

HOUSE BILL 275

R5

0lr0938

By: **Prince George's County Delegation**

Introduced and read first time: January 20, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Speed Monitoring Systems – Maryland Route 210**
3 **(Indian Head Highway)**

4 **PG 306–20**

5 FOR the purpose of repealing the requirement that certain revenue collected by Prince
6 George's County as a result of violations recorded by speed monitoring systems on
7 Maryland Route 210 (Indian Head Highway) be deposited into the Criminal Injuries
8 Compensation Fund and instead requiring that the revenue be credited to the State
9 Highway Administration to be used solely for certain safety-related purposes related
10 to Maryland Route 210 in Prince George's County; repealing as a funding source for
11 the Criminal Injuries Compensation Fund revenue generated as a result of violations
12 recorded by speed monitoring systems on Maryland Route 210 in Prince George's
13 County; and generally relating to the use of revenue generated as a result of
14 violations recorded by speed monitoring systems on Maryland Route 210 in Prince
15 George's County.

16 BY repealing and reenacting, with amendments,
17 Article – Courts and Judicial Proceedings
18 Section 7–302(e)(4)
19 Annotated Code of Maryland
20 (2013 Replacement Volume and 2019 Supplement)

21 BY repealing and reenacting, without amendments,
22 Article – Criminal Procedure
23 Section 11–819(a)(1)
24 Annotated Code of Maryland
25 (2018 Replacement Volume and 2019 Supplement)

26 BY repealing and reenacting, with amendments,
27 Article – Criminal Procedure

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 11–819(a)(2)
 2 Annotated Code of Maryland
 3 (2018 Replacement Volume and 2019 Supplement)

4 BY repealing and reenacting, without amendments,
 5 Article – Transportation
 6 Section 21–809(a)(1) and (8) and (b)(1)(i), (vi)3.A., (vii), and (viii)3. and 4.
 7 Annotated Code of Maryland
 8 (2012 Replacement Volume and 2019 Supplement)

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

11 **Article – Courts and Judicial Proceedings**

12 7–302.

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

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

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

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

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

29 (iii) The fines collected by Prince George’s County as a result of
 30 violations enforced by speed monitoring systems on Maryland Route 210 shall be remitted
 31 to the Comptroller for [deposit into the Criminal Injuries Compensation Fund under §
 32 11–819 of the Criminal Procedure Article] **DISTRIBUTION TO THE STATE HIGHWAY
 33 ADMINISTRATION TO BE USED SOLELY TO ASSIST IN COVERING THE COSTS OF:**

34 **1. EXAMINING THE ENGINEERING, INFRASTRUCTURE,
 35 AND OTHER RELEVANT FACTORS THAT MAY CONTRIBUTE TO SAFETY ISSUES ON**

1 **MARYLAND ROUTE 210 IN PRINCE GEORGE’S COUNTY;**

2 **2. REPORTING ITS FINDINGS AND RECOMMENDATIONS**
3 **ON ANY SOLUTIONS TO THESE SAFETY ISSUES; AND**

4 **3. IMPLEMENTING ANY SOLUTIONS TO THESE SAFETY**
5 **ISSUES.**

6 **Article – Criminal Procedure**

7 11–819.

8 (a) (1) There is a Criminal Injuries Compensation Fund.

9 (2) The Fund consists of:

10 (i) money distributed to the Fund from the additional court costs
11 collected from defendants under § 7–409 of the Courts Article;

12 (ii) [money distributed to the Fund under § 7–302(e)(4)(iii) of the
13 Courts Article from fines collected for violations enforced by speed monitoring systems on
14 Maryland Route 210 in Prince George’s County;

15 (iii)] any investment earnings or federal matching funds received by
16 the State for criminal injuries compensation; and

17 [(iv)] (III) funds made available to the Fund from any other source.

18 **Article – Transportation**

19 21–809.

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

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

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

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

1 3. In Prince George's County:

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

4 (vii) Not more than three speed monitoring systems may be placed on
5 Maryland Route 210 (Indian Head Highway).

6 (viii) Before activating a speed monitoring system, the local
7 jurisdiction shall:

8 3. With regard to a speed monitoring system established on
9 Maryland Route 210 (Indian Head Highway) in Prince George's County or based on
10 proximity to an institution of higher education under paragraph (1)(vi)3 of this subsection,
11 ensure that all speed limit signs approaching and within the segment of highway on which
12 the speed monitoring system is located include signs that:

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

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

17 4. With regard to a speed monitoring system placed on
18 Maryland Route 210 (Indian Head Highway) in Prince George's County, ensure that each
19 sign that indicates that a speed monitoring system is in use is proximate to a device that
20 displays a real-time posting of the speed at which a driver is traveling.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
22 1, 2020.