

SENATE BILL 577

R5

3lr1396

By: **Senator Lewis Young**

Introduced and read first time: February 6, 2023

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Speed Monitoring Systems – Counties and Municipal**
3 **Corporations**

4 FOR the purpose of repealing the authority of a municipal corporation that does not have
5 a law enforcement agency to implement a speed monitoring system program; altering
6 the locations where a county or a municipal corporation may place and use a speed
7 monitoring system; and generally relating to speed monitoring systems.

8 BY repealing and reenacting, without amendments,

9 Article – Transportation

10 Section 21–809(a)(1)

11 Annotated Code of Maryland

12 (2020 Replacement Volume and 2022 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Transportation

15 Section 21–809(a)(2), (b)(1)(i) and (ii), (d)(1)(viii), and (e)(1)

16 Annotated Code of Maryland

17 (2020 Replacement Volume and 2022 Supplement)

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

19 That the Laws of Maryland read as follows:

20 **Article – Transportation**

21 21–809.

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

23 (2) “Agency” means[:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) A] A law enforcement agency of a local political subdivision that
 2 is authorized to issue a citation for a violation of the Maryland Vehicle Law or of local traffic
 3 laws or regulations[; or

4 (ii) For a municipal corporation that does not maintain a police force,
 5 an agency established or designated by the municipal corporation to implement this
 6 subtitle using speed monitoring systems in accordance with this section].

7 (b) (1) (i) 1. A speed monitoring system may [not] be used in a local
 8 jurisdiction **WITH AN AGENCY** under this section [unless] **IF** its use is authorized by the
 9 governing body of the local jurisdiction by local law enacted after reasonable notice and a
 10 public hearing.

11 **2. SUBJECT TO SUBPARAGRAPH (II) OF THIS**
 12 **PARAGRAPH, A LOCAL JURISDICTION MAY PLACE AND USE A SPEED MONITORING**
 13 **SYSTEM ONLY:**

14 **A. FOR A COUNTY, ON A STATE HIGHWAY AT A LOCATION**
 15 **OUTSIDE OF ANY MUNICIPAL CORPORATION;**

16 **B. FOR A MUNICIPAL CORPORATION, ON A STATE**
 17 **HIGHWAY AT A LOCATION WITHIN ITS CORPORATE LIMITS; AND**

18 **C. ON A HIGHWAY UNDER ITS JURISDICTION.**

19 (ii) Before a [county] **LOCAL JURISDICTION** may use a speed
 20 monitoring system on a State highway [at a location within a municipal corporation], the
 21 [county] **LOCAL JURISDICTION** shall[:

22 1. Obtain] **OBTAIN** the approval of the State Highway
 23 Administration[;

24 2. Notify the municipal corporation of the State Highway
 25 Administration's approval of the use of a speed monitoring system at that location; and

26 3. Grant the municipal corporation 60 days from the date of
 27 the county's notice to the municipal corporation to enact an ordinance authorizing the
 28 municipal corporation instead of the county to use a speed monitoring system at that
 29 location].

30 (d) (1) Subject to the provisions of paragraphs (2) through (4) of this
 31 subsection, an agency shall mail to an owner liable under subsection (c) of this section a
 32 citation that shall include:

1 (viii) A signed statement by a duly authorized law enforcement officer
2 employed by [or under contract with] an agency that, based on inspection of recorded
3 images, the motor vehicle was being operated in violation of this subtitle;

4 (e) (1) A certificate alleging that the violation of this subtitle occurred and the
5 requirements under subsection (b) of this section have been satisfied, sworn to, or affirmed
6 by a duly authorized law enforcement officer employed by [or under contract with] an
7 agency, based on inspection of recorded images produced by a speed monitoring system,
8 shall be evidence of the facts contained in the certificate and shall be admissible in a
9 proceeding alleging a violation under this section without the presence or testimony of the
10 speed monitoring system operator who performed the requirements under subsection (b) of
11 this section.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2023.