

HOUSE BILL 569

R5

01r0752

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

Introduced and read first time: February 3, 2010

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Speed Monitoring Systems – Chillum Road and**
3 **Sargent Road**

4 **PG 307–10**

5 FOR the purpose of authorizing the placement of speed monitoring systems on certain
6 highways in Prince George's County; and generally relating to speed monitoring
7 systems in Prince George's County.

8 BY repealing and reenacting, without amendments,
9 Article – Transportation
10 Section 21–809(a)(5)
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2009 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section 21–809(b)
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2009 Supplement)

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

20 **Article – Transportation**

21 21–809.

22 (a) (5) “Speed monitoring system” means a device with one or more motor
23 vehicle sensors producing recorded images of motor vehicles traveling at speeds at
24 least 12 miles per hour above the posted speed limit.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4 (ii) Before a county may use a speed monitoring system on a
5 State highway at a location within a municipal corporation, the county shall:

6 1. Obtain the approval of the State Highway
7 Administration;

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

11 3. Grant the municipal corporation 60 days from the
12 date of the county's notice to the municipal corporation to enact an ordinance
13 authorizing the municipal corporation instead of the county to use a speed monitoring
14 system at that location.

15 (iii) An ordinance or resolution adopted by the governing body of
16 a local jurisdiction under this paragraph shall provide that for a period of at least 30
17 days after the first speed monitoring system is placed in the local jurisdiction, a
18 violation recorded by any speed monitoring system in the local jurisdiction may be
19 enforced only by the issuance of a warning.

20 (iv) This section applies to a violation of this subtitle recorded by
21 a speed monitoring system that meets the requirements of this subsection and has
22 been placed:

23 1. In Montgomery County, on a highway in a residential
24 district, as defined in § 21-101 of this title, with a maximum posted speed limit of 35
25 miles per hour, which speed limit was established using generally accepted traffic
26 engineering practices; [or]

27 2. **IN PRINCE GEORGE'S COUNTY, ON:**

28 **A. CHILLUM ROAD BETWEEN QUEENS CHAPEL**
29 **ROAD AND SARGENT ROAD; OR**

30 **B. SARGENT ROAD BETWEEN THE BORDER OF**
31 **PRINCE GEORGE'S COUNTY AND THE DISTRICT OF COLUMBIA AND RIGGS**
32 **ROAD; OR**

33 3. In a school zone established under § 21-803.1 of this
34 subtitle.

1 (v) Before activating an unmanned stationary speed monitoring
2 system, the local jurisdiction shall:

3 1. Publish notice of the location of the speed monitoring
4 system on its website and in a newspaper of general circulation in the jurisdiction; and

5 2. Ensure that each sign that designates a school zone
6 indicates that speed monitoring systems are in use in school zones.

7 (vi) A speed monitoring system in a school zone may operate
8 only Monday through Friday between 6:00 a.m. and 8:00 p.m.

9 (2) (i) A speed monitoring system operator shall complete training
10 by a manufacturer of speed monitoring systems in the procedures for setting up and
11 operating the speed monitoring system.

12 (ii) The manufacturer shall issue a signed certificate to the
13 speed monitoring system operator on completion of the training.

14 (iii) The certificate of training shall be admitted as evidence in
15 any court proceeding for a violation of this section.

16 (3) A speed monitoring system operator shall fill out and sign a daily
17 set-up log for a speed monitoring system that:

18 (i) States that the speed monitoring system operator
19 successfully performed the manufacturer-specified self-test of the speed monitoring
20 system prior to producing a recorded image;

21 (ii) Shall be kept on file; and

22 (iii) Shall be admitted as evidence in any court proceeding for a
23 violation of this section.

24 (4) (i) A speed monitoring system shall undergo an annual
25 calibration check performed by an independent calibration laboratory.

26 (ii) The independent calibration laboratory shall issue a signed
27 certificate of calibration after the annual calibration check that:

28 1. Shall be kept on file; and

29 2. Shall be admitted as evidence in any court proceeding
30 for a violation of this section.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2010.