

HOUSE BILL 107

R2

01r0437

By: Delegates R. Lewis, Boyce, Conaway, Lierman, Smith, and Wells

Introduced and read first time: January 13, 2020

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2020

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Complete Streets Program Funding – Traffic and Vehicle**
3 **Monitoring Systems**

4 FOR the purpose of ~~requiring Baltimore City to transfer revenue from fines collected as a~~
5 ~~result of violations enforced by a traffic control signal monitoring system, a speed~~
6 ~~monitoring system, a school bus monitoring camera, or a vehicle height monitoring~~
7 ~~system to the Baltimore City Complete Streets Program Fund; establishing the~~
8 ~~Baltimore City Complete Streets Program Fund as a special, nonlapsing fund;~~
9 ~~specifying the purpose of the Fund; requiring the Baltimore City Department of~~
10 ~~Transportation to administer the Fund; requiring the State Treasurer to hold the~~
11 ~~Fund and the Comptroller to account for the Fund; specifying the contents of the~~
12 ~~Fund; specifying the purpose for which the Fund may be used; providing for the~~
13 ~~investment of money in and expenditures from the Fund; defining a certain term;~~
14 ~~requiring interest earnings of the Fund to be credited to the Fund; exempting the~~
15 ~~Fund from a certain provision of law requiring interest earnings on State money to~~
16 ~~accrue to the General Fund of the State; and generally relating to the Baltimore City~~
17 ~~Complete Streets Program Fund; authorizing Baltimore City to recover the costs of~~
18 implementing and administering a traffic control signal monitoring system, a speed
19 monitoring system, a school bus monitoring camera, or a vehicle height monitoring
20 system; requiring Baltimore City to spend, after recovering costs, the remaining
21 balance of fines collected by Baltimore City as a result of violations enforced by a
22 traffic control signal monitoring system, a speed monitoring system, a school bus
23 monitoring camera, or a vehicle height monitoring system solely on public safety or
24 transportation infrastructure improvements consistent with the purpose and goals

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 of the Complete Streets Program and the Complete Streets Transportation System;
 2 and generally relating to the Complete Streets Program in Baltimore City.

3 BY repealing and reenacting, with amendments,
 4 Article – Courts and Judicial Proceedings
 5 Section 7–302(e)
 6 Annotated Code of Maryland
 7 (2013 Replacement Volume and 2019 Supplement)

8 ~~BY repealing and reenacting, without amendments,~~
 9 ~~Article – State Finance and Procurement~~
 10 ~~Section 6–226(a)(2)(i)~~
 11 ~~Annotated Code of Maryland~~
 12 ~~(2015 Replacement Volume and 2019 Supplement)~~

13 ~~BY repealing and reenacting, with amendments,~~
 14 ~~Article – State Finance and Procurement~~
 15 ~~Section 6–226(a)(2)(ii)121. and 122.~~
 16 ~~Annotated Code of Maryland~~
 17 ~~(2015 Replacement Volume and 2019 Supplement)~~

18 ~~BY adding to~~
 19 ~~Article – State Finance and Procurement~~
 20 ~~Section 6–226(a)(2)(ii)123.~~
 21 ~~Annotated Code of Maryland~~
 22 ~~(2015 Replacement Volume and 2019 Supplement)~~

23 ~~BY adding to~~
 24 ~~Article – Transportation~~
 25 ~~Section 8–904.1~~
 26 ~~Annotated Code of Maryland~~
 27 ~~(2015 Replacement Volume and 2019 Supplement)~~

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

30 **Article – Courts and Judicial Proceedings**

31 7–302.

32 (e) (1) A citation issued pursuant to § 21–202.1, § 21–706.1, § 21–809, §
 33 21–810, or § 24–111.3 of the Transportation Article shall provide that the person receiving
 34 the citation may elect to stand trial by notifying the issuing agency of the person’s intention
 35 to stand trial at least 5 days prior to the date of payment as set forth in the citation. On
 36 receipt of the notice to stand trial, the agency shall forward to the District Court having
 37 venue a copy of the citation and a copy of the notice from the person who received the
 38 citation indicating the person’s intention to stand trial. On receipt thereof, the District

1 Court shall schedule the case for trial and notify the defendant of the trial date under
2 procedures adopted by the Chief Judge of the District Court.

3 (2) A citation issued as the result of a vehicle height monitoring system, a
4 traffic control signal monitoring system, or a speed monitoring system, including a work
5 zone speed control system, controlled by a political subdivision or a school bus monitoring
6 camera shall provide that, in an uncontested case, the penalty shall be paid directly to that
7 political subdivision. A citation issued as the result of a traffic control signal monitoring
8 system or a work zone speed control system controlled by a State agency, or as a result of
9 a vehicle height monitoring system, a traffic control signal monitoring system, a speed
10 monitoring system, or a school bus monitoring camera in a case contested in District Court,
11 shall provide that the penalty shall be paid directly to the District Court.

12 (3) Civil penalties resulting from citations issued using a vehicle height
13 monitoring system, traffic control signal monitoring system, speed monitoring system,
14 work zone speed control system, or school bus monitoring camera that are collected by the
15 District Court shall be collected in accordance with subsection (a) of this section and
16 distributed in accordance with § 12-118 of the Transportation Article.

17 (4) (i) **[From] EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS**
18 **SUBSECTION, FROM** the fines collected by a political subdivision as a result of violations
19 enforced by speed monitoring systems or school bus monitoring cameras, a political
20 subdivision:

21 1. May recover the costs of implementing and administering
22 the speed monitoring systems or school bus monitoring cameras; and

23 2. Subject to subparagraphs (ii) and (iii) of this paragraph,
24 may spend any remaining balance solely for public safety purposes, including pedestrian
25 safety programs.

26 (ii) 1. For any fiscal year, if the balance remaining from the fines
27 collected by a political subdivision as a result of violations enforced by speed monitoring
28 systems, after the costs of implementing and administering the systems are recovered in
29 accordance with subparagraph (i)1 of this paragraph, is greater than 10% of the total
30 revenues of the political subdivision for the fiscal year, the political subdivision shall remit
31 any funds that exceed 10% of the total revenues to the Comptroller.

32 2. The Comptroller shall deposit any money remitted under
33 this subparagraph to the General Fund of the State.

34 (iii) The fines collected by Prince George's County as a result of
35 violations enforced by speed monitoring systems on Maryland Route 210 shall be remitted
36 to the Comptroller for deposit into the Criminal Injuries Compensation Fund under §
37 11-819 of the Criminal Procedure Article.

(5) From the fines collected by Baltimore City as a result of violations enforced by A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM, A SPEED MONITORING SYSTEM, A SCHOOL BUS MONITORING CAMERA, OR A vehicle height monitoring [systems] SYSTEM, Baltimore City [may]:

(i) [Recover] MAY RECOVER the costs of implementing and administering ~~the~~ A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM, A SPEED MONITORING SYSTEM, A SCHOOL BUS MONITORING CAMERA, OR A vehicle height monitoring ~~systems~~ SYSTEM; and

(ii) ~~[Spend] SHALL TRANSFER the remaining balance [solely on roadway improvements] TO THE BALTIMORE CITY COMPLETE STREETS PROGRAM FUND, TO BE USED ONLY TO ADVANCE THE PURPOSE AND GOALS OF THE COMPLETE STREETS PROGRAM ESTABLISHED UNDER § 8-903 OF THE TRANSPORTATION ARTICLE IN BALTIMORE CITY.~~

(II) SHALL SPEND THE REMAINING BALANCE SOLELY ON PUBLIC SAFETY OR TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS CONSISTENT WITH THE PURPOSE AND GOALS OF THE COMPLETE STREETS PROGRAM UNDER § 8-903 OF THE TRANSPORTATION ARTICLE AND THE COMPLETE STREETS TRANSPORTATION SYSTEM UNDER ARTICLE 26, § 40-6 OF THE BALTIMORE CITY CODE.

~~Article State Finance and Procurement~~

~~6-226.~~

(a) (2) (i) ~~Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.~~

(ii) ~~The provisions of subparagraph (i) of this paragraph do not apply to the following funds:~~

~~121. the Markell Hendricks Youth Crime Prevention and Diversion Parole Fund; [and]~~

~~122. the Federal Government Shutdown Employee Assistance Loan Fund; AND~~

~~123. THE BALTIMORE CITY COMPLETE STREETS PROGRAM FUND.~~

~~Article — Transportation~~~~§ 904.1.~~

~~(A) IN THIS SECTION, "FUND" MEANS THE BALTIMORE CITY COMPLETE STREETS PROGRAM FUND.~~

~~(B) THERE IS A BALTIMORE CITY COMPLETE STREETS PROGRAM FUND.~~

~~(C) THE PURPOSE OF THE FUND IS TO ADVANCE THE PURPOSE AND GOALS OF THE COMPLETE STREETS PROGRAM ESTABLISHED UNDER THIS SUBTITLE IN BALTIMORE CITY.~~

~~(D) THE BALTIMORE CITY DEPARTMENT OF TRANSPORTATION SHALL ADMINISTER THE FUND.~~

~~(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.~~

~~(F) THE FUND CONSISTS OF:~~

~~(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 7-302(E)(5) OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE;~~

~~(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;~~

~~(3) INTEREST EARNINGS OF THE FUND; AND~~

~~(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.~~

~~(G) THE FUND MAY BE USED ONLY TO ADVANCE THE PURPOSE AND GOALS OF THE COMPLETE STREETS PROGRAM ESTABLISHED UNDER § 8-903 OF THIS SUBTITLE WITHIN BALTIMORE CITY.~~

~~(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.~~

~~(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.~~

1 ~~(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE~~
2 ~~WITH THE STATE BUDGET.~~

3 ~~(J) MONEY EXPENDED FROM THE FUND FOR THE BALTIMORE CITY~~
4 ~~COMPLETE STREETS PROGRAM IS SUPPLEMENTAL TO AND IS NOT INTENDED TO~~
5 ~~TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR~~
6 ~~THE BALTIMORE CITY COMPLETE STREETS PROGRAM.~~

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.