

# HOUSE BILL 665

R5, L2

4lr0869

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By: **Montgomery County Delegation**

Introduced and read first time: January 25, 2024

Assigned to: Environment and Transportation

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 5, 2024

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Montgomery County – Speed Monitoring Systems – High-Risk Highways**

3 **MC 15–24**

4 FOR the purpose of authorizing the placement and use of speed monitoring systems on  
5 highways in Montgomery County that are at high risk for certain motor vehicle  
6 ~~accidents~~ crashes; prohibiting the placement and use of speed monitoring systems  
7 on certain highways in Montgomery County; requiring the fines collected by  
8 Montgomery County or by a municipal government in Montgomery County as a  
9 result of violations enforced by a speed monitoring system to be used to fund the  
10 study, design, and construction of certain safety-related projects; requiring ~~the~~  
11 ~~Montgomery County or a municipality in Montgomery County Department of~~  
12 ~~Transportation, in conjunction with the Montgomery County Police Department,~~ to  
13 conduct an evaluation of certain speed monitoring systems with a certain frequency;  
14 and generally relating to the placement and use of a speed monitoring system in  
15 Montgomery County.

16 BY repealing and reenacting, without amendments,  
17 Article – Courts and Judicial Proceedings  
18 Section 7–302(e)(4)(i) and (ii)  
19 Annotated Code of Maryland  
20 (2020 Replacement Volume and 2023 Supplement)

21 BY adding to  
22 Article – Courts and Judicial Proceedings

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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 Section 7–302(e)(4)(vii)  
 2 Annotated Code of Maryland  
 3 (2020 Replacement Volume and 2023 Supplement)

4 BY repealing and reenacting, without amendments,  
 5 Article – Transportation  
 6 Section 21–101(a), (g), and (k) and 21–809(a)(1) and (8), (b)(1)(i) and (v), and (c)  
 7 Annotated Code of Maryland  
 8 (2020 Replacement Volume and 2023 Supplement)

9 BY adding to  
 10 Article – Transportation  
 11 Section 21–101(l–1) and 21–809(b)(1)(xii) and (l)  
 12 Annotated Code of Maryland  
 13 (2020 Replacement Volume and 2023 Supplement)

14 BY repealing and reenacting, with amendments,  
 15 Article – Transportation  
 16 Section 21–809(b)(1)(vi)  
 17 Annotated Code of Maryland  
 18 (2020 Replacement Volume and 2023 Supplement)

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

21 **Article – Courts and Judicial Proceedings**

22 7–302.

23 (e) (4) (i) Except as provided in paragraph (5) of this subsection, from the  
 24 fines collected by a political subdivision as a result of violations enforced by speed  
 25 monitoring systems, school bus monitoring cameras, or bus lane monitoring systems, a  
 26 political subdivision:

27 1. May recover the costs of implementing and administering  
 28 the speed monitoring systems, school bus monitoring cameras, or bus lane monitoring  
 29 systems; and

30 2. Subject to subparagraphs (ii), (iii), and (iv) of this  
 31 paragraph, may spend any remaining balance solely for public safety purposes, including  
 32 pedestrian safety programs.

33 (ii) 1. For any fiscal year, if the balance remaining from the fines  
 34 collected by a political subdivision as a result of violations enforced by speed monitoring  
 35 systems, after the costs of implementing and administering the systems are recovered in  
 36 accordance with subparagraph (i)1 of this paragraph, is greater than 10% of the total

1 revenues of the political subdivision for the fiscal year, the political subdivision shall remit  
2 any funds that exceed 10% of the total revenues to the Comptroller.

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

5 (VII) FROM THE FINES COLLECTED BY MONTGOMERY COUNTY  
6 OR BY A MUNICIPAL GOVERNMENT IN MONTGOMERY COUNTY AS A RESULT OF  
7 VIOLATIONS ENFORCED BY SPEED MONITORING SYSTEMS PLACED IN ACCORDANCE  
8 WITH § 21-809(B)(1)(VI)7 OF THE TRANSPORTATION ARTICLE, ANY BALANCE  
9 REMAINING AFTER THE ALLOCATION OF FINES UNDER SUBPARAGRAPH (I)1 OF THIS  
10 PARAGRAPH SHALL BE USED TO FUND THE STUDY, DESIGN, AND CONSTRUCTION OF  
11 SAFETY-RELATED PROJECTS ON ROADWAYS OR INTERSECTIONS IN MONTGOMERY  
12 COUNTY THAT HAVE BEEN IDENTIFIED IN THE MUNICIPALITY’S, COUNTY’S, OR  
13 STATE’S MOST RECENT LOCAL STRATEGIC HIGHWAY SAFETY PLAN OR VISION  
14 ZERO PLAN AS ROADWAYS OR INTERSECTIONS THAT ARE AT HIGH RISK FOR MOTOR  
15 VEHICLE ACCIDENTS CRASHES THAT RESULT IN SERIOUS BODILY INJURY OR DEATH.

16 Article – Transportation

17 21-101.

18 (a) In this title and Title 25 of this article the following words have the meanings  
19 indicated.

20 (g) “Controlled access highway” means a highway or roadway to or from which  
21 persons, including the owners or occupants of abutting lands, have no right of access except  
22 at the points and in the manner determined by the public authority with jurisdiction over  
23 the highway or roadway.

24 (k) “Expressway” means a major highway of 2 or more traffic lanes in each  
25 direction that is designed to eliminate principal traffic hazards and has the following  
26 characteristics:

27 (1) A median divider separating opposing traffic lanes to eliminate  
28 head-on collisions and sideswiping;

29 (2) Grade separation structures to eliminate the conflict of cross streams  
30 of traffic at each intersection;

31 (3) Points of entrance and exit limited to predetermined locations;

32 (4) Vertical curves long enough to provide long sight distances; and

33 (5) Shoulders wide enough to permit vehicles to stop or park out of traffic  
34 lanes.

1 (L-1) "INTERSTATE HIGHWAY" MEANS A STATE HIGHWAY THAT IS PART OF  
2 THE NATIONAL INTERSTATE SYSTEM IN THIS STATE, AS DESIGNATED BY THE  
3 ADMINISTRATION AND APPROVED BY THE UNITED STATES SECRETARY OF  
4 TRANSPORTATION UNDER TITLE 23 OF THE UNITED STATES CODE.

5 21-809.

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

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

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

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

18 1. Until signage is installed in accordance with  
19 subparagraph (viii) of this paragraph; and

20 2. For at least the first 15 calendar days after the signage is  
21 installed.

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

25 1. In Anne Arundel County, Montgomery County, or Prince  
26 George's County, on a highway in a residential district, as defined in § 21-101 of this title,  
27 with a maximum posted speed limit of 35 miles per hour, which speed limit was established  
28 using generally accepted traffic engineering practices;

29 2. In a school zone with a posted speed limit of at least 20  
30 miles per hour;

31 3. In Prince George's County:

32 A. Subject to subparagraph (vii)<sup>1</sup> of this paragraph, on  
33 Maryland Route 210 (Indian Head Highway); or

1 B. On that part of a highway located within the grounds of  
2 an institution of higher education as defined in § 10–101(h) of the Education Article, or  
3 within one-half mile of the grounds of a building or property used by the institution of  
4 higher education where generally accepted traffic and engineering practices indicate that  
5 motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the  
6 institution of higher education;

7 4. Subject to subparagraph (vii)<sup>2</sup> of this paragraph, on  
8 Interstate 83 in Baltimore City;

9 5. In Anne Arundel County, on Maryland Route 175 (Jessup  
10 Road) between the Maryland Route 175/295 interchange and the Anne Arundel  
11 County–Howard County line; [or]

12 6. Subject to subparagraph (vii)<sup>3</sup> of this paragraph, at the  
13 intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot County;

14 **OR**

15 **7. SUBJECT TO SUBPARAGRAPH (XII) OF THIS**  
16 **PARAGRAPH, IN MONTGOMERY COUNTY ON A HIGHWAY IDENTIFIED IN THE**  
17 **MUNICIPALITY'S, COUNTY'S, OR STATE'S MOST RECENT LOCAL STRATEGIC**  
18 **HIGHWAY SAFETY PLAN OR VISION ZERO PLAN AS A HIGHWAY THAT IS AT HIGH**  
19 **RISK FOR MOTOR VEHICLE ~~ACCIDENTS~~ CRASHES THAT RESULT IN SERIOUS BODILY**  
20 **INJURY OR DEATH.**

21 **(XII) NEITHER MONTGOMERY COUNTY NOR A MUNICIPAL**  
22 **GOVERNMENT IN MONTGOMERY COUNTY MAY PLACE, HAVE PLACED, OR USE A**  
23 **SPEED MONITORING SYSTEM TO ENFORCE SPEED LIMITS IN ACCORDANCE WITH**  
24 **THIS SECTION ON A CONTROLLED ACCESS HIGHWAY, AN EXPRESSWAY, OR AN**  
25 **INTERSTATE HIGHWAY IN THE COUNTY.**

26 (c) (1) Unless the driver of the motor vehicle received a citation from a police  
27 officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this  
28 section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is  
29 recorded by a speed monitoring system while being operated in violation of this subtitle.

30 (2) A civil penalty under this subsection may not exceed \$40.

31 (3) For purposes of this section, the District Court shall prescribe:

32 (i) A uniform citation form consistent with subsection (d)(1) of this  
33 section and § 7–302 of the Courts Article; and

34 (ii) A civil penalty, which shall be indicated on the citation, to be paid  
35 by persons who choose to prepay the civil penalty without appearing in District Court.

1           (L) ON OR BEFORE OCTOBER 1, 2029, AND ON OR BEFORE OCTOBER 1  
 2 EVERY 5 YEARS THEREAFTER, ~~THE MONTGOMERY COUNTY OR A MUNICIPALITY IN~~  
 3 ~~MONTGOMERY COUNTY DEPARTMENT OF TRANSPORTATION, IN CONJUNCTION~~  
 4 ~~WITH THE MONTGOMERY COUNTY POLICE DEPARTMENT,~~ SHALL EVALUATE EACH  
 5 SPEED MONITORING SYSTEM USED IN ACCORDANCE WITH SUBSECTION (B)(1)(VI)  
 6 OF THIS SECTION FOR ITS EFFECTIVENESS IN REDUCING THE MOTOR VEHICLE  
 7 SPEED AT OR BELOW WHICH 85% OF THE DRIVERS TRAVEL AT THE LOCATION OF  
 8 THE SPEED MONITORING SYSTEM.

9           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 10 October 1, 2024.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.