

SB0277/953724/1

BY: Delegate Shank

AMENDMENTS TO SENATE BILL 277
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, before “repealing” insert “requiring that a certain independent calibration of a speed monitoring system be done weekly; requiring a certain technician who performed a certain calibration check on a speed monitoring system to be present at a certain proceeding; requiring the District Court to make a certain finding, and a certain local jurisdiction to make a certain payment, if a calibration check on a speed monitoring system was not performed in a certain time period:”.

On page 2, in line 12, after “certain” insert “weekly”; in line 29, after “trial;” insert “requiring a certain technician who performed a certain calibration check on a work zone speed control system to be present at a certain proceeding;”; and in line 34, after “defense;” insert “requiring the District Court to make a certain finding, and a certain jurisdiction to make a certain payment, if a calibration check on a work zone speed monitoring system was not performed in a certain time period;”.

AMENDMENT NO. 2

On page 9, in line 24, strike “an annual” and substitute “A WEEKLY”; and in line 27, strike “annual” and substitute “WEEKLY”.

On page 12, after line 9, insert:

“(3) THE TECHNICIAN WITH THE INDEPENDENT CALIBRATION LABORATORY WHO PERFORMED THE LAST RECORDED WEEKLY CALIBRATION CHECK ON A SPEED MONITORING SYSTEM THAT RECORDED A VIOLATION UNDER THIS SECTION SHALL BE PRESENT AT A PROCEEDING ALLEGING THE VIOLATION TO TESTIFY AS TO THE DATE OF THE LAST WEEKLY CALIBRATION CHECK.”;

(Over)

and in line 10, strike “(3)” and substitute “(4)”.

On page 13, after line 13, insert:

“(5) IF THE DISTRICT COURT FINDS THAT A CALIBRATION OF THE SPEED MONITORING SYSTEM, AS REQUIRED IN SUBSECTION (B)(4) OF THIS SECTION, WAS NOT PERFORMED WITHIN THE 7 DAYS PRECEDING THE RECORDING OF AN ALLEGED VIOLATION OF THIS SECTION:

(I) THE DISTRICT COURT SHALL MAKE A FINDING THAT NO VIOLATION OCCURRED; AND

(II) THE LOCAL JURISDICTION OPERATING THE SPEED MONITORING SYSTEM SHALL PAY THE PERSON NAMED IN THE CITATION THREE TIMES THE AMOUNT OF THE PENALTY THAT WOULD HAVE BEEN ASSESSED HAD THE COURT IMPOSED A CIVIL PENALTY UNDER THIS SECTION.”

AMENDMENT NO. 3

On page 20, in line 31, strike “AN ANNUAL” and substitute “A WEEKLY”.

On page 21, in line 2, strike “ANNUAL” and substitute “WEEKLY”.

On page 23, after line 29, insert:

“(3) THE TECHNICIAN WITH THE INDEPENDENT CALIBRATION LABORATORY WHO PERFORMED THE LAST RECORDED WEEKLY CALIBRATION CHECK ON A WORK ZONE SPEED CONTROL SYSTEM THAT RECORDED A VIOLATION UNDER THIS SECTION SHALL BE PRESENT AT A PROCEEDING

ALLEGING THE VIOLATION TO TESTIFY AS TO THE DATE OF THE LAST WEEKLY CALIBRATION CHECK.”;

and in line 30, strike “(3)” and substitute “(4)”.

On page 24, after line 36, insert:

“(5) IF THE DISTRICT COURT FINDS THAT A CALIBRATION OF THE WORK ZONE SPEED CONTROL SYSTEM, AS REQUIRED IN SUBSECTION (B)(6) OF THIS SECTION, WAS NOT PERFORMED WITHIN THE 7 DAYS PRECEDING THE RECORDING OF AN ALLEGED VIOLATION OF THIS SECTION:

(I) THE DISTRICT COURT SHALL MAKE A FINDING THAT NO VIOLATION OCCURRED; AND

(II) THE JURISDICTION OPERATING THE WORK ZONE SPEED CONTROL SYSTEM SHALL PAY THE PERSON NAMED IN THE CITATION THREE TIMES THE AMOUNT OF THE PENALTY THAT WOULD HAVE BEEN ASSESSED HAD THE COURT IMPOSED A CIVIL PENALTY UNDER THIS SECTION.”.