

**SB0450/923526/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 450  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “**Klausmeier,**” insert “**Sydnor, M. Washington,**”; in line 2, after “**Districts**” insert “**and Mailing of Citations**”; in line 4, after the semicolon insert “requiring the fines collected by Baltimore County as a result of violations enforced by the speed monitoring systems authorized under certain provisions of this Act to be used to assist in covering the costs of traffic calming devices in the county;”; strike beginning with “contingent” in line 7 down through “Council” in line 9 and substitute “subject to certain requirements; altering a certain reporting requirement of the Maryland Police Training and Standards Commission to include certain information on a speed monitoring system program in Baltimore County; providing a certain person whose motor vehicle or registration plates are stolen a certain expedited appeals process if the person is issued a certain citation in Baltimore County, subject to certain conditions; providing that a certain law enforcement agency in Baltimore County may not mail a certain citation until the agency consults with the Motor Vehicle Administration to ensure that the citation is mailed to the current owner using the owner’s current mailing address and confirms that the motor vehicle or its registration plates were not reported as stolen”; after line 10, insert:

“BY repealing and reenacting, without amendments,

Article - Courts and Judicial Proceedings

Section 7-302(e)(4)(i)

Annotated Code of Maryland

(2020 Replacement Volume and 2023 Supplement)

BY adding to

Article - Courts and Judicial Proceedings

Section 7-302(e)(4)(vii)

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Annotated Code of Maryland  
(2020 Replacement Volume and 2023 Supplement)”;

strike line 13 in its entirety and substitute “Section 11-102, 21-101(a) and (s), and 21-809(a)(1), (2), and (8), (b)(1)(i) and (x)1., and (d)(1)(i)”; in line 18, strike “and (viii)” and substitute “, (viii), and (x)2., (d)(5), and (k)”; and in line 23, after “21-809(b)(1)(xii)” insert “and (d)(5)”.

AMENDMENT NO. 2

On page 1, after line 27, insert:

**“Article – Courts and Judicial Proceedings**

7-302.

(e) (4) (i) Except as provided in paragraph (5) of this subsection, from the fines collected by a political subdivision as a result of violations enforced by speed monitoring 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, 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 safety programs.

**(VII) FROM THE FINES COLLECTED BY BALTIMORE COUNTY AS A RESULT OF VIOLATIONS ENFORCED BY SPEED MONITORING SYSTEMS IN RESIDENTIAL DISTRICTS AUTHORIZED UNDER § 21-809(B)(1)(VI)1 OF THE TRANSPORTATION ARTICLE, ANY BALANCE REMAINING AFTER THE ALLOCATION**

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**OF FINES UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE USED SOLELY TO ASSIST IN COVERING THE COST OF SITING, CONSTRUCTING, INSTALLING, AND MAINTAINING TRAFFIC CALMING DEVICES IN BALTIMORE COUNTY.**

On page 4, in line 11, after “UNLESS” insert “, IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BALTIMORE COUNTY ADMINISTRATION TO CARRY OUT THIS SUBPARAGRAPH”; in line 12, after “DEPARTMENT” insert “:

**A.**”;

in line 13, strike “DETERMINES” and substitute “DETERMINES”; in line 15, after the semicolon insert “AND

**B. TO THE EXTENT PRACTICABLE, CONSIDERS WHETHER THE PLACEMENT OF THE SPEED MONITORING SYSTEM AT THE PROPOSED LOCATION DISPARATELY IMPACTS MOTOR VEHICLE OWNERS AND RESIDENTIAL COMMUNITIES BASED ON RACE OR SOCIOECONOMIC STATUS;**”;

strike beginning with “THE” in line 17 down through “PROVIDED” in line 19 and substitute “PUBLIC NOTICE AND AN OPPORTUNITY FOR COMMENT HAS BEEN PROVIDED”; and after line 19, insert:

“(k) (1) On or before December 31 of each year, the Maryland Police Training and Standards Commission shall:

(i) Compile and make publicly available a report for the previous fiscal year on each speed monitoring system program operated by a local jurisdiction under this section; and

(ii) Submit the report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

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(2) The report shall include:

(i) The total number of citations issued;

(ii) The number of citations issued and the number voided as erroneous violations for each camera;

(iii) The gross revenue generated by the program;

(iv) The expenditures incurred by the program;

(v) The net revenue generated by the program;

(vi) The total amount of any payments made to a contractor under the program;

(vii) A description of how the net revenue generated by the program was used;

(viii) The number of employees of the local jurisdiction involved in the program;

(ix) The type of speed monitoring system used by the local jurisdiction;

(x) The locations at which each speed monitoring system was used in the local jurisdiction;

(xi) The activation start and stop dates of each speed monitoring system for each location at which it was used; [and]

(xii) The number of citations issued by each speed monitoring system at each location; AND

**(XIII) FOR A SPEED MONITORING SYSTEM PROGRAM IN BALTIMORE COUNTY:**

1. THE NUMBER OF TRAFFIC ACCIDENTS AT THE LOCATION OF EACH SPEED MONITORING SYSTEM COMPARED WITH THE NUMBER OF TRAFFIC ACCIDENTS AT THE SAME LOCATION DURING EACH OF THE 2 PRIOR FISCAL YEARS;

2. THE NUMBER OF VIOLATIONS FOR WHICH A CITATION WAS ISSUED THAT OCCURRED IN EACH CENSUS TRACT;

3. A DESCRIPTION OF ANY CHANGES IN THE LOCATION OF A SPEED MONITORING SYSTEM; AND

4. THE TOTAL AMOUNT OF CIVIL PENALTIES COLLECTED UNDER THE PROGRAM, DISAGGREGATED BY SPEED MONITORING SYSTEM.

(3) Each local jurisdiction with a speed monitoring system program shall submit the information required under paragraph (2) of this subsection to the Commission by October 31 of each year and assist the Commission in the preparation of the annual report.

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

Article – Transportation

11-102.

“Administration” means the Motor Vehicle Administration.

21-809.

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

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(2) “Agency” means:

(i) A law enforcement agency of a local political subdivision that is authorized to issue a citation for a violation of the Maryland Vehicle Law or of local traffic laws or regulations; or

(ii) For a municipal corporation that does not maintain a police force, an agency established or designated by the municipal corporation to implement this subtitle using speed monitoring systems in accordance with this section.

(b) (1) (x) 1. A local jurisdiction that authorizes a program of speed monitoring systems shall designate an official or employee to investigate and respond to questions or concerns about the local jurisdiction’s speed monitoring system program.

2. A. The local designee shall review a citation generated by a speed monitoring system if the person who received the citation requests review before the deadline for contesting liability under this section.

B. If the local designee determines that the citation is an erroneous violation, the local designee shall void the citation

**C. IN BALTIMORE COUNTY, IF THE LOCAL DESIGNEE DETERMINES THAT THE CITATION WAS MAILED BEFORE THE MOTOR VEHICLE INVOLVED IN THE VIOLATION OR ITS REGISTRATION PLATES WERE REPORTED AS STOLEN AND THE MOTOR VEHICLE OR REGISTRATION PLATES WERE NOT IN THE PERSON’S CONTROL OR POSSESSION AT THE TIME THE VIOLATION OCCURRED, THE LOCAL DESIGNEE SHALL VOID THE CITATION.**

**[C.] D. If the local designee determines that a person did not receive notice of a citation issued under this section due to an administrative error, the local designee may resend the citation in accordance with subsection (d) of this section or void the citation.**

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[D.] E. A local designee that takes any action described under subsubsubparagraph C of this subsubparagraph shall notify the Administration of the action for the purpose of rescinding any administrative penalties imposed under subsection (g) of this section.

[E.] F. A local designee may not determine that a citation is an erroneous violation based solely on the dismissal of the citation by a court.

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

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

**(5) WITH REGARD TO A CITATION FOR A VIOLATION RECORDED BY A SPEED MONITORING SYSTEM IN BALTIMORE COUNTY, AN AGENCY MAY NOT MAIL THE CITATION UNTIL THE AGENCY:**

**(I) CONSULTS WITH THE ADMINISTRATION TO ENSURE THE CITATION IS MAILED TO THE CURRENT OWNER OF THE VEHICLE USING:**

**1. THE CURRENT MAILING ADDRESS ON FILE WITH THE ADMINISTRATION; OR**

**2. IF A MAILING ADDRESS IS UNAVAILABLE, THE CURRENT RESIDENTIAL ADDRESS ON FILE WITH THE ADMINISTRATION; AND**

**(II) CONFIRMS THAT THE MOTOR VEHICLE INVOLVED IN THE VIOLATION OR ITS REGISTRATION PLATES WERE NOT REPORTED AS STOLEN.**

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**[(5)] (6)** A person who receives a citation under paragraph (1) of this subsection may:

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

(ii) Elect to stand trial in the District Court for the alleged violation; OR

**(III) WITH REGARD TO A CITATION FOR A VIOLATION RECORDED BY A SPEED MONITORING SYSTEM IN BALTIMORE COUNTY, REQUEST REVIEW OF THE CITATION BY A LOCAL DESIGNEE UNDER SUBSECTION (B)(1)(X)2A OF THIS SECTION IF THE MOTOR VEHICLE OR ITS REGISTRATION PLATES WERE:**

**1. REPORTED AS STOLEN AFTER THE CITATION WAS MAILED; AND**

**2. NOT IN THE PERSON'S CONTROL OR POSSESSION AT THE TIME THE VIOLATION OCCURRED.**”;

in line 20, strike “2.” and substitute “3.”; and in line 21, after the period, insert “Section 1 of this Act shall remain effective for a period of 10 years and, at the end of September 30, 2034, Section 1 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.