

# HOUSE BILL 1035

R5

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By: **Delegates West, Aumann, and P. Young**

Introduced and read first time: February 11, 2016

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Speed Monitoring Systems – Days and Times of Operation,**  
3 **Minimum Excess Speed, and Penalties**

4 FOR the purpose of altering the restriction on the days and times during which a speed  
5 monitoring system in a school zone may operate in Baltimore County; decreasing the  
6 minimum number of miles per hour above a posted speed limit that a motor vehicle  
7 must be traveling in Baltimore County in order for the motor vehicle to be recorded  
8 by a speed monitoring system; increasing the maximum civil penalty for a violation  
9 recorded by a speed monitoring system in Baltimore County; establishing that a  
10 person in Baltimore County may elect to perform a certain number of hours of  
11 community service rather than pay a civil penalty for a violation recorded by a speed  
12 monitoring system; requiring that a citation issued in Baltimore County for a  
13 violation recorded by a speed monitoring system contain certain information on  
14 performance and reporting of community service completed under this Act; altering  
15 a certain definition; and generally relating to speed monitoring systems.

16 BY repealing and reenacting, with amendments,  
17 Article – Transportation  
18 Section 21–809(a)(8), (b)(1)(viii), (c), and (d)(1) and (5)  
19 Annotated Code of Maryland  
20 (2012 Replacement Volume and 2015 Supplement)

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

23 **Article – Transportation**

24 21–809.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (8) "Speed monitoring system" means a device with one or more motor  
2 vehicle sensors producing recorded images of motor vehicles traveling at speeds [at least  
3 12 miles per hour] above the posted speed limit.

4 (b) (1) (viii) 1. A speed monitoring system in a school zone may operate  
5 only Monday through Friday between 6:00 a.m. and 8:00 p.m.

6 **2. IN BALTIMORE COUNTY, A SPEED MONITORING**  
7 **SYSTEM IN A SCHOOL ZONE MAY OPERATE ONLY MONDAY THROUGH FRIDAY**  
8 **BETWEEN 6:00 A.M. AND 10:00 P.M. AND SATURDAY AND SUNDAY BETWEEN 8:00 A.M.**  
9 **AND 6:00 P.M.**

10 (c) (1) [Unless] **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
11 **SUBSECTION, UNLESS** the driver of the motor vehicle received a citation from a police  
12 officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this  
13 section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is  
14 recorded by a speed monitoring system [while being operated in violation of this subtitle]:

15 **(I) WHILE TRAVELING AT SPEEDS AT LEAST 12 MILES PER**  
16 **HOUR ABOVE THE POSTED SPEED LIMIT; OR**

17 **(II) IN BALTIMORE COUNTY, WHILE TRAVELING AT SPEEDS AT**  
18 **LEAST 8 MILES PER HOUR ABOVE THE POSTED SPEED LIMIT.**

19 (2) **(I) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**  
20 **PARAGRAPH, A civil penalty under this subsection may not exceed \$40.**

21 **(II) IN BALTIMORE COUNTY, A CIVIL PENALTY UNDER THIS**  
22 **SUBSECTION MAY NOT EXCEED \$50.**

23 (3) **IN BALTIMORE COUNTY, A PERSON WHO IS SUBJECT TO A CIVIL**  
24 **PENALTY UNDER THIS SUBSECTION MAY CHOOSE TO PERFORM 5 HOURS OF**  
25 **COMMUNITY SERVICE INSTEAD OF PAYING THE CIVIL PENALTY.**

26 **(4) For purposes of this section, the District Court shall prescribe:**

27 (i) A uniform citation form consistent with subsection (d)(1) of this  
28 section and § 7-302 of the Courts Article; and

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

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

- 1 (i) The name and address of the registered owner of the vehicle;
- 2 (ii) The registration number of the motor vehicle involved in the  
3 violation;
- 4 (iii) The violation charged;
- 5 (iv) The location where the violation occurred;
- 6 (v) The date and time of the violation;
- 7 (vi) A copy of the recorded image;
- 8 (vii) The amount of the civil penalty imposed and the date by which  
9 the civil penalty should be paid;

10 (VIII) IN BALTIMORE COUNTY, INFORMATION ADVISING THE  
11 PERSON ALLEGED TO BE LIABLE UNDER THIS SECTION OF:

12 1. THE OPTION OF PERFORMING 5 HOURS OF  
13 COMMUNITY SERVICE INSTEAD OF PAYING THE CIVIL PENALTY; AND

14 2. THE REQUIREMENTS FOR PERFORMING AND  
15 REPORTING THE COMPLETION OF THE COMMUNITY SERVICE;

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

19 [(ix)] (X) A statement that recorded images are evidence of a  
20 violation of this subtitle;

21 [(x)] (XI) Information advising the person alleged to be liable under  
22 this section of the manner and time in which liability as alleged in the citation may be  
23 contested in the District Court; and

24 [(xi)] (XII) Information advising the person alleged to be liable under  
25 this section that failure to pay the civil penalty or to contest liability in a timely manner,  
26 OR IN BALTIMORE COUNTY, TO COMPLETE COMMUNITY SERVICE IN A TIMELY  
27 MANNER:

- 28 1. Is an admission of liability;
- 29 2. May result in the refusal by the Administration to register  
30 the motor vehicle; and

