

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA, Appellee	:	SA-39-2021
	:	
	:	
vs.	:	<i>Pa. R.A.P.</i>
	:	<i>Rule 1925(a) Opinion</i>
ALLAN M. SPOTTS, Appellant	:	<i>in Support of</i>
	:	<i>February 10, 2022 Verdict</i>

OPINION

AND NOW, this 4th day of May 2022, pursuant to Pennsylvania Rule of Appellate Procedure 1925(a), the Court hereby issues the following Opinion in Support of its February 10, 2022 verdict.

BACKGROUND

On August 26, 2021, Pennsylvania State Police Trooper Mark Rider issued a traffic citation to Defendant, Allan M. Spotts, for Failure to Stop at Red Signal in violation of 75 Pa. C.S. § 3112(A)(3)(i). This subsection of the Vehicle Code reads:

(a) General rule.—Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and the lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

...

(3) Steady red indication.—

(i) Vehicular traffic facing a steady red signal alone shall stop at a clearly marked stop line, or if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain standing until an indication to proceed is shown except [to make a right turn on red where allowed].

Defendant pleaded not guilty to this traffic citation, and a summary trial was scheduled for October 7, 2021 before Magisterial District Judge Gary A. Whiteman.

MDJ Whiteman continued this summary trial until November 9, 2021. On that date, Trooper Rider appeared for the Commonwealth, and Defendant appeared *pro se*. MDJ Whiteman held a trial and found Defendant guilty of the violation. MDJ Whiteman imposed a fine of \$25.

On December 6, 2021, Defendant filed a timely Notice of Appeal from Summary Criminal Conviction before this Court. In the field for “[g]rounds relied upon for appeal,” Defendant wrote “red signal stop not required, separate and unique continuous thru lane for right turn.” This Court scheduled a de novo summary trial for February 10, 2022 at 1:30 p.m.¹

TRIAL DE NOVO BEFORE THE COURT OF COMMON PLEAS

Defendant’s trial de novo on his summary appeal conviction took place as scheduled on February 10, 2022. The Commonwealth was represented by Assistant District Attorney Matthew Welickovitch, Esq. Defendant appeared unrepresented; prior to trial the Court informed Defendant of his right to counsel, and Defendant indicated his intent to proceed *pro se*.²

The Commonwealth’s sole witness was Trooper Rider. On direct examination, Trooper Rider testified that he retired from the Pennsylvania State Police, where he had worked for 25 years, in January of 2022.³ Trooper Rider stated that, other than the five years he spent in the Forensic Services Unit, he had dealt with patrol

¹ Under Rule of Criminal Procedure 462(a), “[w]hen a defendant appeals after the entry of a... conviction by an issuing authority in any summary proceeding, upon the filing of the transcript and other papers by the issuing authority, the case shall be heard de novo by the judge of the court of common pleas sitting without a jury.”

² *February 10, 2022 Notes of Testimony*, 3:4 – 3:17.

³ *Id.* at 4:7 – 4:9.

matters, including motor vehicle code violations, “basically [his] whole career.”⁴ He explained that on August 26, 2021 he was on duty in full uniform, operating a marked Pennsylvania State Police cruiser, and on that date he conducted a vehicle stop on a white 2012 Dodge Caliber operated by Defendant.⁵ Trooper Rider explained why he stopped Defendant’s vehicle:

“I was at the intersection of Route 87 and the intersection with the 180 – Interstate 180 eastbound offramp for Route 87. At that time I was at a red light. The light turned green. There were two cars in front of me.

The first car proceeded forward and went into the right lane to turn to go into the Wal-Mart area. The second car in line, the car in front of me, did the same. And as he was approaching that right lane, Mr. Spotts’ vehicle came down [from the eastbound offramp] and ran the red light and cut him off.

He actually had to veer to the right – or, excuse me, to the left in order to avoid a collision. And at that time I activated my lights on my cruiser and performed a traffic stop.”⁶

The Commonwealth introduced the Mobile Video Recording (“MVR”) from Trooper Rider’s vehicle as Commonwealth’s Exhibit 1.⁷ Trooper Rider explained that he was heading southbound on Route 87, and pointed out the roads he had previously described and their orientations.⁸ He next pointed out the signal at the intersection between the eastbound Interstate 180 off-ramp and Route 87 turning from red to green as viewed from his position on Route 87 traveling southbound, and noted how the vehicles in front of him traveled into the right lane at that time.⁹

Trooper Rider explained the area around the intersection as follows:

⁴ *Id.* at 9:21 – 9:22.

⁵ *Id.* at 4:16 – 4:24, 5:14 – 5:15.

⁶ *Id.* at 5:1 – 5:12.

⁷ *Id.*, introduced at 5:25 – 6:1, admitted at 6:12.

⁸ *Id.* at 6:20 – 7:4.

⁹ *Id.* at 7:10 – 7:19.

Q: Now... describe the road ahead of this intersection. Is it a single lane? ... Is it a single lane ahead?

A: It breaks into two lanes. From that white stop line in front of my car as you proceed forward, you can then either stay left or head to the right to go to Wal-Mart or the Wendy's, to that plaza.

Q: Okay. Are there any yield signs for individuals driving on [Route] 87 to yield for any traffic from any direction?

A: No. You would proceed through the green light. That's the controlling factor of the intersection.

Q: I think we can see from here, but are these stoplights for the other vehicles coming in that would be east/west direction through the intersection?

A: Yes. That would be – on the left of me would be Fairview Drive; and to the right would be the off-ramp for Interstate 180 eastbound and then the onramp to go from [Route] 87 to go 180 eastbound.

Q: Now, I know this is not an aerial shot; but can you see – are there any stop lines?

A: Yes. There is a stop line right there in front of Mr. Spotts' white vehicle. You can see it right about where that light post is... That's a stop line... Just like the one that's in front of my cruiser there.¹⁰

The MVR depicted one of the vehicles in front of Trooper Rider attempting to go into the right lane, as though to enter the Wal-Mart and Wendy's plaza, but veering left to avoid being struck by a second vehicle that Trooper Rider identified as operated by Defendant.¹¹ Trooper Rider pointed out that, although the traffic signal facing Defendant at the intersection was red, Defendant did not stop at the white stop line prior to the intersection and instead continued through, nearly striking another

¹⁰ *Id.* at 7:21 – 8:24.

¹¹ *Id.* at 9:3 – 9:6.

vehicle.¹² Trooper Rider testified that this would be permissible only if “the vehicle driver was directed to do so by a uniformed person authorized to direct traffic. And there was no such person at the intersection at that time.”¹³ Trooper Rider explained that he was familiar with the signage at the intersection between Route 87 and the Interstate 180 off-ramp, and there was no signage or structure that gives vehicle operators exiting Interstate 180 onto Route 87 the right of way to continue without stopping at the traffic signal when it is red.¹⁴

The Court next asked a handful of questions. Trooper Rider agreed that there are situations in which a driver can turn right at a continuous red signal, but explained that to do so the driver would need yield the right of way, which would require them to “stop, make sure that the lane is clear, and then proceed.”¹⁵ Trooper Rider explained that none of this happened here.¹⁶ Trooper Rider clarified that at the intersection in question there is “no signage on the off-ramp... that indicated that the traffic signal only pertained to vehicles going straight” rather than “all vehicles coming to the stop line.”¹⁷

The Court next explained the purpose of cross-examination to Defendant, and offered him the opportunity to cross-examine Trooper Rider. Defendant indicated that at “one point” he had a question for Trooper Rider, but “forgot what it was,” and thus did not have any questions to ask him on cross-examination.¹⁸

¹² *Id.* at 9:10 – 9:17.

¹³ *Id.* at 10:1 – 10:4.

¹⁴ *Id.* at 10:7 – 10:19.

¹⁵ *Id.* at 11:5 – 11:6.

¹⁶ *Id.* at 11:10.

¹⁷ *Id.* at 11:15.

¹⁸ *Id.* at 11:16 – 12:6.

On re-direct examination, Trooper Rider indicated that at the intersection in question there is a crosswalk, and explained that the white line at that intersection is not only for pedestrians in the crosswalk but is “to indicate where you would stop your vehicle at the intersection.”¹⁹ Following re-direct examination, the Commonwealth rested.

Next, Defendant testified in narrative form; there were no other defense witnesses. Defendant marked a number of Exhibits, 1A through 7B.²⁰ Defendant first testified that “there [are] all kinds of intersections where there’s a turn lane that is not guided, directed, or influenced by the traffic signal there,” such as intersections that have yield signs.²¹ Defendant cited Defense Exhibits 5B and 5C, which depicted the intersection of Third Street and Northway Road, which Defendant described as “a busy intersection.”²² Defendant noted that, at the intersection of Third Street and Northway Road:

“There is a crosswalk; and there is... a crosswalk line, the one on the right. But they’re yield signs which means the light does not control those turn lanes... [T]he light is directly ahead of the straight through lane... [a]nd the right turn lane, there is no light there; and there is a yield sign.”²³

Defendant explained that this is just one example of an intersection “where there is a turn lane that turns into its own individual unique lane.”²⁴ Defendant next pointed to Defense Exhibits 2A and 2B, which depicted the exit from Interstate 180

¹⁹ *Id.* at 12:17 – 12:23.

²⁰ *Id.*, introduced throughout, admitted at 23:14 – 23:17.

²¹ *Id.* at 14:2 – 14:6.

²² *Id.* at 14:6 – 14:15. The Court takes judicial notice that the intersection of Third Street and Northway Road is located in Williamsport, Lycoming County, Pennsylvania.

²³ *February 10, 2022 Notes of Testimony*, 14:15 – 14:22.

²⁴ *Id.* at 15:2 – 15:8.

Westbound at Faxon.²⁵ Defendant noted that this intersection has a straight lane that proceeds through a traffic signal onto Northway Road, as well as a turn lane that does not have a traffic signal; Defendant asserted that “the traffic is permitted to continue on through even though there is a lane coming through... So both traffic can coincide together safely. The turn lane has their own lane and the straight lane coming through has their own lane.”²⁶

Defendant next highlighted two more intersections: an intersection at Best Buy, depicted in Defense Exhibits 3A and 3B, and an intersection at Tractor Supply on Lycoming Mall Road, depicted in Defense Exhibits 6A and 6B.²⁷ Regarding the Best Buy intersection, Defendant testified:

“There is a straight through lane that has a light, and there is a turn lane. And it goes through and goes alongside each other.

Now, the right lane has their right-of-way. The left lane has their right-of-way. If the right lane wants to move left, they have to merge carefully. If the left lane wants to merge into the right lane, they have to merge carefully.

You know, it’s not their lane automatically. And you can see that on a street view [in Defense Exhibit 3B]... the left lane is out where the light is, the green light; and then the turn lane goes straight on through.”²⁸

Defendant similarly discussed the Tractor Supply intersection. Defendant explained that, when approaching the intersection from the east, one can be either in the left lane, which proceeds straight through a traffic signal, or the right lane, which veers off away from the traffic signal and has a yield sign. This lane then becomes the right lane of a two-lane northbound road, with the entrance to Tractor Supply Co.

²⁵ *Id.* at 15:10 – 15:12.

²⁶ *Id.* at 15:12 – 15:19.

²⁷ *Id.* at 15:22 – 17:12.

²⁸ *Id.* at 16:1 – 16:11.

ahead a brief distance to the right. Defendant noted that traffic coming from the west could turn left at the intersection, proceeding into the left lane of the two-lane northbound road. Defendant interpreted the yield sign as “a contingency that the right lane has to yield to people who may want to turn into the right lane” and enter Tractor Supply Co. after turning left.²⁹

Defendant testified that he viewed the intersection of the Interstate 180 eastbound off-ramp and Route 87 at issue in this case³⁰ as “the same thing,” in which the lane proceeding straight has a traffic signal but the lane proceeding to the right has a stop line and crosswalk.³¹ Regarding this intersection, Defendant testified:

“[M]y interpretation of that is – a stop line, I have never heard of anything in my life where you would have to stop whenever you come to a stop line. A stop line, to me, was the recommended place where you would stop if you have to stop.

And, I mean, I’ve been driving since I’ve been 16. I’m 77. I never heard of such a thing. And you shouldn’t have to worry about some line on the ground when you’re worrying about traffic turning and lights. You shouldn’t have to be adding these little nuances where you have to worry about, well, do I have to stop here because of this line on the ground. What happens if it’s snow covered or dirt covered? You know, you can’t depend on that.

And I still can say that that stop line is for the crosswalk. You know, if people are [going to] cross there, you have to stop; and that’s where you would stop...

To me, I mean, their argument is if I would have stopped at that stop line and then continued on it would have made some kind of a difference.

²⁹ *Id.* at 16:12 – 17:1.

³⁰ Defendant introduced Defense Exhibits 1A, 1B, 1C, and 1D, depicting this intersection.

³¹ *February 10, 2022 Notes of Testimony*, 17:5 – 17:12. As discussed below, whereas the right turn lane at the Tractor Supply Co. entrance completes a 90 degree turn, becomes its own lane, and has no clearly marked stop line, the right turn lane at intersection at issue here veers off only a few degrees from the lane travelling straight before ending, at a clearly marked stop line, in the intersection before the traffic signal.

But the traffic was still there. I mean, that would have made no difference if I would have actually stopped and proceeded on. The traffic would have been there. Does that stop line mean I have to stop permanently until the light turns green then or... I don't know. Is that... A driver can't be confused that way."³²

Defendant highlighted Defense Exhibit 4A, the "exit down by Keystone Furniture," pointing out that this intersection has both a stop line and a yield sign in the right lane.³³ Defendant suggested that this means a stop line cannot have any legal effect, because he understands the Commonwealth's position to be that a stop line is tied to a traffic signal, but the yield sign means the right lane is not governed by the traffic signal at this intersection.³⁴ Defendant concluded by testifying that, although he went through the intersection in this case without stopping, he did so "slowly and safely," contending that the vehicle that almost collided with his did not have the right of way, meaning "the onus [was] on [that vehicle] to be careful if he's changing lanes."³⁵

Following Defendant's testimony, the Court explained that, although Defendant had introduced depictions of many intersections where a right turn lane proceeds independent of a traffic signal, "the difference and important distinction between the other intersections [Defendant photographed] and the intersection in this case is that there is a clear stop line in [the lane Defendant's vehicle was in]... It is also clear that the red signal controls not only the traffic going straight but the traffic

³² *Id.* at 17:13 – 18:23.

³³ *Id.* at 19:14 – 20:3.

³⁴ *Id.* Defendant misconstrues the Commonwealth's position as stated in 75 Pa. C.S. § 3112(a)(3)(i), which provides that *if* a vehicle is facing a steady red signal, *then* it must stop at a clearly marked stop line if there is one. At no point did the Commonwealth contend that a clearly marked stop line means a traffic signal controls that lane, and a yield sign means it does not; such is a misunderstanding of the law.

³⁵ *Id.* at 20:4 – 20:12.

turning right which is why there is a stop line there.”³⁶ In response to Defendant’s question, the Court explained that had he stopped at the light and waited until the intersection was clear, he would not have been in violation of the law due to the provision of the vehicle code allowing a vehicle to safely turn right at a continuous red signal.³⁷

On cross-examination, the Commonwealth asked Defendant to confirm that “in some of the examples that [he] pointed to there is also a separate concrete median-type area that... really denotes that that’s a separate lane.”³⁸ Defendant refused to do so, insisting thrice that the matter was “irrelevant” because “they’re turning lanes whether there is a concrete median there or not.”³⁹

Following the conclusion of all testimony and evidence, the Court found that the Commonwealth had met its burden of proof, and found Defendant guilty of failure to stop at a red signal in violation of 75 Pa. C.S. § 3112(a)(3)(i). The Court imposed a fine of \$25. The Defendant indicated on the record his intention to appeal, and the Court informed him that he had 30 days to do so.

INSTANT APPEAL

On March 10, 2022, Defendant filed a timely Notice of Appeal of this Court’s February 10, 2022 verdict. On March 14, 2022, the Court directed Defendant to file a concise statement of matters complained of on appeal within twenty-one days pursuant to Pennsylvania Rule of Appellate Procedure 1925(b). On April 4, 2022,

³⁶ *Id.* at 20:13 – 21:6.

³⁷ *Id.* at 21:8 – 22:4. 75 Pa. C.S. § 3112(a)(3)(ii) provides that “vehicular traffic facing a steady red signal may enter the intersection to turn right... after stopping....”

³⁸ *Id.* at 22:24 to 23:2.

³⁹ *Id.* at 23:3 – 23:8.

within the timeframe for filing his statement, Defendant requested additional time due in part to an initial inability to access the electronic transcript. By Order filed April 11, 2022,⁴⁰ this Court granted Defendant's request pursuant to R.A.P. 1925(b)(2)(i).

On April 18, 2022, Defendant filed his "Statement of Matters Appeal [sic]." This statement cannot be fairly characterized as "concise," as it consists of a full page narrative argument that is single-spaced in 11-point font. However, this has not prevented the Court from understanding at least some of the arguments Defendant is making on appeal. The errors complained of in Defendant's Statement can be summarized essentially as follows:

- The Court erred in concluding that Defendant was required to stop, because he was in "a separate, individual, unique, and continuous right turning lane" and "slowly and safely... proceeded through the turn";
- Other intersections, many nearby, exist with identical structures and do not require a vehicle to stop in identical circumstances to this case;
- The Commonwealth's position at the summary trial before MDJ Whiteman and the stated bases for MDJ Whiteman's ruling were inconsistent with the Commonwealth's position and the basis for Court's ruling at the de novo trial, which "does not seem right nor fair" to Defendant; and
- Because the "Highway Department... obviously errs on the side of safety" but did not see fit to "add any additional traffic controls to the turning lane at the Walmart exit," this Court should have deferred to this determination that "it apparently was not necessary" because the "turning lane is a thru lane that is not controlled by the traffic signal... [a]nd, as with the other [intersections cited by Defendant], there is no requirement to stop."

⁴⁰ Although the Order was not filed until April 11, 2022, the Court communicated with Defendant via email and telephone on April 8, 2022 to let him know that his request would be granted.

The Court issues this Opinion pursuant to Pa. R.A.P. 1925(a) in support of its February 10, 2022 verdict to address these contentions.

A. Separate Turning Lane

Defendant contends that, because the right lane he was in began splitting to the right feet before he approached the red signal, such that the lane was not facing the red signal straight-on but was curved a few degrees to the right, he was in a separate, individual, unique, and continuous turn lane and thus was not required to obey the signal. This is incorrect, for a number of reasons.

First is the plain language of 75 Pa. C.S. § 3112(a)(3)(i), which provides the general rule that “[v]ehicular traffic facing a steady red signal alone shall stop at a clearly marked stop line” before enumerating the exceptions to this principle, none of which apply here. The right turning lane exiting Interstate 180 eastbound and turning onto Route 87 southbound clearly approaches and faces the traffic signal at that intersection, and is marked with a clearly marked stop line. Defendant was facing this signal as he approached that clearly marked stop line.

Second, Defendant’s claim that the lane he was in was “continuous” is belied by the record. As a turning lane, it is marked on either side with a solid white line, but those white lines do not continue all the way to Route 87 southbound. Rather, Route 87 southbound, on the south side of the intersection, consists of two lanes separated by a dotted white line, indicating that drivers may freely merge between them. Unlike many of the turning lanes at other intersections cited by Defendant, the turn lane at the intersection in question did not complete the entirety of the 90 degree curve in the right direction and become a new lane without interruption. Instead, it veered a few

degrees off of the lane traveling straight, proceeded for a few feet, and ended, still within the intersection (as evidenced by the fact that the crosswalk was still feet in front of the clearly marked stop line).

Ultimately, a driver turning right off of the Interstate 180 eastbound off-ramp onto Route 87 southbound must:

1. Merge into the turning lane, which is the rightmost of two lanes approaching the intersection;
2. Proceed parallel to the left lane while approaching the intersection;
3. Follow the right lane as it curves slightly right shortly before the intersection;
4. Come to a clearly marked stop line;
5. Proceed through a crosswalk; and
6. Enter Route 87 Southbound, which on the south side of the intersection consists of two lanes separated by a dotted right line.

Defendant maintains that he can do all of this without stopping or yielding, despite the fact that the traffic signal facing the Interstate 180 eastbound off-ramp is red and the signal facing Route 87 southbound is green. Defendant's cites no legal authority for this contention, but relies on his belief that this is simply common sense given the particular conditions of this intersection. This conclusion is anything but sensible, though, as it would mean that traffic coming from two directions, neither facing a yield sign, both have unfettered right-of-way. Defendant avers that the "Highway Department... obviously errs on the side of safety," but his interpretation of his responsibilities at this intersection would result in a profoundly unsafe condition. A presumption that this intersection was designed with safety in mind should have led to the realization that the right lane – which faces the traffic signal, has no yield sign,

is marked with a clearly marked stop line just in front of a crosswalk, and leads onto a two-lane road with the lanes separated by dotted white lines – is governed by the traffic signal.⁴¹

Defendant's particular arguments to the contrary are likewise without support. Defendant's contention that drivers "can't depend on" a clearly marked stop line because it may sometimes be covered with snow or dirt is specious at best; a driver who is cited for ignoring a wholly obstructed signal may certainly challenge the citation on that basis, but here there is no evidence that Defendant did not see the clearly marked stop line or the red signal. Rather, he approached the intersection and decided to proceed despite the red light and clearly marked stop line, with such confidence in his right to proceed unimpeded that he nearly collided with another vehicle. In doing so, he violated 75 Pa. C.S. § 3112.

B. Other Nearby Intersections

Defendant has cited other nearby intersections in support of his contentions, but each of these intersections has its own configuration that leads to a different result. The intersection of Third Street and Northway Road is different from the intersection at issue in at least three ways: it has no clearly marked stop line, it has a yield sign, and it has a triangular concrete median between the lane proceeding straight through the intersection and the right turn lane. The intersection at the Interstate 180 westbound Faxon exit splits into two lanes well before the intersection, and the right turn lane does not curve slightly to the right before stopping at the

⁴¹ Defendant argued that, at some intersections, the *presence* of a yield sign is an indication that the traffic signal does not govern the turn lane. Inconsistently with this contention, however, Defendant also construed the *absence* of a yield sign at the intersection in question not as a sign that the traffic signal did apply but as an indication that it did not.

intersection. Rather, it curves entirely to the right, past a large triangular concrete median, and *becomes its own lane*; this is evidenced by the lack of a clearly marked stop line and the presence of a sign indicating that traffic proceeding across the intersection and the right turn lane each have a separate lane.⁴² Each of the other intersections cited by Defendant has many characteristics different from the intersection at issue.

Ultimately, each intersection has individualized signage and design, and the existence of similar-but-different intersections does not affect a driver's duties and responsibilities upon encountering any other traffic signal. A driver may turn left on a red signal at the intersection of Pine Street and West Third Street in Williamsport⁴³ but that does not mean a driver can turn left on a red signal at any nearby intersection that does not have a sign forbidding such a turn. In the same way, the fact that a driver may proceed without stopping in a turn lane with no clearly marked stop line, a yield sign, and a concrete median indicating that it becomes its own lane does not mean a driver may proceed without stopping in any nearby intersection, in any turn lane.



⁴²

⁴³ “[V]ehicular traffic facing a steady red signal may enter the intersection to... turn left from a one-way highway onto a one-way highway after stopping....” 75 Pa. C.S. § 3112(a)(3)(ii).

C. Different Grounds for Conviction at Magistrate Trial and De Novo Trial before Court of Common Pleas

Defendant's third error complained of is that his convictions before MDJ Whiteman and this Court were based on different reasoning. This contention lacks merit. By definition, all parties start anew at the commencement of a de novo hearing, and it is well-established that "an issue not raised before a district justice [is] not waived and... even the failure to challenge a citation before a district justice [does] not preclude the court of common pleas from considering the issue in the de novo trial."⁴⁴ Thus, even if the reasoning underlying the convictions was different between the two proceedings, this would be of no moment.

Ultimately, though, Defendant's two convictions were based on the same elements: a violation of 75 Pa. C.S. § 3112(a)(3)(i) by failing to stop at a clearly marked stop line while facing a steady red signal. Defendant states that "Judge Whiteman... claimed that traffic in the lane coming south on Route 87 had the right-of-way... and thus the right lane turning traffic was required to stop for that traffic," whereas during the "second appeal, the reasoning mysteriously changed [and] Judge Linhardt... claimed that a white line across the turning lane somehow magically transferred the control of that lane to the traffic signal bearing away in a totally different direction." That the two courts may have emphasized different reasons underlying the danger of Defendant's driving does not change the fact that both courts found Defendant had violated the same provision of the vehicle code.

⁴⁴ *Com. v. Waltz*, 749 A.2d 1058, 1060 (Pa. Cmwlth. 2000) (citing *Com. v. Patterson*, 27 Pa. D. & C.3d 349 (1983)).

D. Requirement to Stop

Defendant's final contention is essentially a summary of his arguments throughout. For the reasons detailed above, this issue has no merit.

CONCLUSION

For the reasons stated above, the Verdict and Sentence in this matter, entered on February 10, 2022, was supported by the evidence of record, and therefore this Court's ruling should be affirmed.

By the Court,

Eric R. Linhardt, Judge

ERL/jcr

cc: Allan M. Spotts

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DA's Office

Prothonotary

Gary Weber, Esq. (Lycoming Reporter)