

HOUSE BILL 107

R2

01r0437

By: **Delegates R. Lewis, Boyce, Conaway, Lierman, Smith, and Wells**

Introduced and read first time: January 13, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Complete Streets Program Funding – Traffic and Vehicle**
3 **Monitoring Systems**

4 FOR the purpose of requiring Baltimore City to transfer revenue from fines collected as a
5 result of violations enforced by a traffic control signal monitoring system, a speed
6 monitoring system, a school bus monitoring camera, or a vehicle height monitoring
7 system to the Baltimore City Complete Streets Program Fund; establishing the
8 Baltimore City Complete Streets Program Fund as a special, nonlapsing fund;
9 specifying the purpose of the Fund; requiring the Baltimore City Department of
10 Transportation to administer the Fund; requiring the State Treasurer to hold the
11 Fund and the Comptroller to account for the Fund; specifying the contents of the
12 Fund; specifying the purpose for which the Fund may be used; providing for the
13 investment of money in and expenditures from the Fund; defining a certain term;
14 requiring interest earnings of the Fund to be credited to the Fund; exempting the
15 Fund from a certain provision of law requiring interest earnings on State money to
16 accrue to the General Fund of the State; and generally relating to the Baltimore City
17 Complete Streets Program Fund.

18 BY repealing and reenacting, with amendments,
19 Article – Courts and Judicial Proceedings
20 Section 7–302(e)
21 Annotated Code of Maryland
22 (2013 Replacement Volume and 2019 Supplement)

23 BY repealing and reenacting, without amendments,
24 Article – State Finance and Procurement
25 Section 6–226(a)(2)(i)
26 Annotated Code of Maryland
27 (2015 Replacement Volume and 2019 Supplement)

28 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – State Finance and Procurement
2 Section 6–226(a)(2)(ii)121. and 122.
3 Annotated Code of Maryland
4 (2015 Replacement Volume and 2019 Supplement)

5 BY adding to
6 Article – State Finance and Procurement
7 Section 6–226(a)(2)(ii)123.
8 Annotated Code of Maryland
9 (2015 Replacement Volume and 2019 Supplement)

10 BY adding to
11 Article – Transportation
12 Section 8–904.1
13 Annotated Code of Maryland
14 (2015 Replacement Volume and 2019 Supplement)

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

17 **Article – Courts and Judicial Proceedings**

18 7–302.

19 (e) (1) A citation issued pursuant to § 21–202.1, § 21–706.1, § 21–809, §
20 21–810, or § 24–111.3 of the Transportation Article shall provide that the person receiving
21 the citation may elect to stand trial by notifying the issuing agency of the person’s intention
22 to stand trial at least 5 days prior to the date of payment as set forth in the citation. On
23 receipt of the notice to stand trial, the agency shall forward to the District Court having
24 venue a copy of the citation and a copy of the notice from the person who received the
25 citation indicating the person’s intention to stand trial. On receipt thereof, the District
26 Court shall schedule the case for trial and notify the defendant of the trial date under
27 procedures adopted by the Chief Judge of the District Court.

28 (2) A citation issued as the result of a vehicle height monitoring system, a
29 traffic control signal monitoring system, or a speed monitoring system, including a work
30 zone speed control system, controlled by a political subdivision or a school bus monitoring
31 camera shall provide that, in an uncontested case, the penalty shall be paid directly to that
32 political subdivision. A citation issued as the result of a traffic control signal monitoring
33 system or a work zone speed control system controlled by a State agency, or as a result of
34 a vehicle height monitoring system, a traffic control signal monitoring system, a speed
35 monitoring system, or a school bus monitoring camera in a case contested in District Court,
36 shall provide that the penalty shall be paid directly to the District Court.

37 (3) Civil penalties resulting from citations issued using a vehicle height
38 monitoring system, traffic control signal monitoring system, speed monitoring system,
39 work zone speed control system, or school bus monitoring camera that are collected by the

1 District Court shall be collected in accordance with subsection (a) of this section and
2 distributed in accordance with § 12–118 of the Transportation Article.

3 (4) (i) [From] **EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS**
4 **SUBSECTION, FROM** the fines collected by a political subdivision as a result of violations
5 enforced by speed monitoring systems or school bus monitoring cameras, a political
6 subdivision:

7 1. May recover the costs of implementing and administering
8 the speed monitoring systems or school bus monitoring cameras; and

9 2. Subject to subparagraphs (ii) and (iii) of this paragraph,
10 may spend any remaining balance solely for public safety purposes, including pedestrian
11 safety programs.

12 (ii) 1. For any fiscal year, if the balance remaining from the fines
13 collected by a political subdivision as a result of violations enforced by speed monitoring
14 systems, after the costs of implementing and administering the systems are recovered in
15 accordance with subparagraph (i)1 of this paragraph, is greater than 10% of the total
16 revenues of the political subdivision for the fiscal year, the political subdivision shall remit
17 any funds that exceed 10% of the total revenues to the Comptroller.

18 2. The Comptroller shall deposit any money remitted under
19 this subparagraph to the General Fund of the State.

20 (iii) The fines collected by Prince George’s County as a result of
21 violations enforced by speed monitoring systems on Maryland Route 210 shall be remitted
22 to the Comptroller for deposit into the Criminal Injuries Compensation Fund under §
23 11–819 of the Criminal Procedure Article.

24 (5) From the fines collected by Baltimore City as a result of violations
25 enforced by **A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM, A SPEED**
26 **MONITORING SYSTEM, A SCHOOL BUS MONITORING CAMERA, OR A vehicle height**
27 **monitoring [systems] SYSTEM, Baltimore City [may]:**

28 (i) [Recover] **MAY RECOVER** the costs of implementing and
29 administering the vehicle height monitoring systems; and

30 (ii) [Spend] **SHALL TRANSFER** the remaining balance [solely on
31 roadway improvements] **TO THE BALTIMORE CITY COMPLETE STREETS PROGRAM**
32 **FUND, TO BE USED ONLY TO ADVANCE THE PURPOSE AND GOALS OF THE COMPLETE**
33 **STREETS PROGRAM ESTABLISHED UNDER § 8–903 OF THE TRANSPORTATION**
34 **ARTICLE IN BALTIMORE CITY.**

1 6-226.

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

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

10 121. the Markell Hendricks Youth Crime Prevention and
11 Diversion Parole Fund; [and]

12 122. the Federal Government Shutdown Employee Assistance
13 Loan Fund; AND

14 **123. THE BALTIMORE CITY COMPLETE STREETS**
15 **PROGRAM FUND.**

16 **Article – Transportation**

17 **8-904.1.**

18 (A) IN THIS SECTION, “FUND” MEANS THE BALTIMORE CITY COMPLETE
19 STREETS PROGRAM FUND.

20 (B) THERE IS A BALTIMORE CITY COMPLETE STREETS PROGRAM FUND.

21 (C) THE PURPOSE OF THE FUND IS TO ADVANCE THE PURPOSE AND GOALS
22 OF THE COMPLETE STREETS PROGRAM ESTABLISHED UNDER THIS SUBTITLE IN
23 BALTIMORE CITY.

24 (D) THE BALTIMORE CITY DEPARTMENT OF TRANSPORTATION SHALL
25 ADMINISTER THE FUND.

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

28 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
29 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

30 (F) THE FUND CONSISTS OF:

1 **(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 7-302(E)(5) OF**
2 **THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE;**

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

4 **(3) INTEREST EARNINGS OF THE FUND; AND**

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

7 **(G) THE FUND MAY BE USED ONLY TO ADVANCE THE PURPOSE AND GOALS**
8 **OF THE COMPLETE STREETS PROGRAM ESTABLISHED UNDER § 8-903 OF THIS**
9 **SUBTITLE WITHIN BALTIMORE CITY.**

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

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

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

16 **(J) MONEY EXPENDED FROM THE FUND FOR THE BALTIMORE CITY**
17 **COMPLETE STREETS PROGRAM IS SUPPLEMENTAL TO AND IS NOT INTENDED TO**
18 **TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR**
19 **THE BALTIMORE CITY COMPLETE STREETS PROGRAM.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2020.