

SENATE BILL 436

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R5

1998 Regular Session
(8lr2175)

ENROLLED BILL

-- Judicial Proceedings/Commerce and Government Matters --

Introduced by ~~Senators Stone and Astle~~, Astle, and Green

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.

President.

CHAPTER _____

1 AN ACT concerning

2 ~~Motor Vehicles~~ Vehicle Laws - Speeding Violations in School Zones -
3 Maximum Speed Limits Penalties

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

1 speed limits in certain school zones under certain circumstances; requiring the
 2 Chief Judge of the District Court to take certain actions in relation to the penalty
 3 deposit schedule; and generally relating to the establishment of school zones and
 4 the penalties for speeding within the zones.

5 BY repealing and reenacting, with amendments,
 6 Article - Transportation
 7 Section 21-803.1
 8 Annotated Code of Maryland
 9 (1992 Replacement Volume and 1997 Supplement)

10 BY adding to
 11 Article - Transportation
 12 Section 27-101(r)
 13 Annotated Code of Maryland
 14 (1992 Replacement Volume and 1997 Supplement)

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

17 **Article - Transportation**

18 21-803.1.

19 (a) (1) ~~ON SUBJECT TO PARAGRAPH (2) SUBSECTION (F) OF THIS~~
 20 ~~SUBSECTION SECTION, ON the request of any political subdivision~~ WITHIN A
 21 HALF-MILE RADIUS OF ANY SCHOOL, the State Highway Administration ~~may~~ OR A
 22 LOCAL AUTHORITY;

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

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

29 (2) ~~AT ANY LOCATION ON A HIGHWAY WHERE A SCHOOL CROSSING~~
 30 ~~GUARD IS POSTED TO ASSIST STUDENTS IN CROSSING THE HIGHWAY, ON REQUEST~~
 31 ~~OF THE POLITICAL SUBDIVISION IN WHICH THE HIGHWAY CROSSING IS LOCATED,~~
 32 ~~THE STATE HIGHWAY ADMINISTRATION SHALL ESTABLISH SPEED ZONES AND~~
 33 ~~MAXIMUM SPEED LIMITS IN THE VICINITY OF THE HIGHWAY CROSSING.~~

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

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

3 (b) (1) On each highway where a speed SCHOOL zone or speed limit is
4 established under this section, IN ACCORDANCE WITH SPECIFICATIONS OF THE
5 STATE HIGHWAY ADMINISTRATION, the State Highway Administration shall OR
6 LOCAL AUTHORITY:

7 (I) SHALL place signs designating the SCHOOL zone and the
8 maximum speed limits in it. ; AND

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

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

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

18 (c) A maximum speed limit IN A SCHOOL ZONE established under this section
19 is effective IN EFFECT when posted on appropriate signs giving notice of the limit.

20 ~~(D) THE STATE HIGHWAY ADMINISTRATION MAY NOT ESTABLISH A MAXIMUM~~
21 ~~SPEED LIMIT UNDER THIS SECTION THAT EXCEEDS 35 MILES PER HOUR FINES FOR~~
22 ~~SPEEDING IN A SCHOOL ZONE ARE DOUBLE THE AMOUNT THAT WOULD OTHERWISE~~
23 ~~APPLY IF, IN ACCORDANCE WITH SPECIFICATIONS ADOPTED BY THE STATE~~
24 ~~HIGHWAY ADMINISTRATION:~~

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

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

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

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

1 27-101.

2 (R) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 21-803.1(E) OF THIS
3 ARTICLE (FINES DOUBLED FOR SPEEDING WITHIN SCHOOL ZONES) IS SUBJECT TO A
4 FINE OF NOT MORE THAN \$1,000 IF TIMED FLASHING WARNING LIGHTS WERE
5 ACTIVATED AT THE TIME OF THE VIOLATION, INDICATING THAT DOUBLED FINES
6 ARE IN EFFECT.

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

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