

BY: Commerce and Government Matters Committee

AMENDMENTS TO SENATE BILL NO. 436

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Motor Vehicles -” and substitute “Vehicle Laws - Speeding Violations in”; in the same line, strike “Maximum Speed Limits” and substitute “Penalties”; strike beginning with “requiring” in line 3 down through “school” in line 7 and substitute “providing that a person convicted of speeding within certain zones is subject to a fine double the amount that would otherwise apply under certain circumstances, subject to a specified limit; prohibiting a person from speeding within certain zones; authorizing the establishment of school zones; authorizing the State Highway Administration and local authorities to place on certain highways certain traffic control devices in addition to signs in certain zones; providing that local authorities requesting the State Highway Administration to establish school zones on local highways are responsible for certain costs; providing that certain traffic control devices must be in place for certain provisions to be in effect; limiting the maximum speed limits in certain school zones under certain circumstances; requiring the Chief Judge of the District Court to take certain actions in relation to the penalty deposit schedule; and generally relating to the establishment of school zones and the penalties for speeding within the”; and after line 12, insert:

“BY adding to

Article - Transportation

Section 27-101(r)

Annotated Code of Maryland

(1992 Replacement Volume and 1997 Supplement)”.

AMENDMENT NO. 2

On page 1, in line 17, strike “PARAGRAPH (2)” and substitute “SUBSECTION (F)”; in the same line, strike “SUBSECTION” and substitute “SECTION”; strike beginning with “ON” in line 17 down through “subdivision” in line 18 and substitute “WITHIN A HALF-MILE RADIUS OF ANY SCHOOL”; in line 18, strike “may” and substitute “OR A LOCAL AUTHORITY:”

(Over)

(I) MAY”;

in line 19, strike “speed zones” and substitute “A SCHOOL ZONE”; and strike beginning with “within” in line 19 down through “subdivision” in line 20 and substitute “APPLICABLE IN THE SCHOOL ZONE; AND”

(II) SUBJECT TO SUBSECTION (D) OF THIS SECTION, MAY PROVIDE THAT FINES ARE TO BE DOUBLED FOR SPEEDING VIOLATIONS WITHIN THE SCHOOL ZONE”.

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 3 on page 2, inclusive, and substitute:

“(2) (I) THE STATE HIGHWAY ADMINISTRATION MAY ESTABLISH A SCHOOL ZONE UNDER PARAGRAPH (1) OF THIS SUBSECTION ON ANY STATE HIGHWAY OR, AT THE REQUEST OF A LOCAL AUTHORITY, ON ANY HIGHWAY UNDER THE JURISDICTION OF THE LOCAL AUTHORITY.

(II) A LOCAL AUTHORITY MAY ESTABLISH A SCHOOL ZONE UNDER PARAGRAPH (1) OF THIS SUBSECTION ON ANY HIGHWAY UNDER ITS JURISDICTION.”.

On page 2, in line 4, after “(b)” insert “(1)”; in the same line, strike the first “speed” and substitute “SCHOOL”; in the same line, strike “or speed limit”; in line 5, after “section,” insert “IN ACCORDANCE WITH SPECIFICATIONS OF THE STATE HIGHWAY ADMINISTRATION,”; in the same line, strike “shall” and substitute “OR LOCAL AUTHORITY:”

(I) SHALL”;

in the same line, after the second “the” insert “SCHOOL”; in line 6, strike “and the maximum speed limits in it.” and substitute “; AND”

(II) MAY PLACE OTHER TRAFFIC CONTROL DEVICES, INCLUDING TIMED FLASHING WARNING LIGHTS.

(2) THE SIGNS DESIGNATING A SCHOOL ZONE SHALL INDICATE THE MAXIMUM SPEED LIMIT APPLICABLE IN THE SCHOOL ZONE.

(3)”;

in the same line, strike “political subdivision” and substitute “LOCAL AUTHORITY”; in line 7, strike “these”; in the same line, after “signs” insert “AND OTHER TRAFFIC CONTROL DEVICES ON HIGHWAYS UNDER THE JURISDICTION OF THE LOCAL AUTHORITY WHEN THE STATE HIGHWAY ADMINISTRATION ESTABLISHES THE SCHOOL ZONE AT THE LOCAL AUTHORITY’S REQUEST”; in line 8, after “limit” insert “IN A SCHOOL ZONE”; in the same line, strike “effective” and substitute “IN EFFECT”; strike beginning with “STATE” in line 10 down through “HOUR” in line 11, and substitute “FINES FOR SPEEDING IN A SCHOOL ZONE ARE DOUBLE THE AMOUNT THAT WOULD OTHERWISE APPLY IF, IN ACCORDANCE WITH SPECIFICATIONS ADOPTED BY THE STATE HIGHWAY ADMINISTRATION:

(1) A SIGN DESIGNATING A SCHOOL ZONE UNDER THIS SECTION IS EQUIPPED WITH TIMED FLASHING WARNING LIGHTS AND INDICATES THAT FINES FOR SPEEDING ARE DOUBLED WHEN THE LIGHTS ARE ACTIVATED; AND

(2) THE LIGHTS ARE ACTIVATED AT THE TIME THE VIOLATION OCCURS.

(E) A PERSON MAY NOT DRIVE A MOTOR VEHICLE AT A SPEED EXCEEDING THE POSTED SPEED LIMIT WITHIN A SCHOOL ZONE ESTABLISHED IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION.

(F) IN ANY SCHOOL ZONE WHERE A SCHOOL CROSSING GUARD IS POSTED TO ASSIST STUDENTS IN CROSSING A HIGHWAY, THE MAXIMUM SPEED LIMIT MAY NOT EXCEED 35 MILES PER HOUR IN THE SCHOOL ZONE DURING THE HOURS POSTED ON SIGNS DESIGNATING THE SCHOOL ZONE.

27-101.

(R) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 21-803.1(E) OF

(Over)

THIS ARTICLE (FINES DOUBLED FOR SPEEDING WITHIN SCHOOL ZONES) IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 IF TIMED FLASHING WARNING LIGHTS WERE ACTIVATED AT THE TIME OF THE VIOLATION, INDICATING THAT DOUBLED FINES ARE IN EFFECT.

SECTION 2. AND BE IT FURTHER ENACTED, That, subject to §§ 21-803.1 and 27-101(r) of the Transportation Article, as enacted by Section 1 of this Act, when altering the fines specified in the penalty deposit schedule, the Chief Judge of the District Court shall adjust the fines for speeding in a school zone in violation of this Act as necessary to ensure that the fines for school zone violations are double the penalty deposit amount that may otherwise be imposed for exceeding the speed limit in areas other than school zones in violation of § 21-801.1 of the Transportation Article”;

and in 12, strike “2.” and substitute “3.”.