

Introduced by: President Young *Donson, Bullock, Pinkett, Cohen*, Clarke, Stokes, Middleton, Sneed

Prepared by: Department of Legislative Reference

Date: June 1, 2018

Referred to: JUDICIARY AND LEGISLATIVE INVESTIGATIONS Committee

Brunell, Schlefer

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 18-0251

A BILL ENTITLED

AN ORDINANCE concerning

Obstructing Traffic in an Intersection – \$125 Fine

FOR the purpose of changing the fine for obstructing or impeding the free flow of traffic within an intersection or a marked crosswalk from \$250 to \$125; clarifying and conforming related provisions; and generally relating to fines for obstructing or impeding the free flow of traffic

By repealing and reordaining, with amendments

Article 31 - Transit and Traffic
Section(s) 36-4(2) and 35-5(3)
Baltimore City Code
(Edition 2000)

By adding

Article 31 - Transit and Traffic
Section(s) 36-4.1
Baltimore City Code
(Edition 2000)

Handwritten signatures: Bud Young, Donson, Bullock, Pinkett, Cohen, Clarke, Stokes, Middleton, Sneed, Brunell, Schlefer, Robert Stokes, LaDrea, Ann M. [unclear]

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

Department of Public Works	Baltimore City Public School System
Department of Real Estate	Baltimore Development Corporation
Department of Recreation and Parks	City Solicitor
Department of Transportation	Comptroller's Office
Fire Department	Department of Audits
Health Department	Department of Finance
Mayor's Office of Employment Development	Department of General Services
Mayor's Office of Human Services	Department of Housing and Community Development
Mayor's Office of Information Technology	Department of Human Resources
Office of the Mayor	Department of Planning
Police Department	Other: _____
Other: _____	Other: _____
Other: _____	Other: _____
Environmental Control Board	Board of Estimates
Fire & Police Employees' Retirement System	Board of Ethics
Labor Commissioner	Board of Municipal and Zoning Appeals
Parking Authority Board	Comm. for Historical and Architectural Preservation
Planning Commission	Commission on Sustainability
Wage Commission	Employees' Retirement System
Other: _____	Other: _____
Other: _____	Other: _____
Other: _____	Other: _____

Boards and Commissions

Board of Estimates	Other: _____
Board of Ethics	Other: _____
Board of Municipal and Zoning Appeals	Other: _____
Comm. for Historical and Architectural Preservation	Other: _____
Commission on Sustainability	Other: _____
Employees' Retirement System	Other: _____
Other: _____	Other: _____
Other: _____	Other: _____
Other: _____	Other: _____

CITY OF BALTIMORE
ORDINANCE **18-159**
Council Bill 18-0251

Introduced by: President Young, Councilmembers Dorsey, Bullock, Pinkett, Cohen, Clarke,
Stokes, Middleton, Sneed, Scott, Burnett, Schleifer

Introduced and read first time: June 4, 2018

Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable

Council action: Adopted

Read second time: June 25, 2018

AN ORDINANCE CONCERNING

Obstructing Traffic in an Intersection – \$125 Fine

FOR the purpose of changing the fine for obstructing or impeding the free flow of traffic within an intersection or a marked crosswalk from \$250 to \$125; clarifying and conforming related provisions; and generally relating to fines for obstructing or impeding the free flow of traffic.

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Section(s) 36-4.1
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

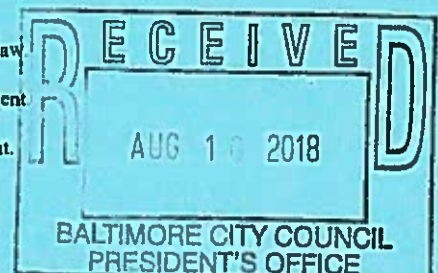
Article 31. Transit and Traffic

Subtitle 36. Parking, etc., Fines, Penalties, and Procedures

§ 36-4. \$250 fines.

(2) Obstructing or impeding the free flow of traffic [within an intersection or a marked crosswalk or] by a commercial vehicle is punishable by a fine of \$250.

EXPLANATION: CAPITALS indicate matter added to existing law
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment
~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.



Council Bill 18-0251

1 **§ 36-4.1. \$125 FINES.**

2 OBSTRUCTING OR IMPEDING THE FREE FLOW OF TRAFFIC WITHIN AN INTERSECTION OR A
3 MARKED CROSSWALK IS PUNISHABLE BY A FINE OF \$125.

4 **§ 36-5. \$100 fines.**

5 (3) (i) Parking, stopping, or standing in a manner that obstructs or impedes the free flow of
6 vehicular or pedestrian traffic is punishable by a fine of \$100, subject to the
7 requirements of subparagraph (ii) of this paragraph (3).

8 (ii) (A) Except as provided in sub-subparagraph (B) of this subparagraph (ii), the
9 Transportation Department may not issue a citation for this offense unless:

- 10 1. it first issues a written warning, ordering the obstruction or impediment to
11 be removed within 15 minutes of the warning; and
12 2. the obstruction or impediment is not removed within the specified time.

13 (B) This subparagraph (ii) does not apply, and a citation may be issued
14 without a prior warning, on a street marked as a snow emergency route at any time
15 between the hours of 7 a.m and 9:30 a.m. or between the hours of 4 p.m. and 6
16 p.m.

17 (iii) This paragraph (3) does not apply to an obstruction or impediment:

18 (A) [within an intersection or a marked crosswalk or] by a commercial vehicle, as
19 provided in § 36-4(2) of this subtitle; [or]

20 (B) along a block face abutting or across from the grounds of a school, as provided in
21 § 36-4(3) of this subtitle; OR

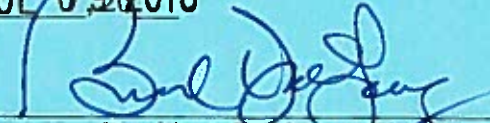
22 (C) WITHIN AN INTERSECTION OR A MARKED CROSSWALK AS PROVIDED IN § 36-4.1 OF
23 THIS SUBTITLE.

24 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
25 are not law and may not be considered to have been enacted as a part of this or any prior
26 Ordinance.

27 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
28 after the date it is enacted.

Council Bill 18-0251

Certified as duly passed this _____ day of JUL 09, 2018



President, Baltimore City Council

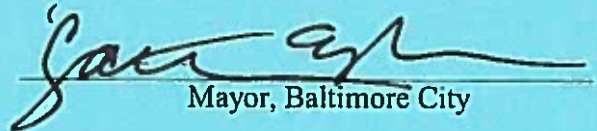
Certified as duly delivered to Her Honor, the Mayor,

this _____ day of JUL 09, 2018



Chief Clerk

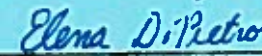
Approved this 10 day of August, 2018



Mayor, Baltimore City

Approved For Form and Legal Sufficiency

This 16th Day of July 2018



Chief Solicitor

44-38861-101

10/10/54

10/10/54

10/10/54

10/10/54

10/10/54

CITY OF BALTIMORE
ORDINANCE
Council Bill 18-0251

Introduced by: President Young, Councilmembers Dorsey, Bullock, Pinkett, Cohen, Clarke,
Stokes, Middleton, Sneed, Scott, Burnett, Schleifer
Introduced and read first time: June 4, 2018
Assigned to: Judiciary and Legislative Investigations Committee
Committee Report: Favorable
Council action: Adopted
Read second time: June 25, 2018

AN ORDINANCE CONCERNING

Obstructing Traffic in an Intersection – \$125 Fine

FOR the purpose of changing the fine for obstructing or impeding the free flow of traffic within an intersection or a marked crosswalk from \$250 to \$125; clarifying and conforming related provisions; and generally relating to fines for obstructing or impeding the free flow of traffic.

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Council Bill 18-0251

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City



**BALTIMORE CITY COUNCIL
JUDICIARY AND LEGISLATIVE INVESTIGATIONS COMMITTEE
VOTING RECORD**

BILL#: CC-18-0251 DATE: 6/19/18

BILL TITLE: Obstructing Traffic in an Intersection - \$125 Fine


MOTION BY: Clarke SECONDED BY: Reisinger

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Costello, E., Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, M., Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bullock, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, L.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reisinger, E.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott, B.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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TOTALS	<u>7</u>	<u>0</u>	<u>0</u>	<u>0</u>

CHAIRPERSON: *C. V. [Signature]*

COMMITTEE STAFF: Matthew L. Peters, Initials: *MP*

FROM	NAME & TITLE	Michelle Pourciau, Director <i>MP</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 18-0251		

TO Mayor Catherine E. Pugh

DATE: 6/18/18

TO: Respective City Council Judiciary and Legislative Investigations Committee
 FROM: Department of Transportation
 POSITION: Support
 RE: Council Bill – 18-0251 – Obstructing Traffic in an Intersection - \$125 Fine

INTRODUCTION – The “Don’t Block the Box” initiative will prevent the unsafe conditions that occur as a result of drivers remaining in an intersection after the traffic light has changed to red. It not only blocks traffic, but it also closes off access to crosswalks for pedestrians, bicyclists and motorists making it more unsafe for them to pass through the intersection.

PURPOSE/PLANS – For the purpose of changing the fine for obstructing or impeding the free flow of traffic within an intersection or a marked crosswalk from \$250 to \$125; clarifying and conforming related provisions; and generally relating to fines for obstructing or impeding the free flow of traffic

FISCAL IMPACT – The Fiscal impact includes the cost for traffic signal optimization throughout the City. Enforcement will be implemented incrementally based on areas with the highest violation levels. Therefore, immediately the downtown area will be optimized first including the thirteen (13) intersections and surrounding areas of influence. Also included is the cost to reprint the Environmental Control Board Citation.

AGENCY/DEPARTMENT POSITION – Public safety is one of the Department of Transportation’s primary concerns and the objective of Don’t Block the Box initiative is to modify unsafe driving behavior which endangers pedestrians, bicyclists and motorists and creates gridlock. The Department of Transportation worked collaboratively with Council President Young’s Legislative Director to ensure that the citation used for enforcement carries a fair penalty that will not include a point on any citizen’s license but will encourage safe behavior. The Department of Transportation supports City Council Bill 18-0251.

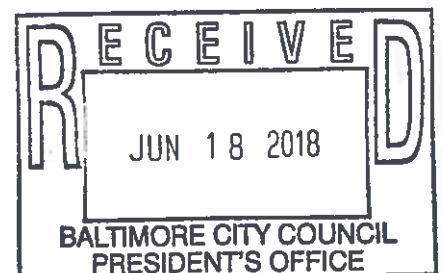
If you have any questions, please do not hesitate to contact Josh Taylor at Josh.Taylor@baltimorecity.gov, 443-984-3394.

Sincerely,

Michelle Pourciau

Michelle Pourciau
Director

Favorable



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

ANDRE M. DAVIS, City Solicitor
101 City Hall
Baltimore, Maryland 21202

June 18, 2018

The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 18-0251 – Obstructing Traffic in an Intersection –
\$125 Fine

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 18-0251 for form and legal sufficiency. The bill provides for changing the fine for obstructing or impeding the free flow of traffic within an intersection or a marked crosswalk from \$250 to \$125. The bill also provides that “obstruction or impeding the free flow of traffic by a commercial vehicle” will still carry a \$250 fine. However, obstructing or impeding the free flow of traffic within an intersection or marked crosswalk” will carry a fine of \$125.

The Mayor and City Council the power, by ordinance, to regulate traffic and provide for fines and penalties. Baltimore City Charter Art. II, Sec. 38(d) and 48. This bill is consistent with that authority.

The Law Department, therefore, approves this bill for form and legal sufficiency.

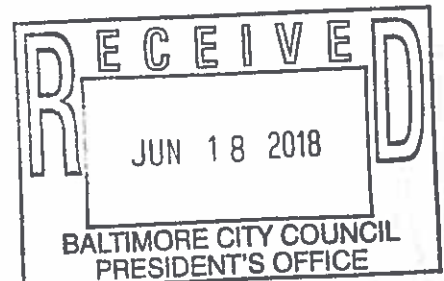
Sincerely yours,


Elena R. DiPietro

Elena R. DiPietro
Chief Solicitor

cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Office of Government Relations
Kyron Banks, Mayor’s Legislative Liaison
Hilary Ruley, Chief Solicitor
Victor Tervalo, Chief Solicitor
Ashlea Brown, Assistant Solicitor
Avery Aisenstark, DLR

Favorable



FROM	NAME & TITLE	Robert Cename, Chief	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432, City Hall (410) 396-4941		
	SUBJECT	City Council Bill #18-0251 Obstructing Traffic in an Intersection – \$125 Fine		

DATE:

TO

June 14, 2018

The Honorable President and
Members of the City Council
Room 400, City Hall

Attention: Ms. Natawna Austin

We are herein reporting on City Council bill 18-0251, the purpose of which is to expand the instances subject to the \$250 fine on commercial vehicles obstructing traffic to any instance where free flow of traffic is impeded. Currently, these violations are limited to an intersection or a marked crosswalk. Additionally, the legislation proposes a \$125 fine on any non-commercial vehicle obstructing or impeding the free flow of traffic within an intersection or a marked crosswalk.

Background

The number of traffic violations related to commercial vehicles obstructing/impeding the flow of traffic has increased on an annual basis. A total of 457 fines for violating existing law have been issued since Fiscal 2015, increasing from 28 to 215 as of the end of May of Fiscal 2018. It is unclear if the trend is a result of more scofflaws or if it is due to stricter enforcement.

Year	# of Violations	Total Billed (\$250)
Fiscal 2015	28	\$7,056
Fiscal 2016	40	\$10,080
Fiscal 2017	174	\$43,848
Fiscal 2018	215	\$54,180
Total	457	\$115,164

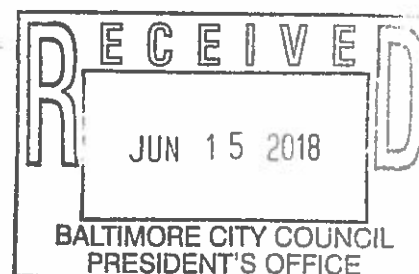
Analysis

The impact of this legislation is difficult to project due to the potential for behavior change and enforcement. By expanding the instances subject to violations for obstructing or impeding the free flow of traffic, we conservatively estimate that the number of fines issued to commercial vehicles would increase by 10%.

Additionally, we estimate that 602 citations would be issued for violation of the new \$125 fine on non-commercial vehicles, based on the 2.7 ratio of registered non-commercial over commercial vehicles. Based on Fiscal 2018 data, the following table summarizes the estimated fiscal impact of CC Bill 18-0251:

Fiscal 2018	# of Violations	Total Billed
Existing Violations	215	\$54,180
New Commercial Violations	22	\$5,544
New Non-Commercial @\$125	602	\$75,250
Est'd Impact of CCB-18-0251	624	\$80,794

Fav w/ comments



Operational Concerns

The implementation of the new \$125 fine would require the City to redesign and change the citation forms currently in use by traffic agents in their hand-held electronic devices and approximately 3,600 citation books used by police officers and others. Additionally, the City would be required to reprogram existing systems. These changes would affect the Department of Finance, BCIT, and the City's Print Shop.

Based on recent experience, the Department of Finance recommends that, if passed, the implementation of the proposed legislation to take effect in 120 days after enactment, not 30 days as proposed.

Conclusion

The Department of Finance supports City Council Bill 18-0251 upon considerations of the proposed enactment.

cc: Henry Raymond
Kyron Banks

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Judiciary and Legislative Investigations

Tuesday, June 19, 2018

10:00 AM

Du Burns Council Chamber, 4th floor, City Hall

18-0251

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 7 - Member Eric T. Costello, Member Mary Pat Clarke, Member Leon F. Pinkett III, Member John T. Bullock, Member Edward Reisinger, Member Brandon M. Scott, and Member Robert Stokes Sr.

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0251

Obstructing Traffic in an Intersection - \$125 Fine

For the purpose of changing the fine for obstructing or impeding the free flow of traffic within an intersection or a marked crosswalk from \$250 to \$125; clarifying and conforming related provisions; and generally relating to fines for obstructing or impeding the free flow of traffic.

Sponsors: President Young, Ryan Dorsey, John T. Bullock, Leon F. Pinkett, III, Zeke Cohen, Mary Pat Clarke, Robert Stokes, Sr., Sharon Green Middleton, Shannon Sneed, Brandon M. Scott, Kristerfer Burnett, Isaac "Yitzy" Schleifer

A motion was made by Member Clarke, seconded by Member Reisinger, that this Ordinance be Recommended Favorably. The motion carried by the following vote:

Yes: 7 - Member Costello, Member Clarke, Member Pinkett III, Member Bullock, Member Reisinger, Member Scott, and Member Stokes Sr.

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



HEARING NOTES

Bill: 18-0251

Obstructing Traffic in an Intersection - \$125 Fine

Committee: Judiciary and Legislative Investigations

Chaired By: Councilmember Eric Costello

Hearing Date: June 19, 2018

Time: 10:00 AM to 10:10 AM

Location: Clarence "Du" Burns Chamber

Total Attendance: ~60

Committee Members in Attendance:

Eric Costello

Mary Pat Clarke

Brandon Scott

Leon Pinkett

Robert Stokes

John Bullock

Edward Reisinger

Bill Synopsis in the file? yes no n/a

Attendance sheet in the file? yes no n/a

Agency reports read? yes no n/a

Hearing televised or audio-digitally recorded? yes no n/a

Certification of advertising/posting notices in the file? yes no n/a

Evidence of notification to property owners? yes no n/a

Final vote taken at this hearing? yes no n/a

Motioned by: Councilmember Clarke

Seconded by: Councilmember Reisinger

Final Vote: Favorable

Major Speakers

(This is not an attendance record.)

- Kara Kunst, Council President's Office
- Robert Cennamo, Department of Finance
- Michelle Pourciau, Department of Transportation

Major Issues Discussed

1. Chairman Costello opened the proceedings and introduced the committee members and others in attendance.
2. Kara Kunst from the Council President's Office explained the background and reasons for the bill on behalf of President Young.
3. Councilman Costello noted that the Law Department was not present, but had submitted a report approving the bill for form and legal sufficiency.
4. The Department of Finance stated it's supported for the bill, but noted that it seemed to expand the instances in which commercial vehicles are subject to a \$250 fine.
5. The Department of Transportation stated its support for the bill as discussed in its report.
6. Councilmember Clarke asked for clarification on the relationship between the penalties under state law, those provided under this bill, and those provided in existing City law. Ms. Kunst explained that state law provides for a penalty of \$90 and a point on the driver's license for similar violations. She further explained that this bill creates a new \$125 penalty under City law that does not include a point on the driver's license, and makes changes to the existing penalties under City law only to conform them to the new provision.

Further Study

Was further study requested?

Yes No

If yes, describe. N/A

Committee Vote

E. Costello: Yea
M. Clarke: Yea
J. Bullock: Yea
L. Pinkett: Yea
E. Reisinger: Yea
B. Scott: Yea
R. Stokes: Yea

Matthew Peters

Matthew L. Peters, Committee Staff

Date: June 19, 2018

cc: Bill File
OCS Chrono File



**CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD**

Committee: **Judiciary and Legislative Investigations** Chairperson: **Eri**
 Date: **June 19, 2018** Time: **10:00 AM** Place: **Clarence "Du" Burns Chambers**
 Subject: **Ordinance - Obstructing Traffic in an Intersection - \$125 Fine**

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com
John	Doe				
John	Doe				

(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY BOARD OF ETHICS. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Judiciary and Legislative Investigations

Tuesday, June 19, 2018

10:00 AM

Du Burns Council Chamber, 4th floor, City Hall

18-0251

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0251

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President Young, Ryan Dorsey, John T. Bullock, Leon F. Pinkett, III, Zeke Cohen, Mary Pat Clarke, Robert Stokes, Sr., Sharon Green Middleton, Shannon Sneed, Brandon M. Scott, Kristerfer Burnett, Isaac "Yitzy" Schleifer

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Judiciary and Legislative Investigations

Bill 18-0251

Obstructing Traffic In An Intersection - \$125 Fine

Sponsor: President Young, et al

Introduced: June 4, 2018

Purpose:

For the purpose of changing the fine for obstructing or impeding the free flow of traffic within an intersection or a marked crosswalk from \$250 to \$125; clarifying and conforming related provisions; and generally relating to fines for obstructing or impeding the free flow of traffic.

Effective: 30th day after the date it is enacted

Hearing Date/Time/Location: June 19, 2018/10:00 a.m./Clarence "Du" Burns Chamber

AGENCY REPORTS

City Solicitor

Department of Finance

Department of Transportation

ANALYSIS

Current Law

Article 31, § 36-4 states that "[o]bstructing or impeding the free flow of traffic within an intersection or a marked crosswalk or by a commercial vehicle is punishable by a fine of \$250."

Article 31, § 36-5 provides for a \$100 fine for "[p]arking, stopping, or standing in a manner that obstructs or impedes the free flow of vehicular or pedestrian traffic..." Except in specific

circumstances, the Department of Transportation may not issue a citation under § 36-5 unless it first issues a written warning ordering the obstruction or impediment to be removed within 15 minutes of the warning, and the obstruction or impediment is not removed within the specified time.

Bill Summary

The bill adds a new section under Article 31 – § 36-4.1 – that provides for a \$125 fine for obstructing or impeding the free flow of traffic within an intersection or a marked crosswalk. The bill also specifies that the Department of Transportation does not need to provide a warning prior to issuing a citation under § 36-4.1. Additionally, the bill revises the existing § 36-4 to apply only to commercial vehicles obstructing or impeding the free flow of traffic.

Background

On April 18, 2018, the Director of the Department of Transportation announced that the Department will launch a "Don't Block the Box" program to cite motorists who enter an intersection without first making sure that they will be able to move all the way through before the light turns red. According to the Department, "[b]locking an intersection causes traffic congestion and delays by preventing other vehicles from passing through, and also creates dangerous conditions for pedestrians and cyclists."

During a May 9, 2018 hearing on Resolution 18-0080R (Traffic Light Synchronization) the committee heard from the Department of Transportation on its plans for the "Don't Block the Box" program, and its plans to synchronize traffic lights before it issues citations for blocking intersections.

ADDITIONAL INFORMATION

Fiscal Note: None

Information Source(s): Department of Transportation; Hearing on Resolution 18-0080R; Bill 18-0251.

Analysis by:



Matthew L. Peters

Analysis Date:

June 14, 2018

Direct Inquiries to: (410) 396-1268

**CITY OF BALTIMORE
COUNCIL BILL 18-0251
(First Reader)**

Introduced by: President Young, Councilmembers Dorsey, Bullock, Pinkett, Cohen, Clarke,
Stokes, Middleton, Sneed, Scott, Burnett, Schleifer

Introduced and read first time: June 4, 2018

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of
Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Obstructing Traffic in an Intersection – \$125 Fine**

3 FOR the purpose of changing the fine for obstructing or impeding the free flow of traffic within
4 an intersection or a marked crosswalk from \$250 to \$125; clarifying and conforming related
5 provisions; and generally relating to fines for obstructing or impeding the free flow of traffic.

6 BY repealing and reordaining, with amendments

7 Article 31 - Transit and Traffic
8 Section(s) 36-4(2) and 35-5(3)
9 Baltimore City Code
10 (Edition 2000)

11 BY adding

12 Article 31 - Transit and Traffic
13 Section(s) 36-4.1
14 Baltimore City Code
15 (Edition 2000)

16 SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the
17 Laws of Baltimore City read as follows:

18 **Baltimore City Code**

19 **Article 31. Transit and Traffic**

20 **Subtitle 36. Parking, etc., Fines, Penalties, and Procedures**

21 **§ 36-4. \$250 fines.**

22 (2) Obstructing or impeding the free flow of traffic [within an intersection or a marked
23 crosswalk or] by a commercial vehicle is punishable by a fine of \$250.

EXPLANATION: CAPITALS indicate matter added to existing law.
{Brackets} indicate matter deleted from existing law.

Council Bill 18-0251

§ 36-4.1. \$125 FINES.

OBSTRUCTING OR IMPEDING THE FREE FLOW OF TRAFFIC WITHIN AN INTERSECTION OR A MARKED CROSSWALK IS PUNISHABLE BY A FINE OF \$125.

§ 36-5. \$100 fines.

(3) (i) Parking, stopping, or standing in a manner that obstructs or impedes the free flow of vehicular or pedestrian traffic is punishable by a fine of \$100, subject to the requirements of subparagraph (ii) of this paragraph (3).

(ii) (A) Except as provided in sub-subparagraph (B) of this subparagraph (ii), the Transportation Department may not issue a citation for this offense unless:

1. it first issues a written warning, ordering the obstruction or impediment to be removed within 15 minutes of the warning; and
2. the obstruction or impediment is not removed within the specified time.

(B) This subparagraph (ii) does not apply, and a citation may be issued without a prior warning, on a street marked as a snow emergency route at any time between the hours of 7 a.m and 9:30 a.m. or between the hours of 4 p.m. and 6 p.m.

(iii) This paragraph (3) does not apply to an obstruction or impediment:

(A) [within an intersection or a marked crosswalk or] by a commercial vehicle, as provided in § 36-4(2) of this subtitle; [or]

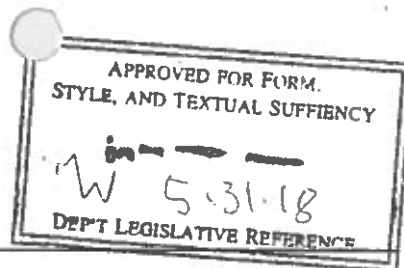
(B) along a block face abutting or across from the grounds of a school, as provided in § 36-4(3) of this subtitle; OR

(C) WITHIN AN INTERSECTION OR A MARKED CROSSWALK AS PROVIDED IN § 36-4.1 OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: President Young

A BILL ENTITLED

AN ORDINANCE concerning

Obstructing Traffic in an Intersection – \$125 Fine

FOR the purpose of changing the fine for obstructing or impeding the free flow of traffic within an intersection or a marked crosswalk from \$250 to \$125; clarifying and conforming related provisions; and generally relating to fines for obstructing or impeding the free flow of traffic.

BY repealing and reordaining, with amendments

Article 31 - Transit and Traffic
Section(s) 36-4(2) and 35-5(3)
Baltimore City Code
(Edition 2000)

BY adding

Article 31 - Transit and Traffic
Section(s) 36-4.1
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 31. Transit and Traffic

Subtitle 36. Parking, etc., Fines, Penalties, and Procedures

§ 36-4. \$250 fines.

- (2) Obstructing or impeding the free flow of traffic [within an intersection or a marked crosswalk or] by a commercial vehicle is punishable by a fine of \$250.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

*** WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.**

§ 36-4.1. \$125 FINES.

OBSTRUCTING OR IMPEDING THE FREE FLOW OF TRAFFIC WITHIN AN INTERSECTION OR A MARKED CROSSWALK IS PUNISHABLE BY A FINE OF \$125.

§ 36-5. \$100 fines.

(3) (i) Parking, stopping, or standing in a manner that obstructs or impedes the free flow of vehicular or pedestrian traffic is punishable by a fine of \$100, subject to the requirements of subparagraph (ii) of this paragraph (3).

(ii) (A) Except as provided in sub-subparagraph (B) of this subparagraph (ii), the Transportation Department may not issue a citation for this offense unless:

1. it first issues a written warning, ordering the obstruction or impediment to be removed within 15 minutes of the warning; and
2. the obstruction or impediment is not removed within the specified time.

(B) This subparagraph (ii) does not apply, and a citation may be issued without a prior warning, on a street marked as a snow emergency route at any time between the hours of 7 a.m and 9:30 a.m. or between the hours of 4 p.m. and 6 p.m.

(iii) This paragraph (3) does not apply to an obstruction or impediment:

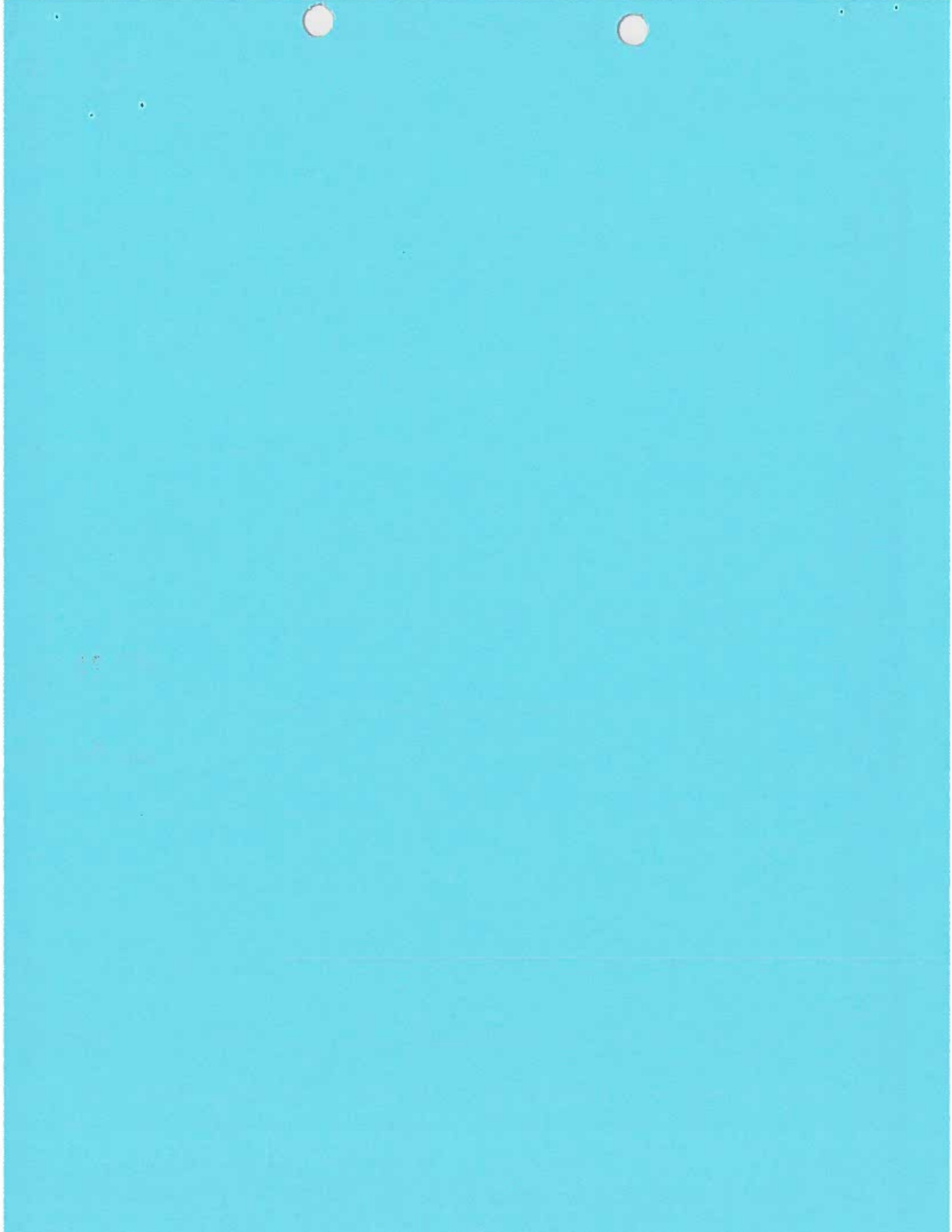
(A) [within an intersection or a marked crosswalk or] by a commercial vehicle, as provided in § 36-4(2) of this subtitle; [or]

(B) along a block face abutting or across from the grounds of a school, as provided in § 36-4(3) of this subtitle; OR

(D) WITHIN AN INTERSECTION OR A MARKED CROSSWALK AS PROVIDED IN § 36-4.1 OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.



ACTION BY THE CITY COUNCIL

JUN 04 2018

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON June 19, 2018 _____ 20 _____

COMMITTEE REPORT AS OF June 25, 2018 _____ 20 _____

FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

C.V. King
Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

JUN 25 2018

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

JUL 09 2018

THIRD READING _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

[Signature]
President

[Signature]
Chief Clerk