

# HOUSE BILL 1053

L2, D2

2lr2729

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By: **Charles County Delegation**

Introduced and read first time: February 10, 2012

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Charles County – Red Light Violations – Civil Penalties – Late Payment Fee**

3 FOR the purpose of authorizing Charles County or a municipality in Charles County,  
4 in an uncontested case involving a violation recorded by a traffic control signal  
5 monitoring system in which the civil fine is paid directly to the County or the  
6 municipality, to charge a fee to cover administrative costs associated with  
7 processing the late payment of the fine; and generally relating to violations  
8 recorded by traffic control signal monitoring systems in Charles County.

9 BY repealing and reenacting, without amendments,  
10 Article – Transportation  
11 Section 21–202.1(d)  
12 Annotated Code of Maryland  
13 (2009 Replacement Volume and 2011 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Courts and Judicial Proceedings  
16 Section 7–301(a)  
17 Annotated Code of Maryland  
18 (2006 Replacement Volume and 2011 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
20 MARYLAND, 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  
24 police officer at the time of the violation, the owner or, in accordance with subsection  
25 (g)(5) of this section, the driver of a motor vehicle is subject to a civil penalty if the

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 (2) A civil penalty under this subsection may not exceed \$100.

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

5 (i) A uniform citation form consistent with subsection (e)(1) of  
6 this section and § 7–302 of the Courts and Judicial Proceedings Article; and

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

## 10 Article – Courts and Judicial Proceedings

11 7–301.

12 (a) (1) Except as provided in paragraphs (2) and (3) of this subsection, the  
13 court costs in a traffic case, including parking and impounding cases, cases under §  
14 21–202.1, § 21–809, or § 21–810 of the Transportation Article in which costs are  
15 imposed, and cases under § 10–112 of the Criminal Law Article in which costs are  
16 imposed:

17 (i) Are \$22.50 plus the surcharge under subsection (f) of this  
18 section; and

19 (ii) Shall also be applicable to those cases in which the  
20 defendant elects to waive the defendant’s right to trial and pay the fine or penalty  
21 deposit established by the Chief Judge of the District Court by administrative  
22 regulation.

23 (2) In an uncontested case under § 21–202.1, § 21–809, or § 21–810 of  
24 the Transportation Article, an uncontested case under § 10–112 of the Criminal Law  
25 Article, or an uncontested parking or impounding case in which the fines are paid  
26 directly to a political subdivision or municipality, costs are \$2.00, which costs shall be  
27 paid to and retained by the political subdivision or municipality.

28 (3) (i) In an uncontested case in which the fine is paid directly to  
29 an agency of State government authorized by law to regulate parking of motor  
30 vehicles, the court costs are \$2.00.

31 (ii) The fine and the costs under this paragraph shall be paid to  
32 the agency, which shall receive and account for these funds as in all other cases  
33 involving sums due the State through a State agency.

1           **(4) IN AN UNCONTESTED CASE UNDER § 21-202.1 OF THE**  
2 **TRANSPORTATION ARTICLE IN WHICH THE FINES ARE PAID DIRECTLY TO**  
3 **CHARLES COUNTY OR A MUNICIPALITY IN CHARLES COUNTY, IN ADDITION TO**  
4 **ANY OTHER COSTS IMPOSED UNDER THIS SECTION, THE COUNTY OR**  
5 **MUNICIPALITY MAY CHARGE A FEE TO A PERSON WHO PAYS THE FINE AFTER**  
6 **THE DEADLINE SPECIFIED IN THE CITATION TO COVER ADMINISTRATIVE COSTS**  
7 **ASSOCIATED WITH PROCESSING LATE PAYMENTS.**

8           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2012.