

HOUSE BILL 346

R4, R5
HB 38/20 – ENT

(PRE-FILED)

1r0750
CF 1r2029

By: **Delegate Carr**

Requested: September 28, 2020

Introduced and read first time: January 13, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Failure to Pay Video Toll – Penalties**

3 FOR the purpose of repealing the requirement that the Motor Vehicle Administration,
4 under certain circumstances, suspend the registration of a motor vehicle that incurs
5 a certain toll violation; altering the authority of the Maryland Transportation
6 Authority to enter certain reciprocal agreements for the enforcement of toll
7 violations; and generally relating to penalties for toll violations.

8 BY repealing and reenacting, without amendments,

9 Article – Transportation

10 Section 21–1414(a)(1), (4), and (9) through (12) and (c)(1)

11 Annotated Code of Maryland

12 (2020 Replacement Volume)

13 BY repealing and reenacting, with amendments,

14 Article – Transportation

15 Section 21–1414(d)(4) and (i) and 21–1415

16 Annotated Code of Maryland

17 (2020 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Transportation**

21 21–1414.

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

23 (4) “Notice of toll due” or “notice” means an administrative notice of a video

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 toll transaction.

2 (9) "Toll violation" means the failure to pay a video toll within the time
3 prescribed by the Authority in a notice of toll due.

4 (10) "Video monitoring system" means a device installed to work in
5 conjunction with a toll collection facility that produces a recorded image when a video toll
6 transaction occurs.

7 (11) "Video toll" means the amount assessed by the Authority when a video
8 toll transaction occurs.

9 (12) "Video toll transaction" means any transaction in which a motor vehicle
10 does not or did not pay a toll at the time of passage through a toll collection facility with a
11 video monitoring system.

12 (c) (1) Failure of the person alleged to be liable to pay the video toll under a
13 notice of toll due by the date stated on the notice shall constitute a toll violation subject to
14 a civil citation and a civil penalty, which shall be assessed 15 days after the toll violation
15 occurs, as provided for in the regulations of the Authority.

16 (d) (4) A citation shall also include:

17 (i) Information advising the person alleged to be liable under this
18 section of the manner and the time in which liability alleged in the citation may be
19 contested;

20 (ii) The statutory defenses described in subsection (g) of this section
21 that were originally included in the notice of toll due; and

22 (iii) A warning that failure to pay the video toll and civil penalty, to
23 contest liability in the manner and time prescribed, or to appear at a trial requested is an
24 admission of liability and a waiver of available defenses, and may result in the refusal [or
25 suspension] of the motor vehicle registration and referral for collection.

26 (i) (1) The Administration shall refuse [or suspend] the registration of a
27 motor vehicle that incurs a toll violation under this section if:

28 (i) The Maryland Transportation Authority notifies the
29 Administration that a registered owner of the motor vehicle has been served with a citation
30 in accordance with this section and has failed to:

31 1. Pay the video toll and the civil penalty for the toll violation
32 by the date specified in the citation; and

33 2. Contest liability for the toll violation by the date identified
34 and in the manner specified in the citation; or

1 (ii) The Maryland Transportation Authority or the District Court
2 notifies the Administration that a person who elected to contest liability for a toll violation
3 under this section has failed to:

4 1. Appear for trial or has been determined to be guilty of the
5 toll violation; and

6 2. Pay the video toll and civil penalty.

7 (2) In conjunction with the Maryland Transportation Authority, the
8 Administration may adopt regulations and develop procedures to carry out the refusal [or
9 suspension] of a registration under this subsection.

10 (3) The procedures in this subsection are in addition to any other penalty
11 provided by law for a toll violation under this section.

12 (4) This subsection may be applied to enforce a reciprocal agreement
13 entered into by the State and another jurisdiction in accordance with § 21–1415 of this
14 subtitle.

15 21–1415.

16 (a) The Maryland Transportation Authority in consultation with the
17 Administrator may enter into an agreement with another jurisdiction that provides for
18 reciprocal enforcement of toll violations between the State and the other jurisdiction.

19 (b) An agreement made under this section shall provide that drivers and vehicles
20 licensed in the State, while operating on the highways of another jurisdiction, shall receive
21 benefits, privileges, and exemptions of a similar kind with regard to toll enforcement as are
22 extended to drivers and vehicles licensed or registered in the other jurisdiction while
23 operated in the State.

24 (c) A reciprocal agreement under this section may provide for enforcement of toll
25 violations by refusal [or suspension] of the registration of a motor vehicle in accordance
26 with § 21–1414 of this subtitle.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
28 1, 2021.