

HOUSE BILL 404

R5
HB 1180/20 – ENT

(PRE-FILED)

1lr1084

By: **Delegate W. Fisher**

Requested: October 22, 2020

Introduced and read first time: January 13, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Speed Monitoring Systems – Child Care Centers**

3 FOR the purpose of authorizing the placement and use of speed monitoring systems within
4 a certain radius of a child care center under certain circumstances; defining “child
5 care center” for purposes of this Act; and generally relating to the placement and use
6 of speed monitoring systems.

7 BY renumbering

8 Article – Transportation

9 Section 21–809(a)(3) through (7) and (9), respectively

10 to be Section 21–809(a)(4) through (8) and (10), respectively

11 Annotated Code of Maryland

12 (2020 Replacement Volume)

13 BY repealing and reenacting, without amendments,

14 Article – Transportation

15 Section 21–809(a)(1) and (b)(1)(i)

16 Annotated Code of Maryland

17 (2020 Replacement Volume)

18 BY adding to

19 Article – Transportation

20 Section 21–809(a)(3)

21 Annotated Code of Maryland

22 (2020 Replacement Volume)

23 BY repealing and reenacting, with amendments,

24 Article – Transportation

25 Section 21–809(a)(8) and (b)(1)(vi)

26 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2020 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 21–809(a)(3) through (7) and (9), respectively, of Article – Transportation of the Annotated Code of Maryland be renumbered to be Section(s) 21–809(a)(4) through (8) and (10), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

21–809.

(a) (1) In this section the following words have the meanings indicated.

(3) “CHILD CARE CENTER” HAS THE MEANING STATED IN § 9.5–401 OF THE EDUCATION ARTICLE.

[(8) (9) “Speed monitoring system” means a device with one or more motor vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12 miles per hour above the posted speed limit.

(b) (1) (i) A speed monitoring system may not be used in a local jurisdiction under this section unless its use is authorized by the governing body of the local jurisdiction by local law enacted after reasonable notice and a public hearing.

(vi) This section applies to a violation of this subtitle recorded by a speed monitoring system that meets the requirements of this subsection and has been placed:

1. In Montgomery County, on a highway in a residential district, as defined in § 21–101 of this title, with a maximum posted speed limit of 35 miles per hour, which speed limit was established using generally accepted traffic engineering practices;

2. In a school zone with a posted speed limit of at least 20 miles per hour; [or]

3. **ON A HIGHWAY WITHIN A ONE–HALF MILE RADIUS OF A CHILD CARE CENTER WITH A POSTED SPEED LIMIT OF AT LEAST 20 MILES PER HOUR; OR**

4. In Prince George’s County:

A. Subject to subparagraph (vii) of this paragraph, on

1 Maryland Route 210 (Indian Head Highway); or

2 B. On that part of a highway located within the grounds of
3 an institution of higher education as defined in § 10–101(h) of the Education Article, or
4 within one-half mile of the grounds of a building or property used by the institution of
5 higher education where generally accepted traffic and engineering practices indicate that
6 motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the
7 institution of higher education.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2021.