

# HOUSE BILL 1154

R5

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By: **Delegate Conaway**

Introduced and read first time: February 7, 2020

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Traffic Control Signal Monitoring Systems, Speed Monitoring**  
3 **Systems, and Work Zone Speed Control Systems – Citation Responses**

4 FOR the purpose of altering a certain warning on a citation issued for a violation recorded  
5 by a traffic control signal monitoring system, a speed monitoring system, or a work  
6 zone speed control system to state the number of days within which a person alleged  
7 to be liable must take a certain action in order to avoid an automatic admission of  
8 liability; and generally relating to citations issued for violations recorded by traffic  
9 control signal monitoring systems, speed monitoring systems, or work zone speed  
10 control systems.

11 BY repealing and reenacting, without amendments,  
12 Article – Transportation  
13 Section 21–202.1(a)(1) and (5) and (e)(2) through (5), 21–809(a)(1) and (8) and (d)(2)  
14 through (5), and 21–810(a)(6) and (7)  
15 Annotated Code of Maryland  
16 (2012 Replacement Volume and 2019 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – Transportation  
19 Section 21–202.1(e)(1)(x), 21–809(d)(1)(xi), and 21–810(d)  
20 Annotated Code of Maryland  
21 (2012 Replacement Volume and 2019 Supplement)

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

24 **Article – Transportation**

25 21–202.1.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) In this section the following words have the meanings indicated.

2 (5) "Traffic control signal monitoring system" means a device with one or  
3 more motor vehicle sensors working in conjunction with a traffic control signal to produce  
4 recorded images of motor vehicles entering an intersection against a red signal indication.

5 (e) (1) Subject to the provisions of paragraphs (2) through (4) of this  
6 subsection, an agency shall mail to the owner liable under subsection (d) of this section a  
7 citation which shall include:

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

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

12 2. Warning that failure to pay the civil penalty or to contest  
13 liability [in a timely manner] **WITHIN 60 DAYS AFTER THE DATE OF ISSUANCE OF THE**  
14 **CITATION** is an admission of liability and may result in refusal or suspension of the motor  
15 vehicle registration.

16 (2) The agency may mail a warning notice in lieu of a citation to the owner  
17 liable under subsection (d) of this section.

18 (3) Except as provided in subsection (g)(5) of this section, a citation issued  
19 under this section shall be mailed no later than 2 weeks after the alleged violation.

20 (4) An agency may not mail a citation to a person who is not an owner  
21 under subsection (a)(3)(ii) of this section.

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

24 (i) Pay the civil penalty, in accordance with instructions on the  
25 citation, directly to the political subdivision or to the District Court; or

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

27 21-809.

28 (a) (1) In this section the following words have the meanings indicated.

29 (8) "Speed monitoring system" means a device with one or more motor  
30 vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12  
31 miles per hour above the posted speed limit.

32 (d) (1) Subject to the provisions of paragraphs (2) through (4) of this

1 subsection, an agency shall mail to an owner liable under subsection (c) of this section a  
2 citation that shall include:

3 (xi) Information advising the person alleged to be liable under this  
4 section that failure to pay the civil penalty or to contest liability [in a timely manner]  
5 **WITHIN 60 DAYS AFTER THE DATE OF ISSUANCE OF THE CITATION:**

6 1. Is an admission of liability;

7 2. May result in the refusal by the Administration to register  
8 the motor vehicle; and

9 3. May result in the suspension of the motor vehicle  
10 registration.

11 (2) An agency may mail a warning notice instead of a citation to the owner  
12 liable under subsection (c) of this section.

13 (3) Except as provided in subsection (f)(4) of this section, an agency may  
14 not mail a citation to a person who is not an owner.

15 (4) Except as provided in subsections (b)(1)(ix) and (f)(4) of this section, a  
16 citation issued under this section shall be mailed no later than 2 weeks after the alleged  
17 violation if the vehicle is registered in this State, and 30 days after the alleged violation if  
18 the vehicle is registered in another state.

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

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

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

24 21–810.

25 (a) (6) “Work zone” means a segment of a highway:

26 (i) That is identified as a temporary traffic control zone by traffic  
27 control devices that are placed or installed in general conformance with the State manual  
28 and specifications adopted for a uniform system of traffic control devices; and

29 (ii) Where highway construction, repair, maintenance, utility work,  
30 or a related activity, including the placement, installation, maintenance, or removal of a  
31 work zone traffic control device, is being performed regardless of whether workers are  
32 present.

1 (7) "Work zone speed control system" means a device having one or more  
2 motor vehicle sensors connected to a camera system capable of producing recorded images  
3 of motor vehicles traveling at or above a predetermined speed in or approaching a work  
4 zone.

5 (d) (1) Subject to the provisions of paragraphs (2) through (4) of this  
6 subsection, a local police department, State police department, or police department  
7 contractor shall mail to the owner liable under subsection (c) of this section a citation that  
8 shall include:

9 (i) The name and address of the registered owner of the vehicle;

10 (ii) The registration number of the motor vehicle involved in the  
11 violation;

12 (iii) The violation charged;

13 (iv) The location where the violation occurred;

14 (v) The date and time of the violation;

15 (vi) At least one recorded image of the vehicle with a data bar  
16 imprinted on each image that includes the speed of the vehicle and the date and time the  
17 image was recorded;

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

20 (viii) A signed statement by a police officer employed by the local police  
21 department or State police department that, based on inspection of recorded images, the  
22 motor vehicle was being operated in violation of this subtitle;

23 (ix) A statement that recorded images are evidence of a violation of  
24 this subtitle;

25 (x) Information advising the person alleged to be liable under this  
26 section of the manner and time in which liability as alleged in the citation may be contested  
27 in the District Court; and

28 (xi) Information advising the person alleged to be liable under this  
29 section that failure to pay the civil penalty or to contest liability in a [timely manner]  
30 **WITHIN 60 DAYS:**

31 1. Is an admission of liability;

32 2. May result in the refusal to register the motor vehicle; and

1                                   3.     May result in the suspension of the motor vehicle  
2 registration.

3                                   (2)     The local police department or State police department may mail a  
4 warning notice instead of a citation to the owner liable under subsection (c) of this section.

5                                   (3)     Except as provided in subsection (f)(4) of this section, the local police  
6 department or State police department may not mail a citation to a person who is not an  
7 owner.

8                                   (4)     Except as provided in subsection (f)(4) of this section, a citation issued  
9 under this section shall be mailed no later than 2 weeks after the alleged violation if the  
10 vehicle is registered in this State, and no later than 30 days after the alleged violation if  
11 the vehicle is registered in another state.

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

14                                   (i)     Pay the civil penalty in accordance with instructions on the  
15 citation; or

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

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