

# HOUSE BILL 565

R5  
HB 435/13 – ENV

4lr2534

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By: **Delegate Howard**

Introduced and read first time: January 29, 2014

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems –**  
3 **Restitution**

4 FOR the purpose of requiring the District Court, if a person who receives a citation for  
5 an alleged violation recorded by a speed monitoring system or a work zone  
6 speed control system prevails at a certain trial, to order the agency or police  
7 department that issued the citation to pay the person certain restitution; and  
8 generally relating to speed monitoring and work zone speed control systems.

9 BY repealing and reenacting, without amendments,  
10 Article – Transportation  
11 Section 21–809(c) and (d)(5) and 21–810(c) and (d)(5)  
12 Annotated Code of Maryland  
13 (2012 Replacement Volume and 2013 Supplement)

14 BY adding to  
15 Article – Transportation  
16 Section 21–809(f)(5) and 21–810(f)(5)  
17 Annotated Code of Maryland  
18 (2012 Replacement Volume and 2013 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 21–809.

23 (c) (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 (f)(4) 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 speed monitoring system while being operated in  
2 violation of this subtitle.

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

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

5 (i) A uniform citation form consistent with subsection (d)(1) of  
6 this section and § 7-302 of the Courts 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 (d) (5) A person who receives a citation under paragraph (1) of this  
11 subsection may:

12 (i) Pay the civil penalty, in accordance with instructions on the  
13 citation, directly to the political subdivision; or

14 (ii) Elect to stand trial in the District Court for the alleged  
15 violation.

16 (f) **(5) IF A PERSON WHO RECEIVES A CITATION UNDER THIS**  
17 **SECTION PREVAILS AT A TRIAL ON THE ALLEGED VIOLATION FOR WHICH THE**  
18 **CITATION WAS ISSUED, THE DISTRICT COURT SHALL ORDER THE AGENCY THAT**  
19 **ISSUED THE CITATION TO PAY THE PERSON RESTITUTION OF \$40.**

20 21-810.

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

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

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

29 (i) Prescribe a uniform citation form consistent with subsection  
30 (d)(1) of this section and § 7-302 of the Courts Article; and

31 (ii) Indicate on the citation the amount of the civil penalty to be  
32 paid by persons who choose to prepay the civil penalty without appearing in District  
33 Court.

1           (d)   (5)   A person who receives a citation under paragraph (1) of this  
2 subsection may:

3                           (i)    Pay the civil penalty in accordance with instructions on the  
4 citation; or

5                           (ii)   Elect to stand trial in the District Court for the alleged  
6 violation.

7           (f)   **(5)   IF A PERSON WHO RECEIVES A CITATION UNDER THIS**  
8 **SECTION PREVAILS AT A TRIAL ON THE ALLEGED VIOLATION FOR WHICH THE**  
9 **CITATION WAS ISSUED, THE DISTRICT COURT SHALL ORDER THE POLICE**  
10 **DEPARTMENT THAT ISSUED THE CITATION TO PAY THE PERSON RESTITUTION**  
11 **OF \$40.**

12           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2014.