

HOUSE BILL 967

R5

(11r2476)

ENROLLED BILL

— Environment and Transportation/Judicial Proceedings —

Introduced by **Delegate Bridges (By Request – Baltimore City Administration)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Speed Monitoring Systems – Interstate 83**

3 FOR the purpose of authorizing the placement and use of a certain number of speed
4 monitoring systems on Interstate 83 in Baltimore City; requiring that fines collected
5 by Baltimore City as a result of violations enforced by certain speed monitoring
6 systems be used to assist in covering the cost of roadway improvements on Interstate
7 83 in Baltimore City; requiring certain signage and a certain real-time display of a
8 driver's traveling speed for speed monitoring systems operating on Interstate 83 in
9 Baltimore City; requiring an agency to mail a warning notice instead of a citation for
10 a violation recorded by a speed monitoring system on Interstate 83 in Baltimore City
11 during a certain time period following the activation of the speed monitoring system;
12 providing for the termination of ~~certain provisions of~~ this Act; making a technical
13 correction; and generally relating to speed monitoring systems on Interstate 83 in
14 Baltimore City.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, with amendments,
 2 Article – Courts and Judicial Proceedings
 3 Section 7–302(e)(4)
 4 Annotated Code of Maryland
 5 (2020 Replacement Volume)

6 BY repealing and reenacting, without amendments,
 7 Article – Transportation
 8 Section 21–809(a)(1) and (8), (b)(1)(i) ~~and (viii)~~, and (c)
 9 Annotated Code of Maryland
 10 (2020 Replacement Volume)

11 BY repealing and reenacting, with amendments,
 12 Article – Transportation
 13 Section 21–809(b)(1)(v) through ~~(vii)~~ (viii) and (d)(2)
 14 Annotated Code of Maryland
 15 (2020 Replacement Volume)

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

18 **Article – Courts and Judicial Proceedings**

19 7–302.

20 (e) (4) (i) From the fines collected by a political subdivision as a result of
 21 violations enforced by speed monitoring systems or school bus monitoring cameras, a
 22 political subdivision:

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

25 2. Subject to subparagraphs (ii) [and], (iii), AND (IV) of this
 26 paragraph, may spend any remaining balance solely for public safety purposes, including
 27 pedestrian safety programs.

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

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

(iii) The fines collected by Prince George’s County as a result of violations enforced by speed monitoring systems on Maryland Route 210 shall be remitted to the Comptroller for distribution to the State Highway Administration to be used solely to assist in covering the costs of:

1. Examining the engineering, infrastructure, and other relevant factors that may contribute to safety issues on Maryland Route 210 in Prince George’s County;

2. Reporting its findings and recommendations on any solutions to these safety issues; and

3. Implementing any solutions to these safety issues.

(IV) 1. FROM THE FINES COLLECTED BY BALTIMORE CITY AS A RESULT OF VIOLATIONS ENFORCED BY SPEED MONITORING SYSTEMS ON INTERSTATE 83, ANY BALANCE REMAINING AFTER THE ALLOCATION OF FINES UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE REMITTED TO THE COMPTROLLER FOR DISTRIBUTION TO THE STATE HIGHWAY ADMINISTRATION BALTIMORE CITY DEPARTMENT OF TRANSPORTATION TO BE USED SOLELY TO ASSIST IN COVERING THE COST OF ROADWAY IMPROVEMENTS ON INTERSTATE 83 IN BALTIMORE CITY.

2. FINES REMITTED TO THE BALTIMORE CITY DEPARTMENT OF TRANSPORTATION UNDER SUBPARAGRAPH (IV)1 OF THIS PARAGRAPH ARE SUPPLEMENTAL TO AND ARE NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT WOULD OTHERWISE BE APPROPRIATED FOR USES DESCRIBED UNDER SUBPARAGRAPH (IV)1 OF THIS PARAGRAPH.

~~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.

(8) “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.

(v) An ordinance or resolution adopted by the governing body of a local jurisdiction under this paragraph shall provide that, if the local jurisdiction moves or places a mobile or stationary speed monitoring system to or at a location where a speed monitoring system had not previously been moved or placed, the local jurisdiction may not issue a citation for a violation recorded by that speed monitoring system:

1. Until signage is installed in accordance with subparagraph [(vii)] (VIII) of this paragraph; and

2. For at least the first 15 calendar days after the signage is installed.

(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. In Prince George’s County:

A. Subject to subparagraph [(vii)] (VII)1 of this paragraph, on Maryland Route 210 (Indian Head Highway); or

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

4. SUBJECT TO SUBPARAGRAPH (VII)2 OF THIS PARAGRAPH, ON INTERSTATE 83 IN BALTIMORE CITY.

(vii) 1. Not more than three speed monitoring systems may be placed on Maryland Route 210 (Indian Head Highway).

2. NOT MORE THAN TWO SPEED MONITORING SYSTEMS MAY BE PLACED ON INTERSTATE 83 IN BALTIMORE CITY.

1 (viii) Before activating a speed monitoring system, the local
2 jurisdiction shall:

3 1. Publish notice of the location of the speed monitoring
4 system on its website and in a newspaper of general circulation in the jurisdiction;

5 2. Ensure that each sign that designates a school zone is
6 proximate to a sign that:

7 A. Indicates that speed monitoring systems are in use in the
8 school zone; and

9 B. Is in accordance with the manual for and the specifications
10 for a uniform system of traffic control devices adopted by the State Highway Administration
11 under § 25–104 of this article;

12 3. With regard to a speed monitoring system established on
13 Maryland Route 210 (Indian Head Highway) in Prince George's County ~~or~~, based on
14 proximity to an institution of higher education under subparagraph (vi)³ of this paragraph,
15 **OR ON INTERSTATE 83 IN BALTIMORE CITY**, ensure that all speed limit signs
16 approaching and within the segment of highway on which the speed monitoring system is
17 located include signs that:

18 A. Are in accordance with the manual and specifications for
19 a uniform system of traffic control devices adopted by the State Highway Administration
20 under § 25–104 of this article; and

21 B. Indicate that a speed monitoring system is in use; and

22 4. With regard to a speed monitoring system placed on
23 Maryland Route 210 (Indian Head Highway) in Prince George's County **OR INTERSTATE**
24 **83 IN BALTIMORE CITY**, ensure that each sign that indicates that a speed monitoring
25 system is in use is proximate to a device that displays a real-time posting of the speed at
26 which a driver is traveling.

27 (c) (1) Unless the driver of the motor vehicle received a citation from a police
28 officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this
29 section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is
30 recorded by a speed monitoring system while being operated in violation of this subtitle.

31 (2) A civil penalty under this subsection may not exceed \$40.

32 (3) For purposes of this section, the District Court shall prescribe:

33 (i) A uniform citation form consistent with subsection (d)(1) of this
34 section and § 7–302 of the Courts Article; and

1 (ii) A civil penalty, which shall be indicated on the citation, to be paid
2 by persons who choose to prepay the civil penalty without appearing in District Court.

3 (d) (2) (I) [An] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
4 PARAGRAPH, AN agency may mail a warning notice instead of a citation to the owner liable
5 under subsection (c) of this subsection.

6 (II) WITH REGARD TO A SPEED MONITORING SYSTEM
7 ESTABLISHED ON INTERSTATE 83 IN BALTIMORE CITY, AN AGENCY SHALL MAIL A
8 WARNING NOTICE INSTEAD OF A CITATION FOR A VIOLATION RECORDED BY THE
9 SPEED MONITORING SYSTEM DURING THE FIRST 90 DAYS THAT THE SPEED
10 MONITORING SYSTEM IS IN OPERATION.

11 SECTION ~~3~~ 2. AND BE IT FURTHER ENACTED, That ~~Section 1 of this Act shall~~
12 take effect ~~on October~~ June 1, 2021. It shall remain effective for a period of ~~4 years and 9~~
13 ~~months~~ 5 years and 1 month and at the end of June 30, 2026, ~~Section 1 of this Act, with no~~
14 further action required by the General Assembly, shall be abrogated and of no further force
15 and effect.

16 ~~SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the provisions of~~
17 ~~Section 3 of this Act, this Act shall take effect October 1, 2021.~~

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.