R5, L2 HB 1132/20 – ENT

By: Delegate Mautz

Introduced and read first time: February 5, 2021 Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

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Talbot County Speed Monitoring Systems

- FOR the purpose of authorizing the placement and use of a speed monitoring system at the
 intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot
- 5 County, subject to certain placement and signage requirements; making a technical 6 correction; and generally relating to the placement and use of a speed monitoring 7 system in Talbot County.
- 8 BY repealing and reenacting, without amendments,
- 9 Article Transportation
- 10 Section 21–809(a)(1) and (8), (b)(1)(i) and (viii), and (c)
- 11 Annotated Code of Maryland
- 12 (2020 Replacement Volume)

13 BY repealing and reenacting, with amendments,

- 14 Article Transportation
- 15 Section 21–809(b)(1)(v), (vi), and (vii)
- 16 Annotated Code of Maryland
- 17 (2020 Replacement Volume)

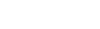
18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 19 That the Laws of Maryland read as follows:

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Article – Transportation

- 21 21-809.
- 22 (a) (1) In this section the following words have the meanings indicated.
- 23 (8) "Speed monitoring system" means a device with one or more motor

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.



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vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12
miles per hour above the posted speed limit.

3 (b) (1) (i) A speed monitoring system may not be used in a local jurisdiction 4 under this section unless its use is authorized by the governing body of the local jurisdiction 5 by local law enacted after reasonable notice and a public hearing.

6 (v) An ordinance or resolution adopted by the governing body of a 7 local jurisdiction under this paragraph shall provide that, if the local jurisdiction moves or 8 places a mobile or stationary speed monitoring system to or at a location where a speed 9 monitoring system had not previously been moved or placed, the local jurisdiction may not 10 issue a citation for a violation recorded by that speed monitoring system:

11 1. Until signage is installed in accordance with 12 subparagraph [(vii)] (VIII) of this paragraph; and

132.For at least the first 15 calendar days after the signage is14installed.

15 (vi) This section applies to a violation of this subtitle recorded by a 16 speed monitoring system that meets the requirements of this subsection and has been 17 placed:

18 1. In Montgomery County, on a highway in a residential 19 district, as defined in § 21–101 of this title, with a maximum posted speed limit of 35 miles 20 per hour, which speed limit was established using generally accepted traffic engineering 21 practices;

- 222.In a school zone with a posted speed limit of at least 2023miles per hour; [or]
- 24
- 3. In Prince George's County:
- A. Subject to subparagraph [(vii)] (VII)1 of this paragraph,
 on Maryland Route 210 (Indian Head Highway); or
- B. On that part of a highway located within the grounds of an institution of higher education as defined in § 10–101(h) of the Education Article, or within one-half mile of the grounds of a building or property used by the institution of higher education where generally accepted traffic and engineering practices indicate that motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the institution of higher education; **OR**

334.SUBJECT TO SUBPARAGRAPH (VII)2 OF THIS34PARAGRAPH, AT THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD)35AND BONFIELD AVENUE IN TALBOT COUNTY.

1 (vii) **1**. Not more than three speed monitoring systems may be $\mathbf{2}$ placed on Maryland Route 210 (Indian Head Highway). 3 2. NOT MORE THAN ONE SPEED MONITORING SYSTEM MAY BE PLACED AT THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD) 4 AND BONFIELD AVENUE. $\mathbf{5}$ 6 (viii) Before activating a speed monitoring system, the local 7 jurisdiction shall: 8 1. Publish notice of the location of the speed monitoring 9 system on its website and in a newspaper of general circulation in the jurisdiction; 10 2.Ensure that each sign that designates a school zone is 11 proximate to a sign that: 12A. Indicates that speed monitoring systems are in use in the 13school zone; and 14B. Is in accordance with the manual for and the specifications for a uniform system of traffic control devices adopted by the State Highway Administration 15under § 25–104 of this article; 16 17With regard to a speed monitoring system established on 3. Maryland Route 210 (Indian Head Highway) in Prince George's County or based on 18 19 proximity to an institution of higher education under subparagraph (vi)(3) of this 20paragraph, ensure that all speed limit signs approaching and within the segment of highway on which the speed monitoring system is located include signs that: 2122A. Are in accordance with the manual and specifications for 23a uniform system of traffic control devices adopted by the State Highway Administration 24under § 25-104 of this article; and 25В. Indicate that a speed monitoring system is in use; and 264. With regard to a speed monitoring system placed on 27Maryland Route 210 (Indian Head Highway) in Prince George's County, ensure that each 28sign that indicates that a speed monitoring system is in use is proximate to a device that 29displays a real-time posting of the speed at which a driver is traveling. 30 (c)(1)Unless the driver of the motor vehicle received a citation from a police 31 officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this 32section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is 33 recorded by a speed monitoring system while being operated in violation of this subtitle. 34 (2)A civil penalty under this subsection may not exceed \$40.

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1	(3) For purposes of this section, the District Court shall prescribe:
$\frac{2}{3}$	(i) A uniform citation form consistent with subsection (d)(1) of this section and § 7–302 of the Courts Article; and
45	(ii) A civil penalty, which shall be indicated on the citation, to be paid by persons who choose to prepay the civil penalty without appearing in District Court.
6	SECTION 2 AND BE IT FURTHER ENACTED That this Act shall take affect

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 7 October 1, 2021.

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