

SENATE BILL 888

R5

(11r3007)

ENROLLED BILL

— Judicial Proceedings/Environment and Transportation —

Introduced by **Senator Beidle**

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.

President.

CHAPTER _____

1 AN ACT concerning

2 **Anne Arundel County – Speed Monitoring Systems – Maryland Route 175**
3 **(Jessup Road)**

4 FOR the purpose of authorizing the placement and use of speed monitoring systems on
5 Maryland Route 175 (Jessup Road) in Anne Arundel County between the Maryland
6 Route 175/295 interchange and the Anne Arundel County–Howard County line,
7 subject to certain placement and signage requirements; *requiring that the fines*
8 *collected by Anne Arundel County as a result of violations enforced by certain speed*
9 *monitoring systems be used to assist in covering the cost of speed reduction measures*
10 *and roadway and pedestrian safety measures on Maryland Route 175 (Jessup Road)*
11 *between the Maryland Route 175/295 interchange and the Anne Arundel*
12 *County–Howard County line; requiring a certain real-time display of a driver's*
13 *traveling speed for a speed monitoring system operating on Maryland Route 175*
14 *(Jessup Road) between the Maryland Route 175/295 interchange and the Anne*
15 *Arundel County–Howard County line; providing for the termination of this Act;*

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 making a technical correction; and generally relating to the placement and use of
2 speed monitoring systems in Anne Arundel County.

3 BY repealing and reenacting, with amendments,

4 Article – Courts and Judicial Proceedings

5 Section 7–302(e)(4)

6 Annotated Code of Maryland

7 (2020 Replacement Volume)

8 BY repealing and reenacting, without amendments,

9 Article – Transportation

10 Section 21–809(a)(1) and (8), (b)(1)(i) ~~and (viii)~~, and (c)

11 Annotated Code of Maryland

12 (2020 Replacement Volume)

13 BY repealing and reenacting, with amendments,

14 Article – Transportation

15 Section 21–809(b)(1)(v) ~~and (vi)~~, (vi), and (viii)

16 Annotated Code of Maryland

17 (2020 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Courts and Judicial Proceedings**

21 7–302.

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

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

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

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

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

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

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

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

12 3. Implementing any solutions to these safety issues.

13 **(IV) FROM THE FINES COLLECTED BY ANNE ARUNDEL COUNTY**
 14 **AS A RESULT OF VIOLATIONS ENFORCED BY SPEED MONITORING SYSTEMS ON**
 15 **MARYLAND ROUTE 175 (JESSUP ROAD) BETWEEN THE MARYLAND ROUTE 175/295**
 16 **INTERCHANGE AND THE ANNE ARUNDEL COUNTY-HOWARD COUNTY LINE, ANY**
 17 **BALANCE REMAINING AFTER THE ALLOCATION OF FINES UNDER SUBPARAGRAPH**
 18 **(I)1 OF THIS PARAGRAPH SHALL BE REMITTED TO THE COMPTROLLER FOR**
 19 **DISTRIBUTION TO THE STATE HIGHWAY ADMINISTRATION TO BE USED SOLELY TO**
 20 **ASSIST IN COVERING THE COST OF SPEED REDUCTION MEASURES AND ROADWAY AND**
 21 **PEDESTRIAN SAFETY IMPROVEMENTS ON MARYLAND ROUTE 175 (JESSUP ROAD)**
 22 **BETWEEN THE MARYLAND ROUTE 175/295 INTERCHANGE AND THE ANNE ARUNDEL**
 23 **COUNTY-HOWARD COUNTY LINE.**

24 Article – Transportation

25 21–809.

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

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

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

33 (v) An ordinance or resolution adopted by the governing body of a
 34 local jurisdiction under this paragraph shall provide that, if the local jurisdiction moves or
 35 places a mobile or stationary speed monitoring system to or at a location where a speed

1 monitoring system had not previously been moved or placed, the local jurisdiction may not
2 issue a citation for a violation recorded by that speed monitoring system:

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

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

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

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

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

16 3. In Prince George’s County:

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

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

25 **4. IN ANNE ARUNDEL COUNTY, ON MARYLAND ROUTE**
26 **175 (JESSUP ROAD) BETWEEN THE MARYLAND ROUTE 175/295 INTERCHANGE AND**
27 **THE ANNE ARUNDEL COUNTY–HOWARD COUNTY LINE.**

28 (viii) Before activating a speed monitoring system, the local
29 jurisdiction shall:

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

32 2. Ensure that each sign that designates a school zone is
33 proximate to a sign that:

1 A. Indicates that speed monitoring systems are in use in the
2 school zone; and

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

6 3. With regard to a speed monitoring system established on
7 Maryland Route 210 (Indian Head Highway) in Prince George’s County ~~or~~, based on
8 proximity to an institution of higher education under subparagraph (vi)³ of this paragraph,
9 **OR IN ANNE ARUNDEL COUNTY ON MARYLAND ROUTE 175 (JESSUP ROAD)**
10 **BETWEEN THE MARYLAND ROUTE 175/295 INTERCHANGE AND THE ANNE ARUNDEL**
11 **COUNTY–HOWARD COUNTY LINE**, ensure that all speed limit signs approaching and
12 within the segment of highway on which the speed monitoring system is located include
13 signs that:

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

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

18 4. With regard to a speed monitoring system placed on
19 Maryland Route 210 (Indian Head Highway) in Prince George’s County **OR IN ANNE**
20 **ARUNDEL COUNTY ON MARYLAND ROUTE 175 (JESSUP ROAD) BETWEEN THE**
21 **MARYLAND ROUTE 175/295 INTERCHANGE AND THE ANNE ARUNDEL**
22 **COUNTY–HOWARD COUNTY LINE**, ensure that each sign that indicates that a speed
23 monitoring system is in use is proximate to a device that displays a real–time posting of
24 the speed at which a driver is traveling.

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

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

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

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

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

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 2 October 1, 2021. It shall remain effective for a period of 5 years and, at the end of September
 3 30, 2026, this Act, with no further action required by the General Assembly, shall be
 4 abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.