

HOUSE BILL 73

R2
HB 226/21 – ENT

(PRE-FILED)

2lr0751

By: **Delegate R. Lewis**

Requested: October 14, 2021

Introduced and read first time: January 12, 2022

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Complete Streets and Safe Routes to School Programs –**
3 **Funding**

4 FOR the purpose of requiring Baltimore City to spend, after recovering costs, the
5 remaining balance of fines collected as a result of violations enforced by certain
6 traffic and vehicle monitoring systems on activities eligible for funding under the
7 State Highway Administration’s Safe Routes to School Program or public safety or
8 transportation infrastructure improvements consistent with the purpose and goals
9 of the Complete Streets Program and the Complete Streets Transportation System;
10 requiring the Department of Transportation to submit a certain report on the
11 Complete Streets Program to the Baltimore City Delegation to the General
12 Assembly; and generally relating to the Complete Streets Program and the Safe
13 Routes to School Program in Baltimore City.

14 BY repealing and reenacting, with amendments,
15 Article – Courts and Judicial Proceedings
16 Section 7–302(e)(4)(i) and (5)
17 Annotated Code of Maryland
18 (2020 Replacement Volume and 2021 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article – Courts and Judicial Proceedings
21 Section 7–302(e)(4)(iv)
22 Annotated Code of Maryland
23 (2020 Replacement Volume and 2021 Supplement)

24 BY repealing and reenacting, with amendments,
25 Article – Courts and Judicial Proceedings
26 Section 7–302(e)(4)(i) and (5)
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2020 Replacement Volume and 2021 Supplement)
(As enacted by Chapter 628 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–908
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

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

Article – Courts and Judicial Proceedings

7–302.

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

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

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

(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 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.

(5) From the fines collected by Baltimore City as a result of violations enforced by **A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM, A SPEED MONITORING SYSTEM NOT ON INTERSTATE 83, A SCHOOL BUS MONITORING CAMERA, OR A** vehicle height monitoring [systems] **SYSTEM**, Baltimore City [may]:

1 (i) [Recover] **MAY RECOVER** the costs of implementing and
 2 administering [the] **A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM, A SPEED**
 3 **MONITORING SYSTEM NOT ON INTERSTATE 83, A SCHOOL BUS MONITORING**
 4 **CAMERA, OR A vehicle height monitoring [systems] SYSTEM;** and

5 (ii) [Spend] **SHALL USE** the remaining balance [solely on roadway
 6 improvements] **FOR THE FOLLOWING PURPOSES:**

7 **1. INFRASTRUCTURE AND NONINFRASTRUCTURE**
 8 **ACTIVITIES ELIGIBLE FOR FUNDING UNDER THE STATE HIGHWAY**
 9 **ADMINISTRATION'S SAFE ROUTES TO SCHOOL PROGRAM, AS JOINTLY AGREED ON**
 10 **BY THE BALTIMORE CITY PUBLIC SCHOOLS AND THE BALTIMORE CITY**
 11 **DEPARTMENT OF TRANSPORTATION; AND**

12 **2. PUBLIC SAFETY OR TRANSPORTATION**
 13 **INFRASTRUCTURE IMPROVEMENTS CONSISTENT WITH THE PURPOSE AND GOALS**
 14 **OF THE COMPLETE STREETS PROGRAM UNDER § 8-903 OF THE TRANSPORTATION**
 15 **ARTICLE AND THE COMPLETE STREETS TRANSPORTATION SYSTEM UNDER**
 16 **ARTICLE 26, § 40-6 OF THE BALTIMORE CITY CODE.**

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

19 **Article – Courts and Judicial Proceedings**

20 7-302.

21 (e) (4) (i) [From] **EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS**
 22 **SUBSECTION, FROM** the fines collected by a political subdivision as a result of violations
 23 enforced by speed monitoring systems or school bus monitoring cameras, a political
 24 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 (5) From the fines collected by Baltimore City as a result of violations
 31 enforced by **A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM, A SPEED**
 32 **MONITORING SYSTEM, A SCHOOL BUS MONITORING CAMERA, OR A vehicle height**
 33 **monitoring [systems] SYSTEM,** Baltimore City [may]:

(i) [Recover] **MAY RECOVER** the costs of implementing and administering [the] **A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM, A SPEED MONITORING SYSTEM, A SCHOOL BUS MONITORING CAMERA, OR A vehicle height monitoring [systems] SYSTEM**; and

(ii) [Spend] **SHALL USE** the remaining balance [solely on roadway improvements] **FOR THE FOLLOWING PURPOSES:**

1. INFRASTRUCTURE AND NONINFRASTRUCTURE ACTIVITIES ELIGIBLE FOR FUNDING UNDER THE STATE HIGHWAY ADMINISTRATION'S SAFE ROUTES TO SCHOOL PROGRAM, AS JOINTLY AGREED ON BY THE BALTIMORE CITY PUBLIC SCHOOLS AND THE BALTIMORE CITY DEPARTMENT OF TRANSPORTATION; AND

2. PUBLIC SAFETY OR TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS CONSISTENT WITH THE PURPOSE AND GOALS OF THE COMPLETE STREETS PROGRAM UNDER § 8-903 OF THE TRANSPORTATION ARTICLE AND THE COMPLETE STREETS TRANSPORTATION SYSTEM UNDER ARTICLE 26, § 40-6 OF THE BALTIMORE CITY CODE.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

8-908.

(a) On or before December 31 each year, the Department shall submit a report to the Senate Finance Committee, Senate Budget and Taxation Committee, House Appropriations Committee, [and] House Environment and Transportation Committee, **AND BALTIMORE CITY DELEGATION TO THE GENERAL ASSEMBLY**, in accordance with § 2-1257 of the State Government Article, on the status of the Program.

(b) The report required under subsection (a) of this section shall include:

(1) The status of any grant projects funded by the Program; and

(2) A discussion of whether there is a need to reevaluate the Program to ensure that it is meeting the goals stated in § 8-903(b) of this subtitle.

(c) The report required under subsection (a) of this section shall be made available on the Department's website.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of the termination provision specified in Section 2 of

1 Chapter 628 of the Acts of the General Assembly of 2021. If that termination provision
2 takes effect, Section 1 of this Act, with no further action required by the General
3 Assembly, shall be abrogated and of no further force and effect. This Act may not be
4 interpreted to have any effect on that termination provision.

5 SECTION 5. AND BE IT FURTHER ENACTED, That, subject to the provisions of
6 Section 4 of this Act, this Act shall take effect October 1, 2022.