

Chapter 17

(House Bill 513)

AN ACT concerning

**Motor Vehicles – Work Zone Speed Control Systems – Revisions
(Maryland Road Worker Protection Act of 2024)**

FOR the purpose of altering the distribution of revenue from civil fines collected through the use of work zone speed control systems ~~to include certain distributions for highway and work zone safety purposes; clarifying~~ altering the highways on which a work zone speed control system may be used; clarifying that ~~a work zone speed control system may be manned or unmanned and~~ a system operator does not need to be present when a work zone speed control system is in use; clarifying that multiple work zone speed control systems may be implemented and used in a work zone; altering the maximum penalty for a civil citation issued as a result of a recorded image produced by a work zone speed control system; repealing a requirement that warning notices be issued for violations recorded by a work zone speed control system during certain periods of time; and generally relating to work zone speed control systems.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 7–302(e)(2) and (4)(i)

Annotated Code of Maryland

(2020 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 12–118(a) and ~~(e)~~ 21–810(a)(1)

Annotated Code of Maryland

(2020 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section ~~12–118(e)~~ 12–118(c) and (e) and ~~21–810(b)(1)~~ 21–810(a)(6) and (7), (b)(1) and (2), (c), ~~(d)(1)(x) and (xi)~~, and (k)

Annotated Code of Maryland

(2020 Replacement Volume and 2023 Supplement)

BY adding to

Article – Transportation

Section ~~21–810(d)(1)(xii) and (k)~~ 21–810(k) and (l)

Annotated Code of Maryland

(2020 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
 Chapter 500 of the Acts of the General Assembly of 2009
 Section 3

BY repealing and reenacting, with amendments,
 Article – Transportation
 Section 21–810(c)
 Annotated Code of Maryland
 (2020 Replacement Volume and 2023 Supplement)
 (As enacted by Section 1 of this Act)

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

Article – Courts and Judicial Proceedings

7–302.

(e) (2) (i) A citation issued as the result of a vehicle height monitoring system, a traffic control signal monitoring system, [or] a speed monitoring system, [including] ~~OR~~ a work zone speed control system, controlled by a political subdivision, a school bus monitoring camera, or a bus lane monitoring system shall provide that, in an uncontested case, the penalty shall be paid directly to that political subdivision.

(ii) A citation issued as the result of a traffic control signal monitoring system or a work zone speed control system controlled by a State agency, or as a result of a vehicle height monitoring system, a traffic control signal monitoring system, a speed monitoring system, a school bus monitoring camera, or a bus lane monitoring system in a case contested in District Court, shall provide that the penalty shall be paid directly to the District Court.

(4) (i) ~~Except as provided in paragraph (5) of this subsection, from] FROM~~ the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems, **WORK ZONE SPEED CONTROL SYSTEMS**, school bus monitoring cameras, or bus lane monitoring systems, a political subdivision:

1. May recover the costs of implementing and administering the speed monitoring systems, **WORK ZONE SPEED CONTROL SYSTEMS**, school bus monitoring cameras, or bus lane monitoring systems; and

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

Article – Transportation

12-118.

(a) Except as specifically provided by law, all money received under the Maryland Vehicle Law shall be accounted for and remitted to the State Comptroller.

(c) (1) Except as provided in paragraph (2) of this subsection, notwithstanding any other law and in addition to any other exceptions provided by law, all costs, fines, penalties, and forfeitures received by or paid to the District Court under the Maryland Vehicle Law shall be collected and remitted as provided in the Courts Article.

(2) The Comptroller shall distribute revenue from the civil fines collected through use of a work zone speed control system **CONTROLLED BY A STATE AGENCY** under § 21-810 of this article to a special fund, to be used only as provided in subsection (e) of this section.

(e) Money in the special fund established under subsection (c)(2) of this section:

(1) Shall be distributed first to the Department of State Police and the State Highway Administration to cover the costs of implementing and administering work zone speed control systems; **[and]**

(2) After the distribution under item (1) of this subsection, **25% OF ANY REMAINING BALANCE** shall be distributed to the Department of State Police to be used only for the purchase of replacement vehicles and related motor vehicle equipment used to outfit police vehicles; **AND**

(3) AFTER THE DISTRIBUTIONS UNDER ITEMS (1) AND (2) OF THIS SUBSECTION, THE REMAINING BALANCE SHALL BE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND FOR ~~HIGHWAY~~:

(I) HIGHWAY AND WORK ZONE SAFETY PURPOSES; AND

(II) STATE HIGHWAY ADMINISTRATION SYSTEM PRESERVATION.

21-810.

(b) (1) A work zone speed control system that meets the requirements of this subsection may be used to record the images of motor vehicles traveling on a highway:

(i) Within a work zone; **AND**

(ii) ~~That is an expressway or a controlled access highway as defined in § 21-101 of this title; and~~

~~(iii)~~ On which the speed limit, **AS POSTED BEFORE THE WORK ZONE WAS IMPLEMENTED AND** established using generally accepted traffic engineering practices, is 45 miles per hour or greater.

(2) (I) A work zone speed control system may be used only:

[(i)] 1. On a highway as specified in paragraph (1) of this subsection; **AND**

[(ii)] When being operated by a work zone speed control system operator; and

(iii)] 2. If, in accordance with the Maryland manual on uniform traffic control devices, ~~at~~

~~A.~~ A conspicuous road sign is placed at a reasonable distance consistent with national guidelines before the work zone alerting drivers that a speed monitoring system may be in operation in the work zone; **AND**

~~B.~~ A DEVICE THAT DISPLAYS A REAL-TIME POSTING OF THE SPEED AT WHICH A DRIVER IS TRAVELING IS PROXIMATE TO EACH ROAD SIGN ALERTING DRIVERS THAT A SPEED MONITORING SYSTEM MAY BE IN OPERATION IN THE WORK ZONE.

(II) ~~1. A WORK ZONE SPEED CONTROL SYSTEM MAY BE MANNED OR UNMANNED.~~

~~2.~~ A WORK ZONE SPEED CONTROL SYSTEM OPERATOR DOES NOT NEED TO BE PRESENT IN PERSON OR REMOTELY AT THE HIGHWAY WORK ZONE WHEN A WORK ZONE SPEED CONTROL SYSTEM IS IN USE.

(III) 1. MULTIPLE WORK ZONE SPEED CONTROL SYSTEMS MAY BE IMPLEMENTED AND USED IN A WORK ZONE.

2. IF A WORK ZONE HAS MORE THAN ONE WORK ZONE SPEED CONTROL SYSTEM IN USE, NOT MORE THAN ONE CITATION ~~WITHIN A 1-HOUR PERIOD~~ MAY BE ISSUED FOR THE SAME REGISTRATION PLATE FOR ~~A VIOLATION~~ ALLEGED VIOLATIONS THAT OCCUR WITHIN A 1-HOUR PERIOD IN THE WORK ZONE.

(c) (1) Unless the driver of the motor vehicle received a citation from a police officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this section, the driver of a motor vehicle is subject to a civil penalty if an image of the motor

vehicle is recorded by a work zone speed control system in accordance with subsection (b) of this section while being operated in violation of this subtitle.

(2) A civil penalty under this subsection ~~may not exceed [\$40] \$290~~ **IS \$80.**

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

(i) Prescribe a uniform citation form consistent with subsection (d)(1) of this section and § 7-302 of the Courts Article; and

(ii) Indicate on the citation the amount of the civil penalty to be paid by persons who choose to prepay the civil penalty without appearing in District Court.

(K) (1) ON OR BEFORE DECEMBER 1, 2024, AND EACH DECEMBER 1 THEREAFTER, THE STATE HIGHWAY ADMINISTRATION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY:

(I) ON ANY PILOT PROGRAM THAT THE STATE HIGHWAY ADMINISTRATION CONDUCTED IN THE PREVIOUS FISCAL YEAR THAT TESTS NEW TECHNOLOGIES FOR DETECTING AND RECORDING A VIOLATION OF THIS SUBTITLE IN A WORK ZONE; OR

(II) THAT THE STATE HIGHWAY ADMINISTRATION DID NOT CONDUCT ANY SUCH PILOT PROGRAM IN THE PREVIOUS FISCAL YEAR.

(2) A REPORT SUBMITTED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION SHALL INCLUDE INFORMATION ON:

(I) HOW DATA COLLECTED FROM THE DEVICE TESTED MAY BE USED FOR THE ENFORCEMENT OF VIOLATIONS OF THIS SUBTITLE IN WORK ZONES; AND

(II) ANY LEGISLATIVE OR REGULATORY CHANGES THAT WOULD BE NECESSARY TO AUTHORIZE THE EFFECTIVE USE OF THE DEVICE.

(L) ON OR BEFORE DECEMBER 1, 2024, AND EACH DECEMBER 1 THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON HOW FUNDS DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER § 12-118(E) OF THIS ARTICLE HAVE BEEN SPENT.

[(k)] ~~(H)~~ **(M)** The Department of State Police and the State Highway Administration jointly shall adopt regulations establishing standards and procedures for work zone speed control systems authorized under this section.

Chapter 500 of the Acts of 2009

SECTION 3. AND BE IT FURTHER ENACTED, That, during the 30–day period after the first work zone speed control system is in place, a law enforcement agency may issue warnings[, but may not issue citations,] **OR CITATIONS** for violations enforced in accordance with § 21–810 of the Transportation Article, as enacted by this Act.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

21–810.

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

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

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

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

(III) THAT IS EQUIPPED WITH:

1. SIGNAGE DESIGNATING EACH ENTRANCE AND EXIT TO THE WORK ZONE; AND

2. FLASHING LIGHTS THAT OPERATE WHENEVER WORKERS ARE PRESENT AT THE WORK ZONE.

(7) “Work zone speed control system” means a device [having] THAT:

(I) HAS one or more motor vehicle sensors connected to a camera system capable of producing recorded images of motor vehicles traveling at or above a predetermined speed in or approaching a work zone; AND

(II) IS EQUIPPED WITH FLASHING BLUE LIGHTS.

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

(2) ~~A~~ **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,**
 A civil penalty under this subsection ~~may not exceed~~ is ~~[\$290]:~~

~~(I) FOR A FIRST OR SECOND OFFENSE IN A CALENDAR YEAR,~~
~~\$290; AND~~

~~(II) FOR A THIRD OR SUBSEQUENT OFFENSE IN A~~
~~CALENDAR YEAR, \$1,000~~ ~~[\$80]~~ **\$250:**

(I) IF THE CITATION ALLEGES THAT THE DRIVER OF THE MOTOR
VEHICLE EXCEEDED THE SPEED LIMIT BY BETWEEN 12 AND 15, INCLUSIVE, MILES
PER HOUR, \$60;

(II) IF THE CITATION ALLEGES THAT THE DRIVER OF THE MOTOR
VEHICLE EXCEEDED THE SPEED LIMIT BY BETWEEN 16 AND 19, INCLUSIVE, MILES
PER HOUR, \$80;

(III) IF THE CITATION ALLEGES THAT THE DRIVER OF THE MOTOR
VEHICLE EXCEEDED THE SPEED LIMIT BY BETWEEN 20 AND 29, INCLUSIVE, MILES
PER HOUR, \$140;

(IV) IF THE CITATION ALLEGES THAT THE DRIVER OF THE MOTOR
VEHICLE EXCEEDED THE SPEED LIMIT BY BETWEEN 30 AND 39, INCLUSIVE, MILES
PER HOUR, \$270;

(V) IF THE CITATION ALLEGES THAT THE DRIVER OF THE MOTOR
VEHICLE EXCEEDED THE SPEED LIMIT BY 40 MILES PER HOUR OR MORE, \$500.

(3) **IF A CITATION IS FOR A VIOLATION RECORDED WHEN WORKERS**
WERE PRESENT IN THE WORK ZONE, THE CIVIL PENALTY SHALL BE DOUBLE THE
AMOUNT THAT WOULD OTHERWISE APPLY UNDER PARAGRAPH (2) OF THIS
SUBSECTION.

(4) For purposes of this section, the District Court shall:

(i) Prescribe a uniform citation form consistent with subsection (d)(1) of this section and § 7-302 of the Courts Article; and

(ii) Indicate on the citation the amount of the civil penalty to be paid by persons who choose to prepay the civil penalty without appearing in District Court.

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

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

~~(xi) Information advising the person alleged to be liable under this section that failure to pay the civil penalty or to contest liability in a timely manner:~~

~~1. Is an admission of liability;~~

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

~~3. May result in the suspension of the motor vehicle registration; AND~~

~~(XII) NOTICE OF THE INCREASED MAXIMUM CIVIL PENALTY APPLICABLE FOR A THIRD OR SUBSEQUENT OFFENSE IN THE SAME CALENDAR YEAR.~~

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 2025.

SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect June 1, 2024.

Approved by the Governor, April 9, 2024.