

# SENATE BILL 368

R5

1lr1339

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By: **Senator Peters**

Introduced and read first time: January 15, 2021

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Speed Monitoring Systems – Municipal Corporations – Authorization**

3 FOR the purpose of authorizing a municipal corporation to implement and use a speed  
4 monitoring system on a certain municipal highway under certain circumstances;  
5 authorizing a municipal corporation to implement and use the speed monitoring  
6 system if a county fails to respond to a certain request within a certain period of  
7 time; prohibiting a county from unreasonably denying a certain request or from  
8 placing exactions, fees, or certain restrictions on the implementation and use of the  
9 speed monitoring system; requiring a county to state in writing the reasons for any  
10 denial of a request made by a municipal corporation for permission to implement and  
11 use a speed monitoring system on a certain municipal highway; authorizing a  
12 municipal corporation to contest in the circuit court a certain denial of permission by  
13 the county; and generally relating to the implementation and use of speed  
14 monitoring systems in municipal corporations.

15 BY repealing and reenacting, with amendments,

16 Article – Transportation  
17 Section 21–809(b)(1)(vi)  
18 Annotated Code of Maryland  
19 (2020 Replacement Volume)

20 BY adding to

21 Article – Transportation  
22 Section 21–809(b)(1)(xi)  
23 Annotated Code of Maryland  
24 (2020 Replacement Volume)

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

27 **Article – Transportation**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 21-809.

2 (b) (1) (vi) This section applies to a violation of this subtitle recorded by a  
3 speed monitoring system that meets the requirements of this subsection and has been  
4 placed:

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

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

11 3. In Prince George's County:

12 A. Subject to subparagraph (vii) of this paragraph, on  
13 Maryland Route 210 (Indian Head Highway); or

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

20 **4. BY A MUNICIPAL CORPORATION ON ANY MUNICIPAL**  
21 **HIGHWAY UNDER ITS JURISDICTION, SUBJECT TO SUBPARAGRAPH (XI) OF THIS**  
22 **PARAGRAPH.**

23 **(XI) 1. A MUNICIPAL CORPORATION MAY IMPLEMENT AND**  
24 **USE A SPEED MONITORING SYSTEM CONSISTENT WITH THE REQUIREMENTS OF THIS**  
25 **SUBSECTION ON A MUNICIPAL HIGHWAY AT A LOCATION WITHIN ITS CORPORATE**  
26 **LIMITS IF THE MUNICIPAL CORPORATION:**

27 **A. SUBMITS TO THE COUNTY A PLAN DESCRIBING THE**  
28 **PROPOSED LOCATION OF THE SPEED MONITORING SYSTEM; AND**

29 **B. REQUESTS AND RECEIVES PERMISSION FROM THE**  
30 **COUNTY TO USE THE SPEED MONITORING SYSTEM AT THE PROPOSED LOCATION.**

31 **2. IF THE COUNTY FAILS TO RESPOND TO THE REQUEST**  
32 **WITHIN 60 DAYS, THE MUNICIPAL CORPORATION MAY IMPLEMENT AND USE THE**  
33 **SPEED MONITORING SYSTEM AS DESCRIBED IN THE PLAN SUBMISSION.**

1                                   **3. A COUNTY MAY NOT:**

2                                   **A. UNREASONABLY DENY A REQUEST UNDER THIS**  
3 **SUBPARAGRAPH; OR**

4                                   **B. PLACE EXACTIONS, FEES, OR UNREASONABLE**  
5 **RESTRICTIONS ON THE IMPLEMENTATION AND USE OF A SPEED MONITORING**  
6 **SYSTEM UNDER THIS SUBPARAGRAPH.**

7                                   **4. A COUNTY SHALL STATE IN WRITING THE REASONS**  
8 **FOR ANY DENIAL OF A REQUEST UNDER THIS SUBPARAGRAPH.**

9                                   **5. A MUNICIPAL CORPORATION MAY CONTEST IN THE**  
10 **CIRCUIT COURT A COUNTY DENIAL OF A REQUEST UNDER THIS SUBPARAGRAPH.**

11                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12                   October 1, 2021.