

# SENATE BILL 43

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(PRE-FILED)

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By: **Senator Reilly**

Requested: October 21, 2021

Introduced and read first time: January 12, 2022

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Speed Monitoring Systems – Maryland Route 648**  
3 **(Baltimore–Annapolis Boulevard)**

4 FOR the purpose of authorizing the placement and use of speed monitoring systems on  
5 Maryland Route 648 (Baltimore–Annapolis Boulevard) in Anne Arundel County  
6 between Hoyle Lane and Cypress Creek Road, subject to certain placement and  
7 signage requirements; requiring that the fines collected by Anne Arundel County as  
8 a result of violations enforced by certain speed monitoring systems be used to assist  
9 in covering the cost of speed reduction measures and roadway and pedestrian safety  
10 measures on Maryland Route 648 (Baltimore–Annapolis Boulevard) between Hoyle  
11 Lane and Cypress Creek Road; and generally relating to the placement and use of  
12 speed monitoring systems in Anne Arundel County.

13 BY repealing and reenacting, with amendments,  
14 Article – Courts and Judicial Proceedings  
15 Section 7–302(e)(4)  
16 Annotated Code of Maryland  
17 (2020 Replacement Volume and 2021 Supplement)

18 BY repealing and reenacting, without amendments,  
19 Article – Transportation  
20 Section 21–809(a)(1) and (8), (b)(1)(i), and (c)  
21 Annotated Code of Maryland  
22 (2020 Replacement Volume and 2021 Supplement)

23 BY repealing and reenacting, with amendments,  
24 Article – Transportation  
25 Section 21–809(b)(1)(vi) and (viii)  
26 Annotated Code of Maryland  
27 (2020 Replacement Volume and 2021 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Courts and Judicial Proceedings**

4 7–302.

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

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

10 2. Subject to subparagraphs (ii), (iii), and (iv) of this  
11 paragraph, may spend any remaining balance solely for public safety purposes, including  
12 pedestrian safety programs.

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

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

21 (iii) The fines collected by Prince George’s County as a result of  
22 violations enforced by speed monitoring systems on Maryland Route 210 shall be remitted  
23 to the Comptroller for distribution to the State Highway Administration to be used solely  
24 to assist in covering the costs of:

25 1. Examining the engineering, infrastructure, and other  
26 relevant factors that may contribute to safety issues on Maryland Route 210 in Prince  
27 George’s County;

28 2. Reporting its findings and recommendations on any  
29 solutions to these safety issues; and

30 3. Implementing any solutions to these safety issues.

31 (iv) 1. From the fines collected by Baltimore City as a result of  
32 violations enforced by speed monitoring systems on Interstate 83, any balance remaining  
33 after the allocation of fines under subparagraph (i)1 of this paragraph shall be remitted to  
34 the Comptroller for distribution to the Baltimore City Department of Transportation to be

1 used solely to assist in covering the cost of roadway improvements on Interstate 83 in  
2 Baltimore City.

3                   2. Fines remitted to the Baltimore City Department of  
4 Transportation under subparagraph (iv)1 of this paragraph are supplemental to and are  
5 not intended to take the place of funding that would otherwise be appropriated for uses  
6 described under subparagraph (iv)1 of this paragraph.

7                   (v) From the fines collected by Anne Arundel County as a result of  
8 violations enforced by speed monitoring systems on Maryland Route 175 (Jessup Road)  
9 between the Maryland Route 175/295 interchange and the Anne Arundel County–Howard  
10 County line, any balance remaining after the allocation of fines under subparagraph (i)1 of  
11 this paragraph shall be remitted to the Comptroller for distribution to the State Highway  
12 Administration to be used solely to assist in covering the cost of speed reduction measures  
13 and roadway and pedestrian safety improvements on Maryland Route 175 (Jessup Road)  
14 between the Maryland Route 175/295 interchange and the Anne Arundel County–Howard  
15 County line.

16                   **(VI) FROM THE FINES COLLECTED BY ANNE ARUNDEL COUNTY**  
17 **AS A RESULT OF VIOLATIONS ENFORCED BY SPEED MONITORING SYSTEMS ON**  
18 **MARYLAND ROUTE 648 (BALTIMORE–ANNAPOLIS BOULEVARD) BETWEEN HOYLE**  
19 **LANE AND CYPRESS CREEK ROAD, ANY BALANCE REMAINING AFTER THE**  
20 **ALLOCATION OF FINES UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE**  
21 **REMITTED TO THE COMPTROLLER FOR DISTRIBUTION TO THE STATE HIGHWAY**  
22 **ADMINISTRATION TO BE USED SOLELY TO ASSIST IN COVERING THE COST OF SPEED**  
23 **REDUCTION MEASURES AND ROADWAYS AND PEDESTRIAN SAFETY IMPROVEMENTS**  
24 **ON MARYLAND ROUTE 648 (BALTIMORE–ANNAPOLIS BOULEVARD) BETWEEN**  
25 **HOYLE LANE AND CYPRESS CREEK ROAD.**

26                   **Article – Transportation**

27 21–809.

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

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

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

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

1                   1.     In Montgomery County or Prince George’s County, on a  
2 highway in a residential district, as defined in § 21–101 of this title, with a maximum posted  
3 speed limit of 35 miles per hour, which speed limit was established using generally accepted  
4 traffic engineering practices;

5                   2.     In a school zone with a posted speed limit of at least 20  
6 miles per hour;

7                   3.     In Prince George’s County:

8                   A.    Subject to subparagraph (vii)<sup>1</sup> of this paragraph, on  
9 Maryland Route 210 (Indian Head Highway); or

10                  B.    On that part of a highway located within the grounds of  
11 an institution of higher education as defined in § 10–101(h) of the Education Article, or  
12 within one-half mile of the grounds of a building or property used by the institution of  
13 higher education where generally accepted traffic and engineering practices indicate that  
14 motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the  
15 institution of higher education;

16                  4.    Subject to subparagraph (vii)<sup>2</sup> of this paragraph, on  
17 Interstate 83 in Baltimore City; [or]

18                  5.    In Anne Arundel County, on Maryland Route 175 (Jessup  
19 Road) between the Maryland Route 175/295 interchange and the Anne Arundel  
20 County–Howard County line; **OR**

21                  **6.    IN ANNE ARUNDEL COUNTY, ON MARYLAND ROUTE**  
22 **648 (BALTIMORE–ANNAPOLIS BOULEVARD) BETWEEN HOYLE LANE AND CYPRESS**  
23 **CREEK ROAD.**

24                  (viii) Before activating a speed monitoring system, the local  
25 jurisdiction shall:

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

28                  2.    Ensure that each sign that designates a school zone is  
29 proximate to a sign that:

30                  A.    Indicates that speed monitoring systems are in use in the  
31 school zone; and

32                  B.    Is in accordance with the manual for and the specifications  
33 for a uniform system of traffic control devices adopted by the State Highway Administration

1 under § 25–104 of this article;

2                   3. With regard to a speed monitoring system established on  
3 Maryland Route 210 (Indian Head Highway) in Prince George’s County, based on proximity  
4 to an institution of higher education under subparagraph (vi)3 of this paragraph, on  
5 Interstate 83 in Baltimore City, [or] in Anne Arundel County on Maryland Route 175  
6 (Jessup Road) between the Maryland Route 175/295 interchange and the Anne Arundel  
7 County–Howard County line, **OR IN ANNE ARUNDEL COUNTY ON MARYLAND ROUTE**  
8 **648 (BALTIMORE–ANNAPOLIS BOULEVARD) BETWEEN HOYLE LANE AND CYPRESS**  
9 **CREEK ROAD**, ensure that all speed limit signs approaching and within the segment of  
10 highway on which the speed monitoring system is located include signs that:

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

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

15                   4. With regard to a speed monitoring system placed on  
16 Maryland Route 210 (Indian Head Highway) in Prince George’s County, Interstate 83 in  
17 Baltimore City, [or] in Anne Arundel County on Maryland Route 175 (Jessup Road)  
18 between the Maryland Route 175/295 interchange and the Anne Arundel County–Howard  
19 County line, **OR IN ANNE ARUNDEL COUNTY ON MARYLAND ROUTE 648**  
20 **(BALTIMORE–ANNAPOLIS BOULEVARD) BETWEEN HOYLE LANE AND CYPRESS**  
21 **CREEK ROAD**, ensure that each sign that indicates that a speed monitoring system is in  
22 use is proximate to a device that displays a real–time posting of the speed at which a driver  
23 is traveling.

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

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

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

30                   (i) A uniform citation form consistent with subsection (d)(1) of this  
31 section and § 7–302 of the Courts Article; and

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

34                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
35 October 1, 2022. It shall remain effective for a period of 5 years and, at the end of September  
36 30, 2027, this Act, with no further action required by the General Assembly, shall be

1 abrogated and of no further force and effect.