

# HOUSE BILL 562

R5

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By: **Delegates Carr, Fraser–Hidalgo, Frush, Lam, and Moon**

Introduced and read first time: February 3, 2016

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Speed Monitoring Systems – Exclusion of Vehicle Rental Companies – Repeal**

3 FOR the purpose of altering a certain definition to repeal the exclusion of motor vehicle  
4 rental companies as owners of motor vehicles for purposes of the enforcement of  
5 violations recorded by speed monitoring systems; and generally relating to vehicle  
6 rental companies and speed monitoring systems.

7 BY repealing and reenacting, with amendments,

8 Article – Transportation

9 Section 21–809(a)(4)

10 Annotated Code of Maryland

11 (2012 Replacement Volume and 2015 Supplement)

12 BY repealing and reenacting, without amendments,

13 Article – Transportation

14 Section 21–809(c) and (f)(4)

15 Annotated Code of Maryland

16 (2012 Replacement Volume and 2015 Supplement)

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

18 That the Laws of Maryland read as follows:

19 **Article – Transportation**

20 21–809.

21 (a) (4) (i) “Owner” means the registered owner of a motor vehicle or a  
22 lessee of a motor vehicle under a lease of 6 months or more.

23 (ii) “Owner” does not include:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   1.     A motor vehicle [rental or] leasing company; or

2                   2.     A holder of a special registration plate issued under Title  
3 13, Subtitle 9, Part III of this article.

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

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

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

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

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

14           (f)   (4)   (i)    If the District Court finds that the person named in the citation  
15 was not operating the vehicle at the time of the violation or receives evidence under  
16 paragraph (3) of this subsection identifying the person driving the vehicle at the time of the  
17 violation, the clerk of the court shall provide to the agency issuing the citation a copy of any  
18 evidence substantiating who was operating the vehicle at the time of the violation.

19                   (ii)   On receipt of substantiating evidence from the District Court  
20 under subparagraph (i) of this paragraph, an agency may issue a citation as provided in  
21 subsection (d) of this section to the person who the evidence indicates was operating the  
22 vehicle at the time of the violation.

23                   (iii)   A citation issued under subparagraph (ii) of this paragraph shall  
24 be mailed no later than 2 weeks after receipt of the evidence from the District Court.

25           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2016.