

HOUSE BILL 384

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R5

1998 Regular Session
8r1277

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

Introduced and read first time: February 2, 1998
Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 17, 1998

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; requiring the Chief Judge of the District Court to take certain actions in
14 relation to the penalty deposit schedule; and generally relating to the
15 establishment of school zones and the penalties for speeding within the zones.

16 BY repealing and reenacting, with amendments,
17 Article - Transportation
18 Section 21-803.1
19 Annotated Code of Maryland
20 (1992 Replacement Volume and 1997 Supplement)

21 BY adding to
22 Article - Transportation
23 Section 27-101(r)

1 Annotated Code of Maryland
2 (1992 Replacement Volume and 1997 Supplement)

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

5 **Article - Transportation**

6 21-803.1.

7 (a) (1) ~~On the request of any political subdivision, the~~ WITHIN A HALF-MILE
8 RADIUS OF ANY SCHOOL, THE State Highway Administration ~~may~~ OR A LOCAL
9 AUTHORITY:

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

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

16 (2) (I) THE STATE HIGHWAY ADMINISTRATION MAY ESTABLISH A
17 SCHOOL ZONE ON ANY STATE HIGHWAY OR, AT THE REQUEST OF A LOCAL
18 AUTHORITY, ON ANY HIGHWAY UNDER THE JURISDICTION OF THE LOCAL
19 AUTHORITY.

20 (II) A LOCAL AUTHORITY MAY ESTABLISH A SCHOOL ZONE ON ANY
21 HIGHWAY UNDER ITS JURISDICTION.

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

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

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

30 (2) THE SIGNS DESIGNATING A SCHOOL ZONE SHALL INDICATE THE
31 MAXIMUM SPEED LIMIT AND THAT FINES ARE DOUBLED FOR SPEEDING APPLICABLE
32 IN THE SCHOOL ZONE.

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

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

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

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

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

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

14 27-101.

15 (R) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § ~~21-803.1(D)~~
 16 21-803.1(E) OF THIS ARTICLE (FINES DOUBLED FOR SPEEDING WITHIN SCHOOL
 17 ZONES) IS SUBJECT TO A FINE:

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

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

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

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

