

HOUSE BILL 384

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R5

1998 Regular Session
(8lr1277)

ENROLLED BILL

-- Commerce and Government Matters/Judicial Proceedings --

Introduced by **Delegates Curran, Benson, Clagett, Conroy, DeCarlo, Dypski,
Faulkner, Kagan, Mandel, Minnick, Morgan, Mossburg, Opara,
Snodgrass, Wood, and Getty**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws - Speeding Violations in School Zones - Penalties**

3 FOR the purpose of providing that a person convicted ~~for~~ of speeding within certain
4 zones is subject to a fine double the amount that would otherwise apply under
5 certain circumstances, subject to a specified limit; prohibiting a person from
6 speeding within certain zones; authorizing the establishment of school zones;
7 authorizing the State Highway Administration and local authorities to place on
8 certain highways certain traffic control devices in addition to signs in certain
9 zones; providing that ~~the political subdivision~~ local authorities requesting the
10 ~~zone designation is~~ State Highway Administration to establish school zones on
11 local highways are responsible for certain costs; providing that certain ~~signs~~
12 traffic control devices must be ~~posted~~ in place for certain provisions to be in
13 effect; limiting the maximum speed limits in certain school zones under certain
14 circumstances; requiring the Chief Judge of the District Court to take certain
15 actions in relation to the penalty deposit schedule; and generally relating to the

1 establishment of school zones and the penalties for speeding within the zones.

2 BY repealing and reenacting, with amendments,

3 Article - Transportation

4 Section 21-803.1

5 Annotated Code of Maryland

6 (1992 Replacement Volume and 1997 Supplement)

7 BY adding to

8 Article - Transportation

9 Section 27-101(r)

10 Annotated Code of Maryland

11 (1992 Replacement Volume and 1997 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Transportation**

15 21-803.1.

16 (a) (1) ~~On the request of any political subdivision, the~~ SUBJECT TO
 17 SUBSECTION (F) OF THIS SECTION, WITHIN A HALF-MILE RADIUS OF ANY SCHOOL,
 18 THE State Highway Administration may OR A LOCAL AUTHORITY:

19 (I) MAY ~~establish speed zones~~ A SCHOOL ZONE and maximum
 20 speed limits ~~within a half-mile radius of any school located adjacent to any highway~~
 21 ~~in the political subdivision~~ APPLICABLE IN THE SCHOOL ZONE; AND

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

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

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

31 (b) (1) On each highway where a ~~speed~~ SCHOOL zone or ~~speed limit~~ is
 32 established under this section, IN ACCORDANCE WITH SPECIFICATIONS OF THE
 33 STATE HIGHWAY ADMINISTRATION, the State Highway Administration [shall] OR
 34 LOCAL AUTHORITY:

35 (I) SHALL place signs designating the SCHOOL zone [and the
 36 maximum speed limits in it]; AND

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

3 (2) THE SIGNS DESIGNATING A SCHOOL ZONE SHALL INDICATE THE
4 MAXIMUM SPEED LIMIT ~~AND THAT FINES ARE DOUBLED FOR SPEEDING~~ APPLICABLE
5 IN THE SCHOOL ZONE.

6 (3) The ~~political subdivision~~ LOCAL AUTHORITY shall pay the State
7 Highway Administration the cost of placing and maintaining ~~these~~ signs AND OTHER
8 TRAFFIC CONTROL DEVICES ON HIGHWAYS UNDER THE JURISDICTION OF THE
9 LOCAL AUTHORITY WHEN THE STATE HIGHWAY ADMINISTRATION ESTABLISHES
10 THE SCHOOL ZONE AT THE LOCAL AUTHORITY'S REQUEST.

11 (c) A maximum speed limit ~~AND INCREASED PENALTIES IN A SCHOOL ZONE~~
12 established under this section [is effective] ARE IS IN EFFECT when posted on
13 appropriate signs giving notice {of the limit}.

14 (D) THE FINES FOR SPEEDING IN A SCHOOL ZONE ARE DOUBLE THE AMOUNT
15 THAT WOULD OTHERWISE APPLY IF, IN ACCORDANCE WITH SPECIFICATIONS
16 ADOPTED BY THE STATE HIGHWAY ADMINISTRATION:

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

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

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

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

28 27-101.

29 (R) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § ~~21-803.1(D)~~
30 21-803.1(E) OF THIS ARTICLE (FINES DOUBLED FOR SPEEDING WITHIN SCHOOL
31 ZONES) IS SUBJECT TO A FINE:

32 (1) ~~DOUBLE THE AMOUNT OF THE FINE FOR THE VIOLATION THAT~~
33 ~~WOULD OTHERWISE APPLY; BUT~~

34 (2) OF NOT MORE THAN \$1,000 IF TIMED FLASHING WARNING LIGHTS
35 WERE ACTIVATED AT THE TIME OF THE VIOLATION, INDICATING THAT DOUBLED
36 FINES ARE IN EFFECT.

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

9 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
10 effect October 1, 1998.