

HB0263/210018/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 263
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Repeal” insert “and Notification Requirement”; in line 7, after “cameras;” insert “requiring a law enforcement agency to provide a certain notice to a motor vehicle rental company before issuing a certain citation; prohibiting a law enforcement agency from mailing a motor vehicle rental company a certain citation if the motor vehicle rental company provides the law enforcement agency with certain information or pays a certain penalty; making conforming changes;”; and in line 11, after “21-706.1(a)(3)” insert “and (f)”.

AMENDMENT NO. 2

On page 2, after line 14, insert:

“(f) (1) Subject to the provisions of paragraphs (2) through [(4)] (5) of this subsection, a law enforcement agency shall mail to the owner liable under subsection (e) of this section a citation that shall include:

- (i) The name and address of the registered owner of the vehicle;
- (ii) The registration number of the motor vehicle involved in the violation;
- (iii) The violation charged;
- (iv) To the extent possible, the location of the violation;
- (v) The date and time of the violation;

(Over)

**HB0263/210018/1 Environment and Transportation Committee
Amendments to HB 263
Page 2 of 4**

(vi) A copy of the recorded image;

(vii) The amount of the civil penalty imposed and the date by which the civil penalty must be paid;

(viii) A signed statement by a technician employed by the law enforcement agency that, based on inspection of recorded images, the motor vehicle was being operated during the commission of a violation;

(ix) A statement that recorded images are evidence of a violation;
and

(x) Information advising the person alleged to be liable under this section:

1. Of the manner and time in which liability as alleged in the citation may be contested in the District Court; and

2. That failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability and may result in refusal or suspension of the motor vehicle registration.

(2) The law enforcement agency may mail a warning notice in place of a citation to the owner liable under subsection (e) of this section.

(3) (1) BEFORE MAILING A CITATION TO A MOTOR VEHICLE RENTAL COMPANY LIABLE UNDER SUBSECTION (E) OF THIS SECTION, A LAW ENFORCEMENT AGENCY SHALL MAIL A NOTICE TO THE MOTOR VEHICLE RENTAL COMPANY STATING THAT A CITATION WILL BE MAILED TO THE MOTOR VEHICLE RENTAL COMPANY UNLESS, WITHIN 45 DAYS OF RECEIVING THE NOTICE, THE

MOTOR VEHICLE RENTAL COMPANY PROVIDES THE LAW ENFORCEMENT AGENCY WITH:

1. A STATEMENT MADE UNDER OATH THAT STATES THE NAME AND LAST KNOWN MAILING ADDRESS OF THE INDIVIDUAL DRIVING OR RENTING THE MOTOR VEHICLE WHEN THE VIOLATION OCCURRED;

2. A. A STATEMENT MADE UNDER OATH THAT STATES THAT THE MOTOR VEHICLE RENTAL COMPANY IS UNABLE TO DETERMINE WHO WAS DRIVING OR RENTING THE VEHICLE AT THE TIME THE VIOLATION OCCURRED BECAUSE THE MOTOR VEHICLE WAS STOLEN AT THE TIME OF THE VIOLATION; AND

B. A COPY OF THE POLICE REPORT ASSOCIATED WITH THE MOTOR VEHICLE THEFT CLAIMED UNDER ITEM A OF THIS ITEM; OR

3. PAYMENT FOR THE PENALTY ASSOCIATED WITH THE VIOLATION.

(II) A LAW ENFORCEMENT AGENCY MAY NOT MAIL A CITATION TO A MOTOR VEHICLE RENTAL COMPANY LIABLE UNDER SUBSECTION (E) OF THIS SECTION IF THE MOTOR VEHICLE RENTAL COMPANY COMPLIES WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(4) Except as provided in PARAGRAPH (3) OF THIS SUBSECTION AND subsection (h)(5) of this section, a citation issued under this section shall be mailed no later than 2 weeks after the alleged violation.

[(4)] (5) A person who receives a citation under paragraph (1) of this subsection may:

(Over)

**HB0263/210018/1 Environment and Transportation Committee
Amendments to HB 263
Page 4 of 4**

(i) Pay the civil penalty, in accordance with instructions on the citation, directly to the county; or

(ii) Elect to stand trial for the alleged violation.”.