

CF 7r1149

**By: Senators Baker, Blount, Kelley, Teitelbaum, Haines, Colburn, Ferguson, Forehand,
Green, Middleton, and Bromwell**

Introduced and read first time: January 31, 1997

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 19, 1997

CHAPTER ____

1 AN ACT concerning

2 **Vehicle Laws - Traffic Control Signal Monitoring Systems**

3 FOR the purpose of authorizing certain law enforcement agencies to mail a citation to
4 the owner of a motor vehicle that is recorded by a traffic control signal monitoring
5 system to be in violation of certain laws regarding entering an intersection against a
6 red signal indication; establishing the content of a citation; requiring the citation to
7 be mailed within a certain time period; authorizing the sending of a warning in lieu
8 of a citation; authorizing the establishment and imposition of civil penalties;
9 providing that the owner of the vehicle is responsible for paying the civil penalty
10 under certain circumstances; providing that persons receiving citations may elect to
11 stand trial in the District Court; establishing defenses that may be considered;
12 authorizing certain owners to submit a certain letter to the District Court in order to
13 establish a certain defense; authorizing the agency issuing the citation to designate
14 a representative to present evidence in court; providing that the designated
15 representative need not be a law enforcement officer or an attorney; providing for
16 the reissuance of a citation, under certain circumstances, to another person upon a
17 finding by the District Court that the person originally cited for the violation was
18 not operating the vehicle at the time of the violation; imposing certain additional
19 penalties and authorizing certain other actions when an owner fails to pay the civil
20 penalty, contest liability, or appear for trial; prohibiting imposition of liability under
21 this Act from being considered a moving violation for certain purposes, being
22 recorded on the driving record of the owner, or being considered by an insurer for
23 certain purposes; providing for the admissibility and use of certain evidence;
24 modifying the jurisdiction of the District Court for certain purposes; providing for
25 the handling of certain court costs and penalties; defining certain terms; prohibiting
26 the custodian of recorded images produced by a traffic control signal monitoring
27 system from allowing inspection of the recorded images, subject to certain

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1 exceptions; and generally relating to imposition of liability on the owner of a motor
2 vehicle recorded by a traffic control signal monitoring system violating certain laws
3 regarding traffic control signals.

4 BY repealing and reenacting, with amendments,
5 Article - Courts and Judicial Proceedings
6 Section 4-401(11) and (12), 7-301(a), and 7-302(a)
7 Annotated Code of Maryland
8 (1995 Replacement Volume and 1996 Supplement)

9 BY adding to
10 Article - Courts and Judicial Proceedings
11 Section 4-401(13), 7-302(e), and 10-311
12 Annotated Code of Maryland
13 (1995 Replacement Volume and 1996 Supplement)

14 BY adding to
15 Article - State Government
16 Section 10-616(n)
17 Annotated Code of Maryland
18 (1995 Replacement Volume and 1996 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article - Transportation
21 Section 11-168, 21-201, and 21-202(h)
22 Annotated Code of Maryland
23 (1992 Replacement Volume and 1996 Supplement)

24 BY adding to
25 Article - Transportation
26 Section 21-202.1
27 Annotated Code of Maryland
28 (1992 Replacement Volume and 1996 Supplement)

29 BY repealing and reenacting, with amendments,
30 Article - Transportation
31 Section 26-305 and 26-401
32 Annotated Code of Maryland
33 (1992 Replacement Volume and 1996 Supplement)

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

3

1 **Article - Courts and Judicial Proceedings**

2 4-401.

3 Except as provided in § 4-402 of this subtitle, and subject to the venue provisions of
4 Title 6 of this article, the District Court has exclusive original civil jurisdiction in:

5 (11) A proceeding for adjudication of a civil penalty for any violation under §
6 5-1001 of the Environment Article of the Code or under § 2-101(c-1) of Article 41 of the
7 Code or any rule or regulation issued pursuant to those sections; [and]

8 (12) A proceeding to enforce a civil penalty assessed by the Maryland
9 Division of Labor and Industry under Title 5 of the Labor and Employment Article where
10 the amount involved does not exceed \$20,000; AND

11 (13) A PROCEEDING FOR A CIVIL INFRACTION UNDER § 21-202.1 OF THE
12 TRANSPORTATION ARTICLE.

13 7-301.

14 (a) The court costs in a traffic case, including parking and impounding cases AND
15 CASES UNDER § 21-202.1 OF THE TRANSPORTATION ARTICLE in which costs are
16 imposed, are \$20. Such costs shall also be applicable to those cases in which the
17 defendant elects to waive his right to trial and pay the fine or penalty deposit established
18 by the Chief Judge of the District Court by administrative regulation. In an
19 UNCONTESTED CASE UNDER § 21-202.1 OF THE TRANSPORTATION ARTICLE OR
20 uncontested parking or impounding case in which the fines are paid directly to a political
21 subdivision or municipality, costs are \$2.00, which costs shall be paid to and retained by
22 the political subdivision or municipality. In an uncontested case in which the fine is paid
23 directly to an agency of State government authorized by law to regulate parking of motor
24 vehicles, the costs are \$2.00. The fine and the costs shall be paid to the agency, which
25 shall receive and account for these funds as in all other cases involving sums due the State
26 through a State agency.

27 7-302.

28 (a) Except as provided in subsections (b) through [(d)] (E) of this section, the
29 clerks of the District Court shall:

30 (1) Collect costs, fines, forfeitures, or penalties imposed by the court; and

31 (2) Remit them to the State under a system agreed upon by the Chief Judge
32 of the District Court and the Comptroller.

33 (E) (1) A CITATION ISSUED PURSUANT TO § 21-202.1 OF THE
34 TRANSPORTATION ARTICLE SHALL PROVIDE THAT THE PERSON RECEIVING THE
35 CITATION MAY ELECT TO STAND TRIAL BY NOTIFYING THE ISSUING AGENCY OF
36 THE PERSON'S INTENTION TO STAND TRIAL AT LEAST 5 DAYS PRIOR TO THE DATE
37 OF PAYMENT AS SET FORTH IN THE CITATION. ON RECEIPT OF THE NOTICE TO
38 STAND TRIAL, THE AGENCY SHALL FORWARD TO THE DISTRICT COURT HAVING
39 VENUE A COPY OF THE CITATION AND A COPY OF THE NOTICE FROM THE PERSON
40 WHO RECEIVED THE CITATION INDICATING THE PERSON'S INTENTION TO STAND
41 TRIAL. ON RECEIPT THEREOF, THE DISTRICT COURT SHALL SCHEDULE THE CASE

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1 FOR TRIAL AND NOTIFY THE DEFENDANT OF THE TRIAL DATE UNDER
2 PROCEDURES ADOPTED BY THE CHIEF JUDGE OF THE DISTRICT COURT.

3 (2) A CITATION ISSUED AS THE RESULT OF A TRAFFIC CONTROL SIGNAL
4 MONITORING SYSTEM CONTROLLED BY A POLITICAL SUBDIVISION SHALL PROVIDE
5 THAT, IN AN UNCONTESTED CASE, THE PENALTY SHALL BE PAID DIRECTLY TO THAT
6 POLITICAL SUBDIVISION. A CITATION ISSUED AS THE RESULT OF A TRAFFIC
7 CONTROL SIGNAL MONITORING SYSTEM CONTROLLED BY A STATE AGENCY SHALL
8 PROVIDE THAT THE PENALTY SHALL BE PAID DIRECTLY TO THE DISTRICT COURT.

9 (3) CIVIL PENALTIES THAT RESULT FROM CITATIONS ISSUED USING
10 TRAFFIC CONTROL SIGNAL MONITORING SYSTEMS UNDER THE CONTROL OF A
11 POLITICAL SYSTEM AND COLLECTED BY THE DISTRICT COURT SHALL BE REMITTED
12 TO THE RESPECTIVE POLITICAL SUBDIVISION. CIVIL PENALTIES THAT RESULT FROM
13 CITATIONS ISSUED USING TRAFFIC CONTROL SIGNAL MONITORING SYSTEMS UNDER
14 THE CONTROL OF A STATE AGENCY SHALL BE COLLECTED IN ACCORDANCE WITH
15 SUBSECTION (A) OF THIS SECTION AND DISTRIBUTED IN ACCORDANCE WITH § 12-118
16 OF THE TRANSPORTATION ARTICLE.

17 10-311.

18 A RECORDED IMAGE OF A MOTOR VEHICLE PRODUCED BY A TRAFFIC
19 CONTROL SIGNAL MONITORING SYSTEM IN ACCORDANCE WITH § 21-202.1 OF THE
20 TRANSPORTATION ARTICLE IS ADMISSIBLE IN A PROCEEDING CONCERNING A CIVIL
21 CITATION ISSUED UNDER THAT SECTION FOR A VIOLATION OF § 21-202(H) OF THE
22 TRANSPORTATION ARTICLE WITHOUT AUTHENTICATION. IN ANY OTHER JUDICIAL
23 PROCEEDING, A RECORDED IMAGE PRODUCED BY A TRAFFIC CONTROL SIGNAL
24 MONITORING SYSTEM IS ADMISSIBLE AS OTHERWISE PROVIDED BY LAW.

25 **Article - State Government**

26 10-616.

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

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

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

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

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

37 (III) BY AN EMPLOYEE OR AGENT OF A LAW ENFORCEMENT
38 AGENCY IN AN INVESTIGATION OR PROCEEDING RELATING TO THE IMPOSITION OF
39 CIVIL LIABILITY UNDER § 21-202.1 OF THE TRANSPORTATION ARTICLE.

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1 **Article - Transportation**

2 11-168.

3 "Traffic control signal" means any traffic control device, whether manually,
4 electrically, or mechanically operated, by which traffic alternately is directed to stop and
5 permitted to proceed.

6 21-201.

7 (a) (1) Subject to the exceptions granted in this title to the driver of an
8 emergency vehicle, the driver of any vehicle, unless otherwise directed by a police officer,
9 shall obey the instructions of any traffic control device applicable to the vehicle and
10 placed in accordance with the Maryland Vehicle Law.

11 (2) The driver of a vehicle approaching an intersection controlled by a
12 traffic control device may not drive across private property or leave the roadway for the
13 purpose of avoiding the instructions of a traffic control device.

14 (b) (1) If a provision of the Maryland Vehicle Law or of an ordinance or
15 regulation of a local authority requires a traffic control device, the provision is
16 unenforceable against an alleged violator if, at the time and place of the alleged violation,
17 the traffic control device is not in proper position and legible enough to be seen by an
18 ordinarily observant individual.

19 (2) Unless a provision of the Maryland Vehicle Law or of an ordinance or
20 regulation of a local authority states that a traffic control device is required, the provision
21 is effective and enforceable even if no traffic control device is in place.

22 (c) Unless the contrary is established by competent evidence, if a traffic control
23 device is placed in a position approximately meeting the requirements of the Maryland
24 Vehicle Law, the device is presumed to have been placed by the official act or direction
25 of lawful authority.

26 (d) Unless the contrary is established by competent evidence, if a traffic control
27 device is placed in accordance with the Maryland Vehicle Law and purports to meet the
28 lawful requirements governing these devices, the device is presumed to meet the
29 requirements of the Maryland Vehicle Law.

30 21-202.

31 (h) Vehicular traffic facing a steady red signal alone:

32 (1) Shall stop at the near side of the intersection:

33 (i) At a clearly marked stop line;

34 (ii) If there is no clearly marked stop line, before entering any
35 crosswalk; or

36 (iii) If there is no crosswalk, before entering the intersection; and

37 (2) Except as provided in subsections (i), (j), and (k) of this section, shall
38 remain stopped until a signal to proceed is shown.

6

1 21-202.1.

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) "AGENCY" MEANS:

5 (I) FOR A TRAFFIC CONTROL SIGNAL OPERATED AND
6 MAINTAINED AT AN INTERSECTION UNDER THE CONTROL OF THE STATE, THE LAW
7 ENFORCEMENT AGENCY PRIMARILY RESPONSIBLE FOR TRAFFIC CONTROL AT THAT
8 INTERSECTION; OR

9 (II) FOR A TRAFFIC CONTROL SIGNAL OPERATED AND
10 MAINTAINED AT AN INTERSECTION UNDER THE CONTROL OF A POLITICAL
11 SUBDIVISION, A LAW ENFORCEMENT AGENCY OF THE POLITICAL SUBDIVISION
12 THAT IS AUTHORIZED TO ISSUE CITATIONS FOR A VIOLATION OF THE MARYLAND
13 VEHICLE LAW OR OF LOCAL TRAFFIC LAWS OR REGULATIONS.

14 (3) (I) "OWNER" MEANS THE REGISTERED OWNER OF A MOTOR
15 VEHICLE OR A LESSEE OF A MOTOR VEHICLE UNDER A LEASE OF 6 MONTHS OR
16 MORE.

17 (II) "OWNER" DOES NOT INCLUDE A MOTOR VEHICLE RENTAL OR
18 LEASING COMPANY.

19 (4) "RECORDED IMAGES" MEANS IMAGES RECORDED BY A TRAFFIC
20 CONTROL SIGNAL MONITORING SYSTEM:

21 (I) ON:

- 22 1. TWO OR MORE PHOTOGRAPHS;
- 23 2. TWO OR MORE MICROPHOTOGRAPHS;
- 24 3. TWO OR MORE ELECTRONIC IMAGES;
- 25 4. VIDEOTAPE; OR
- 26 5. ANY OTHER MEDIUM; AND

27 (II) SHOWING THE REAR OF A MOTOR VEHICLE AND, ON AT LEAST
28 ONE IMAGE OR PORTION OF TAPE, CLEARLY IDENTIFYING THE REGISTRATION
29 PLATE NUMBER OF THE MOTOR VEHICLE.

30 (5) "TRAFFIC CONTROL SIGNAL MONITORING SYSTEM" MEANS A
31 DEVICE WITH ONE OR MORE MOTOR VEHICLE SENSORS WORKING IN CONJUNCTION
32 WITH A TRAFFIC CONTROL SIGNAL TO PRODUCE RECORDED IMAGES OF MOTOR
33 VEHICLES ENTERING AN INTERSECTION AGAINST A RED SIGNAL INDICATION.

34 (B) THIS SECTION APPLIES TO A VIOLATION OF § 21-202(H) OF THIS SUBTITLE
35 AT AN INTERSECTION MONITORED BY A TRAFFIC CONTROL SIGNAL MONITORING
36 SYSTEM.

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1 (C) (1) UNLESS THE DRIVER OF THE MOTOR VEHICLE RECEIVED A
2 CITATION FROM A POLICE OFFICER AT THE TIME OF THE VIOLATION, THE OWNER
3 OF A MOTOR VEHICLE IS SUBJECT TO A CIVIL PENALTY IF THE MOTOR VEHICLE IS
4 RECORDED BY A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM WHILE BEING
5 OPERATED IN VIOLATION OF § 21-202(H) OF THIS SUBTITLE.

6 (2) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A POLITICAL
7 SUBDIVISION SHALL ESTABLISH BY LOCAL LAW THE AMOUNT OF THE CIVIL
8 PENALTY IMPOSED FOR A VIOLATION UNDER THIS SECTION RESULTING FROM A
9 TRAFFIC CONTROL SIGNAL MONITORING SYSTEM OF THE POLITICAL SUBDIVISION.

10 (3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A STATE AGENCY
11 THAT OPERATES A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM SHALL
12 ESTABLISH BY REGULATION THE AMOUNT OF THE CIVIL PENALTY IMPOSED FOR A
13 VIOLATION UNDER THIS SECTION RESULTING FROM THE TRAFFIC CONTROL SIGNAL
14 MONITORING SYSTEM.

15 (4) A CIVIL PENALTY UNDER THIS SUBSECTION MAY NOT EXCEED \$100.

16 (D) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS
17 SUBSECTION, AN AGENCY SHALL MAIL TO THE OWNER LIABLE UNDER SUBSECTION
18 (C) OF THIS SECTION A CITATION WHICH SHALL INCLUDE:

19 (I) THE NAME AND ADDRESS OF THE REGISTERED OWNER OF THE
20 VEHICLE;

21 (II) THE REGISTRATION NUMBER OF THE MOTOR VEHICLE
22 INVOLVED IN THE VIOLATION;

23 (III) THE VIOLATION CHARGED;

24 (IV) THE LOCATION OF THE INTERSECTION;

25 (V) THE DATE AND TIME OF THE VIOLATION;

26 (VI) A COPY OF THE RECORDED IMAGE;

27 (VII) THE AMOUNT OF THE CIVIL PENALTY IMPOSED AND THE DATE
28 BY WHICH THE CIVIL PENALTY SHOULD BE PAID;

29 (VIII) A SIGNED STATEMENT BY A TECHNICIAN EMPLOYED BY THE
30 AGENCY THAT, BASED ON INSPECTION OF RECORDED IMAGES, THE MOTOR
31 VEHICLE WAS BEING OPERATED IN VIOLATION OF § 21-202(H) OF THIS SUBTITLE;

32 (IX) A STATEMENT THAT RECORDED IMAGES ARE EVIDENCE OF A
33 VIOLATION OF § 21-202(H) OF THIS SUBTITLE; AND

34 (X) INFORMATION ADVISING THE PERSON ALLEGED TO BE LIABLE
35 UNDER THIS SECTION:

36 1. OF THE MANNER AND TIME IN WHICH LIABILITY AS
37 ALLEGED IN THE CITATION MAY BE CONTESTED IN THE DISTRICT COURT; AND

9

1 (III) THAT UNDER § 21-201 OF THIS SUBTITLE, THIS SECTION IS
2 UNENFORCEABLE AGAINST THE OWNER BECAUSE AT THE TIME AND PLACE OF THE
3 ALLEGED VIOLATION, THE TRAFFIC CONTROL SIGNAL WAS NOT IN PROPER
4 POSITION AND LEGIBLE ENOUGH TO BE SEEN BY AN ORDINARILY OBSERVANT
5 INDIVIDUAL;

6 (IV) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, EVIDENCE
7 THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE VEHICLE AT
8 THE TIME OF THE VIOLATION; AND

9 (V) ANY OTHER ISSUES AND EVIDENCE THAT THE DISTRICT
10 COURT DEEMS PERTINENT.

11 (2) IN ORDER TO DEMONSTRATE THAT THE MOTOR VEHICLE OR THE
12 REGISTRATION PLATES WERE STOLEN BEFORE THE VIOLATION OCCURRED AND
13 WERE NOT UNDER THE CONTROL OR POSSESSION OF THE OWNER AT THE TIME OF
14 THE VIOLATION, THE OWNER MUST SUBMIT PROOF THAT A POLICE REPORT ABOUT
15 THE STOLEN MOTOR VEHICLE OR REGISTRATION PLATES WAS FILED IN A TIMELY
16 MANNER.

17 (3) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH (1)(IV)
18 OF THIS SUBSECTION, THE PERSON NAMED IN THE CITATION SHALL PROVIDE TO
19 THE DISTRICT COURT EVIDENCE TO THE SATISFACTION OF THE COURT OF WHO
20 WAS OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION, INCLUDING, AT A
21 MINIMUM, THE OPERATOR'S NAME AND CURRENT ADDRESS.

22 (4) (I) THE PROVISIONS OF THIS PARAGRAPH APPLY ONLY TO A
23 CITATION THAT INVOLVES A VEHICLE THAT, AT THE TIME OF THE VIOLATION:

24 1. IS REGISTERED AS A CLASS B (FOR HIRE) VEHICLE, CLASS
25 E (TRUCK) VEHICLE, CLASS F, (TRACTOR) VEHICLE, CLASS G (TRAILER) VEHICLE, OR
26 CLASS P (PASSENGER BUS) VEHICLE; OR

27 2. DISPLAYED CLASS 1A (DEALER) REGISTRATION PLATES.

28 (II) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH
29 (1)(IV) OF THIS SUBSECTION, THE PERSON NAMED IN A CITATION DESCRIBED UNDER
30 SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY PROVIDE TO THE DISTRICT COURT A
31 LETTER, SWORN TO OR AFFIRMED BY THE PERSON AND MAILED BY CERTIFIED
32 MAIL, RETURN RECEIPT REQUESTED, THAT:

33 1. STATES THAT THE PERSON NAMED IN THE CITATION WAS
34 NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION; AND

35 2. PROVIDES THE NAME, ADDRESS, AND DRIVER'S LICENSE
36 IDENTIFICATION NUMBER OF THE PERSON WHO WAS OPERATING THE VEHICLE AT
37 THE TIME OF THE VIOLATION.

38 (5) (I) IF THE DISTRICT COURT FINDS THAT THE PERSON NAMED IN
39 THE CITATION WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION,
40 THE CLERK OF THE COURT SHALL PROVIDE TO THE AGENCY ISSUING THE CITATION

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1 A COPY OF ANY EVIDENCE SUBSTANTIATING WHO WAS OPERATING THE VEHICLE
2 AT THE TIME OF THE VIOLATION.

3 (II) UPON RECEIPT OF SUBSTANTIATING EVIDENCE FROM THE
4 DISTRICT COURT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, AN AGENCY
5 MAY ISSUE A CITATION AS PROVIDED IN SUBSECTION (D) OF THIS SECTION TO THE
6 PERSON THAT THE EVIDENCE INDICATES WAS OPERATING THE VEHICLE AT THE
7 TIME OF THE VIOLATION.

8 (G) IF THE CIVIL PENALTY IS NOT PAID AND THE VIOLATION IS NOT
9 CONTESTED:

10 (1) THE ADMINISTRATION MAY REFUSE TO REGISTER OR REREGISTER
11 OR MAY SUSPEND THE REGISTRATION OF THE MOTOR VEHICLE; AND

12 (2) THE POLITICAL SUBDIVISION IN WHICH THE MOTOR VEHICLE IS
13 LOCATED MAY IMMOBILIZE OR IMPOUND THE MOTOR VEHICLE.

14 (H) A VIOLATION FOR WHICH A CIVIL PENALTY IS IMPOSED UNDER THIS
15 SECTION:

16 (1) IS NOT A MOVING VIOLATION FOR THE PURPOSE OF ASSESSING
17 POINTS UNDER § 16-402 OF THIS ARTICLE AND MAY NOT BE RECORDED BY THE
18 ADMINISTRATION ON THE DRIVING RECORD OF THE OWNER OF THE VEHICLE;

19 (2) MAY BE TREATED AS A PARKING VIOLATION FOR PURPOSES OF §
20 26-305 OF THIS ARTICLE; AND

21 (3) MAY NOT BE CONSIDERED IN THE PROVISION OF MOTOR VEHICLE
22 INSURANCE COVERAGE.

23 (I) THE CHIEF JUDGE OF THE DISTRICT COURT SHALL ADOPT PROCEDURES
24 FOR THE TRIAL OF CIVIL VIOLATIONS UNDER THIS SECTION.

25 26-305.

26 (a) The Administration may not register or transfer the registration of any vehicle
27 involved in a parking violation under this subtitle [or], a violation under any federal
28 parking regulation that applies to property in this State under the jurisdiction of the U.S.
29 government, OR A VIOLATION OF § 21-202(H) OF THIS ARTICLE AS DETERMINED
30 UNDER § 21-202.1 OF THIS ARTICLE, if:

31 (1) It is notified by a political subdivision or authorized State agency that a
32 person cited for a violation under this subtitle OR § 22-202.1 OF THIS ARTICLE has failed
33 to either:

34 (i) Pay the fine for the violation by the date specified in the citation;
35 or

36 (ii) File a notice of his intention to stand trial for the violation;

37 (2) It is notified by the District Court that a person who has elected to stand
38 trial for the violation under this subtitle OR UNDER § 22-202.1 OF THIS ARTICLE has
39 failed to appear for trial; or

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1 (3) It is notified by a U.S. District Court that a person cited for a violation
2 under a federal parking regulation:

3 (i) Has failed to pay the fine for the violation by the date specified in
4 the federal citation; or

5 (ii) Either has failed to file a notice of his intention to stand trial for
6 the violation, or, if electing to stand trial, has failed to appear for trial.

7 (b) (1) Notwithstanding the provisions of subsection (a) of this section, the
8 Administration may suspend the registration of a vehicle involved in a parking violation
9 under this subtitle or a violation under any federal parking regulation that applies to
10 property in this State under the jurisdiction of the U.S. government if notified in
11 accordance with subsection (a) of this section that the violator is a chronic offender.

12 (2) The Administration may adopt rules and regulations to define chronic
13 offender and develop procedures to carry out the suspension of registration as authorized
14 by this subsection.

15 (c) The Administration shall continue the suspension and refusal to register or
16 transfer a registration of the vehicle until:

17 (1) If the suspension or refusal was required under subsection (a)(1) or
18 (b)(1) of this section, the political subdivision or State agency notifies the Administration
19 that the charge has been satisfied;

20 (2) If the suspension or refusal was required under subsection (a)(2) or
21 (b)(1) of this section, the District Court notifies the Administration that the person cited
22 has appeared for trial or has pleaded guilty and paid the fine for the violation; or

23 (3) If the suspension or refusal was required under subsection (a)(3) or
24 (b)(1) of this section, the U.S. District Court notifies the Administration that the charge
25 has been satisfied.

26 (d) (1) If the registration of the vehicle has been suspended in accordance with
27 subsection (b)(1) of this section, a person may not drive the vehicle on any highway in this
28 State.

29 (2) A person convicted under paragraph (1) of this subsection is subject to
30 the penalty set forth in § 27-101(b) of this article.

31 (e) The procedures specified in this section are in addition to any other penalty
32 provided by law for the failure to pay a fine or stand trial for a parking violation.

33 (f) The Administration shall adopt procedures by which the political subdivisions,
34 State agencies, the District Court, and the U.S. District Court shall notify it of any
35 restrictions and any rescission of restrictions placed on the registration of vehicles under
36 this section.

37 (g) (1) In addition to any other fee or penalty provided by law, an owner of a
38 vehicle who is denied registration of the vehicle under the provisions of this section shall
39 pay a fee established by the Administration before renewal of the registration of the
40 vehicle.

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1 (2) The fee described under paragraph (1) of this subsection:

2 (i) May be distributed in part to a political subdivision acting as an
3 agent of the Administration in the registration of a vehicle under § 13-404 of this article
4 if, based upon information provided to the Administration by the political subdivision
5 under this section, the vehicle's prior registration was suspended or the vehicle's
6 registration renewal was denied; and

7 (ii) Except as provided under item (i) of this paragraph, shall be
8 retained by the Administration and may not be credited to the Gasoline and Motor
9 Vehicle Revenue Account for distribution under § 8-403 or § 8-404 of this article.

10 26-401.

11 If a person is taken before a District Court commissioner or is given a traffic
12 citation OR A CIVIL CITATION UNDER § 21-202.1 OF THIS ARTICLE containing a notice to
13 appear in court, the commissioner or court shall be one that sits within the county in
14 which the offense allegedly was committed.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 1997.