

BY: Commerce and Government Matters Committee

AMENDMENTS TO HOUSE BILL NO. 391

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Committee” insert “and Delegate Hixson”; strike beginning with “authorizing” in line 7 down through “penalties” in line 8 and substitute “requiring the District Court to prescribe a certain citation form and a civil penalty to be indicated on the citation for certain purposes; requiring the Chief Judge of the District Court to adopt certain procedures”; in line 18, after “penalties;” insert “regulating the disclosure of certain information;”; and after line 30, insert:

“BY repealing and reenacting, with amendments,

Article - Insurance

Section 11-215(e) and 11-318(e)

Annotated Code of Maryland

(1995 Volume and 1996 Supplement)

(As enacted by Chapter ____ (H.B. 11) of the Acts of the General Assembly of 1997)

BY adding to

Article - State Government

Section 10-616(n)

Annotated Code of Maryland

(1995 Replacement Volume and 1996 Supplement)”.

AMENDMENT NO. 2

On page 3, strike beginning with “UNDER” in line 27 down through “AND” in line 28; and strike beginning with “SHALL” in line 28 down through “AGENCY” in line 31.

AMENDMENT NO. 3

On page 4, before line 1, insert:

(Over)

“Article - State Government

10-616.

(N) (1) IN THIS SUBSECTION, “RECORDED IMAGES” HAS THE MEANING STATED IN § 21-202.1 OF THE TRANSPORTATION ARTICLE.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A CUSTODIAN OF RECORDED IMAGES PRODUCED BY A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM OPERATED UNDER § 21-202.1 OF THE TRANSPORTATION ARTICLE SHALL DENY INSPECTION OF THE RECORDED IMAGES.

(3) A CUSTODIAN SHALL ALLOW INSPECTION OF RECORDED IMAGES:

(I) AS REQUIRED IN § 21-202.1 OF THE TRANSPORTATION ARTICLE;

(II) BY ANY PERSON ISSUED A CITATION UNDER § 21-202.1 OF THE TRANSPORTATION ARTICLE, OR AN ATTORNEY OF RECORD FOR THE PERSON; OR

(III) BY AN EMPLOYEE OR AGENT OF A LAW ENFORCEMENT AGENCY IN AN INVESTIGATION OR PROCEEDING RELATING TO THE IMPOSITION OF OR INDEMNIFICATION FROM CIVIL LIABILITY PURSUANT TO § 21-202.1 OF THE TRANSPORTATION ARTICLE.”.

AMENDMENT NO. 4

On page 5, in line 18, after “COMPANY” insert “OR A HOLDER OF A SPECIAL REGISTRATION PLATE ISSUED UNDER PART III OF TITLE 13, SUBTITLE 9 OF THIS ARTICLE”.

On page 6, in line 16, strike “PARAGRAPH (2)” and substitute “PARAGRAPHS (2) AND (3)”.

On page 7, after line 5, insert:

“(3) A CITATION MAY NOT BE ISSUED MORE THAN 2 WEEKS AFTER THE DATE OF THE VIOLATION.

(4) AN AGENCY MAY NOT MAIL A CITATION TO A PERSON WHO IS NOT

AN OWNER UNDER SUBSECTION (A)(3) OF THIS SECTION.”;

and in line 6, strike “(3)” and substitute “(5)”.

AMENDMENT NO. 5

On page 6, strike beginning with “SUBJECT” in line 6 down through “(4)” in line 15; and after line 15, insert:

“(3) FOR PURPOSES OF THIS SECTION, THE DISTRICT COURT SHALL PRESCRIBE:

(I) A UNIFORM CITATION FORM CONSISTENT WITH SUBSECTION (D)(1) OF THIS SECTION AND § 7-302 OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE; AND

(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.”.

On page 8, in line 30, after “THE” insert “ISSUANCE OF CITATIONS,”; and in the same line, after “VIOLATIONS” insert “, AND THE COLLECTION OF CIVIL PENALTIES”.

AMENDMENT NO. 6

On page 8, in line 15, strike the colon and substitute a comma; in line 16, strike “(1)”; and strike beginning with the semicolon in line 17 down through “VEHICLE” in line 19.

AMENDMENT NO. 7

On page 3, after line 41, insert:

“Article - Insurance

11-215.

(Over)

(e) For purposes of reclassifying an insured in a classification that entails a higher premium, an insurer under an automobile insurance policy may not consider a probation before judgment disposition of a motor vehicle law offense, A CIVIL PENALTY IMPOSED PURSUANT TO § 21-202.1 OF THE TRANSPORTATION ARTICLE, or a first offense of driving with an alcohol concentration of 0.10 or more under § 16-205.1 of the Transportation Article on record with the Motor Vehicle Administration, as provided in § 16-117(b) of the Transportation Article.

11-318.

(e) For purposes of reclassifying an insured in a classification that entails a higher premium, an insurer under an automobile insurance policy may not consider a probation before judgment disposition of a motor vehicle law offense, A CIVIL PENALTY IMPOSED PURSUANT TO § 21-202.1 OF THE TRANSPORTATION ARTICLE, or a first offense of driving with an alcohol concentration of 0.10 or more under § 16-205.1 of the Transportation Article on record with the Motor Vehicle Administration, as provided in § 16-117(b) of the Transportation Article.”.