

SENATE BILL 857

R5

3lr1422
CF HB 846

By: **Senator McCray**

Introduced and read first time: February 6, 2023

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Traffic Control Signal and Speed Monitoring Systems –**
3 **Impoundment**

4 FOR the purpose of authorizing violations recorded by traffic control signal and speed
5 monitoring systems occurring in Baltimore City to be treated as parking violations
6 for the purpose of impoundment of certain vehicles under certain circumstances; and
7 generally relating to traffic control signal and speed monitoring system violations in
8 Baltimore City.

9 BY repealing and reenacting, without amendments,
10 Article – Transportation
11 Section 21–202.1(d)(1), 21–809(c)(1), and 26–301(b)
12 Annotated Code of Maryland
13 (2020 Replacement Volume and 2022 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Transportation
16 Section 21–202.1(i) and 21–809(h)
17 Annotated Code of Maryland
18 (2020 Replacement Volume and 2022 Supplement)

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

21 **Article – Transportation**

22 21–202.1.

23 (d) (1) Unless the driver of the motor vehicle received a citation from a police
24 officer at the time of the violation, the owner or, in accordance with subsection (g)(5) of this
25 section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 recorded by a traffic control signal monitoring system while being operated in violation of
2 § 21–202(h) of this subtitle.

3 (i) (1) A violation for which a civil penalty is imposed under this section:

4 [(1)] (I) Is not a moving violation for the purpose of assessing points
5 under § 16–402 of this article and may not be recorded by the Administration on the driving
6 record of the owner or driver of the vehicle;

7 [(2)] (II) May be treated as a parking violation for purposes of § 26–305 of
8 this article; and

9 [(3)] (III) May not be considered in the provision of motor vehicle insurance
10 coverage.

11 (2) A VIOLATION OCCURRING IN BALTIMORE CITY FOR WHICH A
12 CIVIL PENALTY IS IMPOSED UNDER THIS SECTION MAY BE TREATED AS A PARKING
13 VIOLATION FOR PURPOSES OF IMPOUNDMENT UNDER § 26–301 OF THIS ARTICLE IF
14 THE OWNER HAS ACCRUED \$1,000 OR MORE IN UNPAID CIVIL PENALTIES FOR
15 VIOLATIONS RECORDED IN BALTIMORE CITY UNDER THIS SECTION OR § 21–809 OF
16 THIS TITLE.

17 21–809.

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

22 (h) (1) A violation for which a civil penalty is imposed under this section:

23 [(1)] (I) Is not a moving violation for the purpose of assessing points
24 under § 16–402 of this article;

25 [(2)] (II) May not be recorded by the Administration on the driving record
26 of the owner or driver of the vehicle;

27 [(3)] (III) May be treated as a parking violation for purposes of § 26–305 of
28 this article; and

29 [(4)] (IV) May not be considered in the provision of motor vehicle insurance
30 coverage.

31 (2) A VIOLATION OCCURRING IN BALTIMORE CITY FOR WHICH A
32 CIVIL PENALTY IS IMPOSED UNDER THIS SECTION MAY BE TREATED AS A PARKING

1 VIOLATION FOR PURPOSES OF IMPOUNDMENT UNDER § 26–301 OF THIS ARTICLE IF
2 THE OWNER HAS ACCRUED \$1,000 OR MORE IN UNPAID CIVIL PENALTIES FOR
3 VIOLATIONS RECORDED IN BALTIMORE CITY UNDER THIS SECTION OR § 21–202.1
4 OF THIS TITLE.

5 26–301.

6 (b) Subject to subsection (c) of this section, any State agency authorized by law
7 and any political subdivision of this State may adopt ordinances or regulations that:

8 (1) Regulate the parking of vehicles;

9 (2) Provide for the impounding of vehicles parked in violation of the
10 ordinances or regulations;

11 (3) Regulate the towing of vehicles from publicly owned and privately
12 owned parking lots; and

13 (4) Provide for the issuance of a citation by an officer for a violation of an
14 ordinance or regulation that is adopted under this section.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2023.