

BY: Senator Harris

AMENDMENTS TO SENATE BILL NO. 292, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 2, after “Registration” insert “and Moving Violations”; strike beginning with “increasing” in line 3 down through “vehicles” in line 4 and substitute “requiring the Chief Judge of the District Court to include a certain item in citation forms designed for traffic offenses; requiring a certain surcharge to be added to a fine or court costs imposed by the District Court for a conviction for certain moving violations; requiring a police officer issuing a citation for certain moving violations to add a certain surcharge to the amount of the total fine before presenting the citation to the driver being charged; requiring the Comptroller to annually pay certain surcharges collected into the Transportation Trust Fund; providing that the funding for the Emergency Medical System Operations Fund includes a certain distribution from the Transportation Trust Fund; providing for the application of this Act”; and in line 4, strike “for” and substitute “on”.

On page 1 of the Budget and Taxation Committee Amendments (SB0292/699630/1), in line 9 of Amendment No. 1, before “and” insert “, moving violation surcharges,”.

AMENDMENT NO. 2

On page 1 of the bill, after line 5, insert:

“BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 1-605(d)(8)

Annotated Code of Maryland

(1998 Replacement Volume and 2000 Supplement)

BY adding to

Article - Courts and Judicial Proceedings

Section 7-301(g)

(Over)

Annotated Code of Maryland  
(1998 Replacement Volume and 2000 Supplement)”;

in line 6, strike “with” and substitute “without”; in line 8, after “Section” insert “11-136.1 and”; in line 11, strike “without” and substitute “with”; and after line 15, insert:

“BY adding to

Article - Transportation

Section 27-101.2

Annotated Code of Maryland

(1999 Replacement Volume and 2000 Supplement)”.  
”.

AMENDMENT NO. 3

On page 1 of the bill, after line 17, insert:

“Article - Courts and Judicial Proceedings

1-605.

(d) In addition to the powers and duties granted and imposed in subsections (a), (b), and (c) of this section, or elsewhere by law or rule, the Chief Judge of the District Court shall:

(8) After consultation with police administrators and the Motor Vehicle Administrator, design arrest - citation forms that [shall]:

(I) SHALL be used by all law enforcement agencies in the State when charging a person with a criminal, civil, or traffic offense, excepting violations of parking ordinances or regulations adopted under Subtitle 3 of Title 26 of the Transportation Article; AND

(II) SHALL INCLUDE A LINE ON WHICH TO ADD THE \$15 SURCHARGE ASSESSED UNDER § 27-101.2 OF THE TRANSPORTATION ARTICLE.

7-301.

(G) (1) IN A TRAFFIC CASE INVOLVING A MOVING VIOLATION FOR WHICH POINTS MAY BE ASSESSED UNDER § 16-402 OF THE TRANSPORTATION ARTICLE, AFTER CONVICTION THE COURT SHALL ADD A \$15 SURCHARGE TO ANY

FINE OR COURT COSTS IMPOSED BY THE COURT.

(2) THE COMPTROLLER SHALL ANNUALLY PAY THE SURCHARGES COLLECTED UNDER THIS SUBSECTION INTO THE TRANSPORTATION TRUST FUND ESTABLISHED UNDER § 3-216 OF THE TRANSPORTATION ARTICLE.”.

AMENDMENT NO. 4

On page 1 of the bill, after line 18, insert:

“11-136.1.

“Moving violation” means:

(1) A moving violation as defined in regulations adopted by the Administration for the purpose of assessing points under § 16-402 of this article; or

(2) A violation of a substantially similar nature reported from another jurisdiction, other than a violation of the jurisdiction's size, weight, load, equipment, or inspection provisions.”.

AMENDMENT NO. 5

On page 2 of the bill, in line 10, strike the brackets; and in line 11, strike “\$11”.

AMENDMENT NO. 6

On page 2 of the bill, in line 22, strike “and”; and in line 25, after “government” insert “; AND

(3) AN ANNUAL DISTRIBUTION FROM THE TRANSPORTATION TRUST FUND OF \$3 FOR EACH VEHICLE REGISTERED UNDER § 13-954 OF THIS SUBTITLE”.

AMENDMENT NO. 7

On page 3 of the bill, in line 12, after “Code.” insert:

“27-101.2.

(A) AFTER COMPUTING THE FINE TO BE ASSESSED UNDER THE DISTRICT COURT'S SCHEDULE OF PRESET FINES AND/OR PENALTY DEPOSITS, A POLICE OFFICER ISSUING A TRAFFIC CITATION FOR A MOVING VIOLATION FOR WHICH POINTS MAY BE ASSESSED UNDER § 16-402 OF THIS ARTICLE SHALL ADD A \$15 SURCHARGE TO THE AMOUNT OF THE TOTAL FINE BEFORE PRESENTING THE CITATION TO THE DRIVER BEING CHARGED.

(B) THE COMPTROLLER SHALL ANNUALLY PAY THE SURCHARGES COLLECTED UNDER THIS SECTION INTO THE TRANSPORTATION TRUST FUND ESTABLISHED UNDER § 3-216 OF THIS ARTICLE.”;

and before line 13, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect on or application to any violation committed before the effective date of this Act.”.

AMENDMENT NO. 8

On page 4 of the Budget and Taxation Committee Amendments, in Amendment No. 2, strike beginning with “SECTION” in line 19 down through “Act.” in line 22.