Travel on snow emergency routes.

Elements of an Offense

- Snow emergency has been declared
- Driver operates vehicle on snow emergency route without chains or snow tires.

TLE Action

- Citation or Warning.

Subtitle 11

RULES OF THE ROAD

Part XII. Operation of Bicycles and Play Vehicles

Law 11-1203. Riding on bicycles.

Elements of an Offense

- Person riding a bicycle not equipped with a permanent securely attached seat
- Bicycle carrying more passengers than there are attached permanent seats
- Bicycle propelled by person not riding on the attached permanent seat.

TLE Action

- Warning or Citation.

Law 11-1204. Clinging to vehicles.

Elements of an Offense

- Person riding on one of the following types of vehicle:
 - Bicycle
 - Play vehicle
 - Coaster
 - Skate board
 - Roller skates
 - Sled
 - Toy vehicle
- Person or vehicle attached to a vehicle upon a roadway.

TLE Action

- Citation or Warning.

Note:

Exempt vehicles include log sheds, drags, or farm sleds when used in agricultural or forestry practices.

Law 11-1205. Riding on roadways and in public bicycle area.

Elements of an Offense

- Person operating a bicycle
- Bicycle operated upon a roadway
- Bicycle not operated as near to right side of roadway as practicable (see subsection (a) for exceptions)
- Persons riding more than two abreast in a public bicycle area
- Persons riding in other than single file upon a street or roadway.

TLE Action

- Warning or Citation.

Law 11-1205.1 Bicycles prohibited on certain highways; prohibited on roadway when path provided.

Elements of an Offense

- Person riding a bicycle on a roadway where the posted maximum exceeds 50 miles per hour
- Person riding a bicycle upon a controlled-access highway
- Person riding a bicycle upon a highway when an adjacent bicycle path or paved shoulder has been provided.

TLE Action

- Citation or Warning.

Law 11-1206. Carrying articles; tampering with bicycle.

Elements of an Offense

- Person operating a bicycle
- Person carrying a package, bundle or article which prevents the use of both hands on the handle bars.
- Person carrying an article which interferes with the operator's vision or balance
- Person removed or tampered with a bicycle or its parts without permission of its owner.

TLE Action

- Citation or Warning.

Law 11-1206.1 Throwing object at bicyclist; opening door of motor vehicle.

Elements of an Offense

- Person had intent to interfere, strike, or injure a bicyclist
- Person threw an object at or in the direction of a bicyclist
- Person opened the door of his or her motor vehicle with the above intent.

TLE Action

- Citation or Warning.

Law 11-1206.2 Securing bicycle to certain objects prohibited;
securing to parking meter.

Elements of an Offense

- Person secured a bicycle to one of the following:
 - Fire hydrant, police or fire call box, or traffic control device
 - A pole, meter, or device within a bus or taxi-loading zone
 - A pole, meter, or device within 25 feet of an intersection
 - A pole, meter, or device having a posted notice prohibiting the securing of bicycles
- Person secured a bicycle in a place that obstructs or impedes vehicular traffic or pedestrian movement
- Person secured a bicycle to a parking meter so that bicycle is in the bed of the street normally used for vehicular parking without payment of the usual fee.

(Note: see subsection (b) for additional information.)

TLE Action

- Citation or Warning.

Law 11-1207. Lamps and other equipment on bicycles.

Elements of an Offense

- Vehicle operated on highway when persons or vehicles are not clearly discernable at a distance of 1000 feet
- Bicycle not equipped with a front lamp which emits a white light visible at 500 feet
- Bicycle not equipped with approved red reflector on rear
- Bicycle not equipped with a bell or device capable of giving a signal audible at a distance of 100 feet
- Bicycle not equipped with a brake capable of making the braked wheels skid on dry, level, clean pavement.

TLE Action

- Citation or Warning.

Subtitle 11

RULES OF THE ROAD

Part XIII. Special Rules for Motorcycles

Law 11-1301. Traffic laws apply to persons operating motorcycles.

Elements of an Offense

- None.

TLE Action

- None.

Law 11-1302. Riding on motorcycles.

Elements of an Offense

- Operator riding motorcycle on other than regular or attached seat
- Operator carrying more persons than motorcycle is designed to carry
- Operator improperly seated on motorcycle
- Operator carrying articles which prevent use of both hands on motorcycle
- Operator carrying persons in such a position which interferes with operation or control of motorcycle or view of operator.

TLE Action

- Warning or Citation.

Law 11-1303. Operating motorcycles on roadways laned for traffic.

Elements of an Offense

- Operator passing in the same lane occupied by the vehicle being overtaken
- Operating a vehicle between lanes of traffic or between adjacent lines or rows of vehicles
- Operating vehicles more than two abreast in a single lane.

TLE Action

- Warning or Citation.

Law 11-1304. Clinging to other vehicles.

Elements of an Offense

- Operator riding a motorcycle and attaching self or motorcycle to any other vehicle (or streetcar) on a roadway.

TLE Action

- Warning or Citation.

Law 11-1305. Footrests and handlebars.

Elements of an Offense

- Operator carrying passenger, other than in a sidecar or enclosed cab, without footrests for passenger
- Operating motorcycle with handlebars more than 15 inches in height above that portion of the seat occupied by the operator.

TLE Action

- Warning or Citation.

Law 11-1306. Equipment for motorcycle riders.

Elements of an Offense

- Operating or riding a motorcycle without standardized protective headgear (unless in enclosed cab)
- Operating a motorcycle without standardized eye-protective device (not needed with windscreen or enclosed cab).

TLE Action

- Warning or Citation.

Subtitle 11

RULES OF THE ROAD

Part XIV. Operation of Motor Vehicles on
Certain Toll Bridges and Tunnels

Law 11-1403. Pedestrians and bicycles prohibited.

Elements of an Offense

- Pedestrians and/or bicyclists using vehicular crossings.

TLE Action

- Warning or Citation.

Law 11-1404. Hitchhiking and pickup or discharge of passengers prohibited.

Elements of an Offense

- Hitchhiking on a vehicular crossing
- Picking up or discharging passenger(s) on a vehicular crossing.

TLE Action

- Warning or Citation.

Law 11-1405. Stopping, standing, or parking prohibited; exceptions.

Elements of an Offense

- Operator stopping, standing, or parking on a vehicular crossing except:
 - When necessary to avoid injury or damage to persons and property
 - In lawful compliance with lawful direction of authorized employees of the vehicular crossing
 - At designated areas for the transaction of business at the administration buildings
 - If disabled.

TLE Action

- Warning or Citation.

Law 11-1406. When turns prohibited.

Elements of an Offense

- Turning when prohibited by signs or at crossovers provided for emergency vehicles.

TLE Action

- Warning or Citation.

SUBTITLE 12
EQUIPMENT OF VEHICLES

Part I. Scope and Effect of Equipment Provisions

Law 12-101. Driving with improper equipment prohibited.

Elements of an Offense

- Operator drives, moves (or causes to be moved) a vehicle in such unsafe condition as to endanger any person
- Operator sells, displays or delivers for use an item or device not approved by the Administrator and/or which
- Does not contain trademark or name of the device on the container.

TLE Action

- Safety Equipment Repair Order.

Law 12-104. Unlawful to remove or alter safety device or equipment.

Elements of an Offense

- Unlawful removal of safety device or equipment required by agency of State or U.S. Government.

TLE Action

- Safety Equipment Repair Order.

Subtitle 12

EQUIPMENT OF VEHICLES

Part II. Lamps and Other Lighting Equipment

Law 12-201. When lighted lamps are required.

Elements of an Offense

- Operator driving vehicle without lighted lamps whose headlights are not clearly discernible at a distance of 1,000 feet ahead under unfavorable atmospheric conditions or when there is insufficient light.

TLE Actions

- Safety Equipment Repair Order.

Law 12-203. Head lamps on motor vehicles.

Elements of an Offense

- Operating a vehicle other than a motorcycle without at least two headlights emitting one white light, one on each side of the front of the vehicle
- Operating a motorcycle without at least one or not more than two head lamps
- Operating a motor vehicle, including a motorcycle, with head lamp(s) located at a height, measured from the center of the head lamp, of more than 54 inches or less than 24 inches.

TLE Action

- Safety Equipment Repair Order.

Law 12-204. Tail lamps; illumination of rear registration plate.

Elements of an Offense

- Operating a motor vehicle manufactured after June 1, 1971, which is not equipped with at least two tail lamps mounted on the rear, emitting a red light plainly visible from a distance of 1,000 feet to the rear
- Operating a motor vehicle with tail lamps located at a height of more than 72 inches or less than 20 inches
- Operating a vehicle without a white light illuminating the rear registration plate, rendering it clearly visible from a distance of 50 feet to the rear.

TLE Action

- Safety Equipment Repair Order.

Law 12-205. Reflectors.

Elements of an Offense

- Operating a motor vehicle without two or more red reflectors
- Operating a vehicle with reflectors mounted at improper height
- Operating a vehicle whose reflectors are not visible at required distance.

TLE Action

- Safety Equipment Repair Order.

Law 12-206. Stop lamps and turn signals.

Elements of an Offense

- Operating a motor vehicle without proper stop lamp(s) and electric turn signals.

TLE Action

- Safety Equipment Repair Order.

Law 12-208. Clearance, identification, and marker lamps and reflectors required.

Elements of an Offense

- Operating any motor vehicle without required marker lamps, clearance lamps, identification lamps, or reflectors.

TLE Action

- Safety Equipment Repair Order.

Law 12-211. Visibility requirements for reflectors, clearance lamps, identification lamps, and marker lamps.

Elements of an Offense

- Operating motor vehicle whose reflectors, clearance lamps, identification lamps, and marker lamps are not visible at required distances.

TLE Action

- Safety Equipment Repair Order.

Law 12-213. Lamps, reflectors and flags on projecting loads.

Elements of an Offense

- Operating motor vehicle transporting a load which extends beyond the side or 4 feet or more beyond the bed or body of the vehicle without proper lamps or reflectors.

TLE Action

- Safety Equipment Repair Order.

Law 12-214. Lamps on parked vehicles.

Elements of an Offense

- Operating a parked vehicle without proper parking lights in front or in rear of the vehicle.

TLE Action

- Safety Equipment Repair Order.

Law 12-215. Lamps on farm tractors, farm equipment, and implements of husbandry.

Law 12-216. Lamps on other vehicles and equipment.

Law 12-217. Spot lamps, fog lamps, and auxiliary driving lamps.

Elements of an Offense

- Operating a motor vehicle without minimum number of lamps required or with an excessive number of lamps.

TLE Action

- Safety Equipment Repair Order.

Law 12-218. Audible and visual signals on vehicles.

Elements of an offense

- Operating an authorized emergency vehicle without proper audible and visual signals
- Operating a school vehicle without proper flashing warning lights
- Operating a vehicle with oscillating, rotating, or blinking lights without authorization from the MVA
- Failure to yield right of way and stop for authorized emergency vehicles.

TLE Action

- Warning or Citation or Safety Equipment Repair Order.

Law 12-224.1 Lighting equipment on motorcycles.

Elements of an Offense

- Operating a motorcycle with headlamps without proper intensity.

TLE Action

- Safety Equipment Repair Order.

Law 12-228. Special lighting equipment on school buses.

Elements of an Offense

- Operating flashing warning signals on school bus other than at appropriate times
- Failure to operate flashing warning signals at proper distances when stopping.

TLE Action

- Warning or Citation.

Subtitle 12
EQUIPMENT OF VEHICLES

Part III. Brakes

Law 12-301. Brake equipment required.

Elements of an Offense

- Operating a motor vehicle upon a highway with brakes not adequate to control the movement of and to stop and to hold the vehicle
- Operating a motor vehicle without adequate parking brakes.

TLE Action

- Safety Equipment Repair Order.

Law 12-302. Performance ability of brakes.

Elements of an Offense

- Operating a motor vehicle with brakes which are incapable of performing according to specified standards.

TLE Action

- Safety Equipment Repair Order.

Law 12-303. Maintenance of brakes.

Elements of an Offense

- Failure to maintain brakes in good working order.

TLE Action

- Safety Equipment Repair Order.

Law 12-304. Brakes on motorcycles.

Elements of an Offense

- Operating a motorcycle with braking system disapproved by the Commissioner.

TLE Action

- Safety Equipment Repair Order.

Subtitle 12

EQUIPMENT OF VEHICLES

Part IV. Other Equipment

Law 12-401. Horns and warning devices.

Elements of an Offense

- Operating a motor vehicle without a horn or without one in good working order
- Operating a motor vehicle with a horn that cannot be heard from a distance of at least 200 feet
- Operating a horn or other warning device that emits unreasonably harsh sounds or whistles
- Unnecessary operation of a horn on the highway
- Equipping a vehicle or using on a vehicle the following: siren, whistle, or bell except as permitted in this section
- Equipping a vehicle with a theft alarm signal device that may be used as an ordinary signal device
- Operating the siren or other warning signal of an emergency vehicle under circumstances other than those prescribed by this section.

TLE Action

- Safety Equipment Repair Order.

Law 12-401.1 Bells on ice cream sales vehicles.

Elements of an Offense

- Vehicle equipped with bells not conforming to size or sound requirements
- Vehicle equipped with bells operated electrically or mechanically and/or electrically amplified
- Vehicle operating its bells between the hours of ten o'clock p.m. and eight o'clock a.m.

TLE Action

- Citation or Warning.

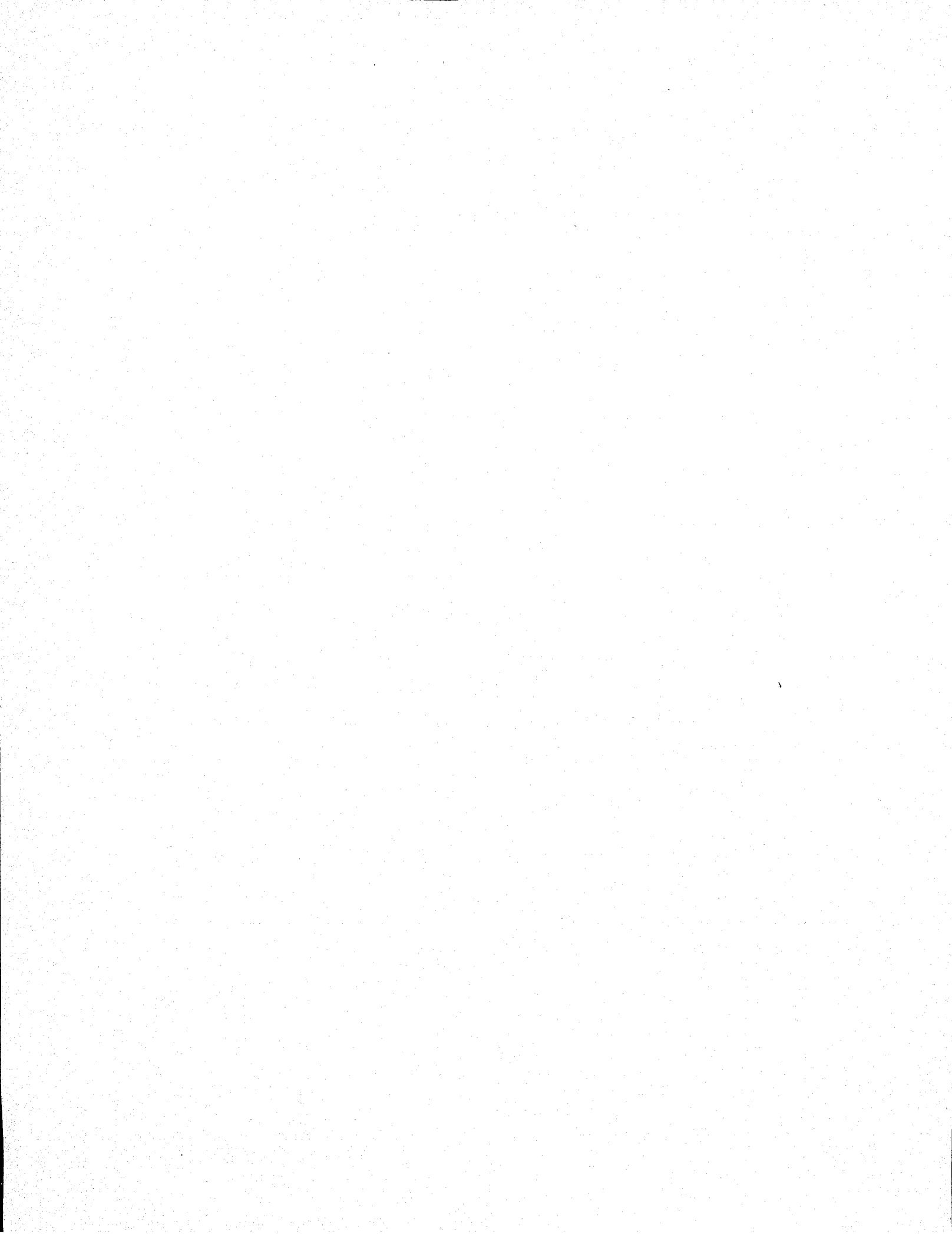
Law 12-402. Mufflers; prevention of noise; discharge of smoke; maximum period of idling.

Elements of an Offense

- Vehicle equipped with an exhaust muffler system producing excessive or unusual noises
- Vehicle equipped with a muffler exhaust system that uses a muffler bypass, cutout, extension, or similar device
- Vehicle emitting clearly visible smoke (see part C for specific regulations)
- Vehicle engine operating for more than 5 consecutive minutes when vehicle is not in motion (see subsection C, item 3 for exceptions).

TLE Action

- Safety Equipment Repair Order and/or Citation.



CONTINUED

1 OF 2

Law 12-402.1 Alteration of air pollution control devices.

Elements of an Offense

- Vehicle is a 1968 or later model
- Vehicle's exhaust emission control or crankcase ventilation device has been removed, altered, or rendered inoperable.

TLE Action

- Safety Equipment Repair Order.

Law 12-403. Mirrors.

Elements of an Offense

- Vehicle operated without a mirror or without one so located as to give the driver a view of the highway at least 200 feet to the rear of the vehicle
- Vehicle operated without an outside mirror on the driver's side
- Motorcycle not equipped with 2 rearview mirrors
- Vehicle operated without 2 outside rearview mirrors when the view through the inside rearview mirror is obstructed.

TLE Action

- Safety Equipment Repair Order.

Law 12-404. Windshields must be unobstructed and equipped with wipers.

Elements of an Offense

- Vehicle operated with a sign, poster, or other nontransparent material upon the front windshield or sidewings (see subsection (b) for exceptions)
- Vehicle not equipped with windshield wipers or else with wipers not in working order.

TLE Action

- Safety Equipment Repair Order.

Law 12-404.1 Display of emblems and signs.

Elements of an Offense

- Driver illegally displayed the emblem or insignia of an organization or club
- Vehicle displayed a sign judged by the Department to create a safety hazard.

TLE Action

- Safety Equipment Repair Order, Citation, or Warning.

Law 12-405. Tires generally.

Elements of an Offense

- Vehicle equipped with tires judged not in safe operating condition according to the requirements approved by the Commissioner
- Operator refuses to stop and submit the vehicle's tires to inspection upon request by a law-enforcement officer.

TLE Action

- Safety Equipment Repair Order or Citation.

Law 12-406. Safety glazing material in motor vehicles.

Elements of an Offense

- Vehicle registered in State
- Vehicle manufactured or assembled after June 1, 1937
- Vehicle not equipped with safety glass in doors, windows, windshields, and wings
- Owner or other individual replaced glass in motor vehicle with glass other than safety glass.

TLE Action

- Safety Equipment Repair Order
- In the case of a violation of this section by a common carrier, their permit may be suspended or revoked.

Note

See subsection (d) for additional Departmental requirements.

Law 12-407. Certain vehicles to carry flares or other warning devices.

Elements of an Offense

- Vehicle operated during the period of a half hour after sunset to a half hour before sunrise
- Vehicle was one of the following:
 - A truck with a registered gross weight in excess of 10,000 pounds
 - A passenger bus
 - A truck tractor
 - A vehicle having a house trailer.
- Vehicle not equipped with at least one of the following sets of equipment
 - Three red-burning flares
 - Three red electric lanterns
 - Three portable red emergency reflectors
- Vehicle not equipped with two red flags.

TLE Action

- Warning, Safety Equipment Repair Order, or Citation.

Note

See subsections (c) and (d) for exceptions and equipment standards.

Law 12-408. Display of warning devices when vehicle disabled.

Elements of an Offense

- Vehicle of class specified in subsection (a)
- Vehicle disabled at time when lighted lamps are required
- Vehicle did not display any of the warning devices specified in subsection (a), that is flares, red electric lanterns portable red emergency reflectors
- Vehicle incorrectly displayed its warning devices (see subsections (a), (b), (c), (d), and (e) for correct display procedures).

TLE Action

- Citation or Warning.

Law 12-409. Vehicles transporting hazardous material.

Elements of an Offense

- Vehicle transporting hazardous material
- Vehicle not operated in compliance with the regulations of the Commissioner
- Vehicle not marked as prescribed by regulations
- Vehicle not equipped with appropriate fire extinguishers.

TLE Action

- Citation or Warning.

Law 12-412. Seat belts required.

Elements of an Offense

- Vehicle registered in State
- Vehicle manufactured or assembled after June 1, 1964 not equipped with two sets of seat belts on the front seat
- Vehicle manufactured or assembled after June 1, 1969 not equipped with two sets of seat belts on the rear seat.

TLE Action

- Safety Equipment Repair Order.

Note

See subsections (b) and (c) for exceptions and definition of "seat belt".

Law 12-413. Protectors or flaps behind rear wheels of vehicles.

Elements of an Offense

- Vehicle was one of following:
 - A bus
 - A commercial motor vehicle
 - A semitrailer or trailer
- Vehicle was not equipped with protectors or flaps as specified in subsection (b)
- Vehicle fender or body construction or design does not accomplish objectives of protectors or flaps (when such are not used).

TLE Action

- Safety Equipment Repair Order.

Note

See subsection (d) for exceptions.

Subtitle 13
INSPECTION OF USED VEHICLES AND WARNINGS
FOR DEFECTIVE EQUIPMENT

Law 13-104. Warning for defective equipment and mechanisms.

Elements of an Offense

- Operating a motor vehicle registered in Maryland with equipment and mechanisms which do not meet promulgated standards.

TLE Action

- Warning.

Law 13-108. Unlawful acts in connection with inspection.

Elements of an Offense

- Issuing a certificate for a motor vehicle without having inspected equipment and mechanisms
- Issuing a certificate for a motor vehicle with equipment or mechanisms which do not meet or exceed promulgated standards
- Issuing a fictitious certificate for equipment and mechanisms not inspected
- Failure to surrender license and all pertinent paraphernalia upon suspension or revocation of such license.
- Materially alters or changes equipment or mechanisms that have been certified.

TLE Action

- Citation.

Subtitle 14
SIZE, WEIGHT, AND LOAD

Law 14-102. Width of vehicle.

Elements of an Offense

- Operating a vehicle on state highways, other than farm equipment and implements of husbandry, in excess of 96 inches in width.

TLE Action

- Citation.

Law 14-103. Projecting loads on passenger vehicles.

Elements of an Offense

- Operating a passenger-type vehicle on any highway with a load extended beyond the fenders on the left, and more than 6 inches beyond the fender on the right.

TLE Action

- Warning or Citation.

Law 14-104. Height and length of vehicles and loads.

Elements of an Offense

- Operating a vehicle exceeding a height of 13 feet, 6 inches, including the load
- Operating a single unit truck, including the load, which exceeds 40 feet in length, inclusive of front and rear bumpers or a combination of vehicles exceeding 55 feet in length, or over 65 feet in length in some circumstances.

TLE Action

- Warning or Citation.

Law 14-105. Limits on front and rear extensions of load; exceptions.

Elements of an Offense

- Operating a vehicle with a load extending more than 3 feet beyond the front of the vehicle or more than 6 feet beyond the rear of the bed or the body of the vehicle, except in the transportation of utility poles, mill logs, racing shells, etc.

TLE Action

- Warning or Citation.

Law 14-106. Loads on vehicles.

Elements of an Offense

- Transporting "loose material" over public roads, streets, or highways in a motor vehicle, trailer, or semitrailer not enclosed in accordance with standards set by the Administration
- Transporting loads not securely fastened or failing to remove debris caused by loosely fastened loads
- Transporting lumber, pipe, steel, etc., in improperly enclosed vehicles or in improperly secured loads.

TLE Action

- Warning or Citation.

Law 14-107. Trailers and towed vehicles.

Elements of an Offense

- Towing another vehicle with a connection exceeding 15 feet, except in certain situations
- Operating a full trailer without proper towbar equipment or improperly mounted trailer hitch
- Using a towbar without safety chain(s)
- Towing a motor vehicle which swerves or shifts from side to side over 6 inches to each side of the path of the towing vehicle when it is moving in a straight line.

TLE Action

- Warning or Citation or Safety Equipment Repair Order.



END