
By: **Delegate Franchot**
Introduced and read first time: February 9, 2001
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Traffic Citations - Revenues to Local Government**

3 FOR the purpose of requiring that half of a certain fine collected by the District Court
4 as a result of a traffic citation issued by a law enforcement officer employed by
5 a political subdivision of the State for a violation of the Maryland Vehicle Law be
6 remitted to the political subdivision in which the officer issued the citation; and
7 generally relating to the collection and distribution of certain fines resulting
8 from traffic violations.

9 BY repealing and reenacting, with amendments,
10 Article - Courts and Judicial Proceedings
11 Section 7-302
12 Annotated Code of Maryland
13 (1998 Replacement Volume and 2000 Supplement)

14 BY adding to
15 Article - Transportation
16 Section 12-118.1
17 Annotated Code of Maryland
18 (1999 Replacement Volume and 2000 Supplement)

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

21 **Article - Courts and Judicial Proceedings**

22 7-302.

23 (a) Except as provided in subsections (b) through (e) of this section, the clerks
24 of the District Court shall:

25 (1) Collect costs, fines, forfeitures, or penalties imposed by the court; and

26 (2) Remit them to the State under a system agreed upon by the Chief
27 Judge of the District Court and the Comptroller.

1 (b) If a parking or impounding fine, penalty, or forfeiture, or a fine, penalty, or
2 forfeiture relating to violation of housing, building, fire, health, or sanitation codes, or
3 a Mass Transit Fare Payment Statute, or a fine or penalty relating to failure to pay
4 the prescribed toll at a highway or vehicular crossing is collected by the District Court
5 pursuant to a local ordinance, law, or regulation of a political subdivision or
6 municipality, or pursuant to a regulation of an agency of State government authorized
7 to regulate parking of motor vehicles, or pursuant to a statute pertaining to the
8 payment of mass transit fares, or pursuant to a statute pertaining to the failure to
9 pay tolls, it shall be remitted to the respective local government, or to the State
10 agency.

11 (c) Every agency of State government, political subdivision or municipality
12 which has enacted or which shall enact an ordinance, law, or regulation controlling
13 the parking of motor vehicles, or providing for the impounding of motor vehicles, or
14 pertaining to the failure to pay tolls shall provide that fines, penalties or forfeitures
15 for the violation of said ordinances, laws, or regulations shall be paid directly to the
16 State agency, political subdivision or municipality, and not to the District Court, in
17 uncontested cases.

18 (d) Every ordinance, law, or regulation controlling the parking of motor
19 vehicles or providing for impounding such vehicles or pertaining to the failure to pay
20 tolls shall provide that the person receiving a citation may elect to stand trial for said
21 offense by notifying the State agency, political subdivision or municipality of his
22 intention of standing trial, which notice shall be given at least five (5) days prior to
23 the date of payment as set forth in the citation. Upon receipt of the notice of such
24 intention to stand trial, the political subdivision or municipality shall forward to the
25 District Court in said political subdivision or municipality, and the State agency shall
26 forward to the District Court having venue, a copy of the citation and a copy of the
27 notice from the person who received the citation indicating his intention to stand
28 trial. Upon receipt thereof, the District Court shall schedule the case for trial and
29 notify the defendant of the trial date under procedures to be adopted by the Chief
30 Judge of the District Court. All parking or impounding fines, penalties or forfeitures
31 or failure to pay toll penalties collected through the District Court pursuant to a
32 parking or impounding or toll collection ordinance, law, or regulation enacted by a
33 State agency, political subdivision or municipality shall be remitted to the respective
34 local government or State agency.

35 (e) (1) A citation issued pursuant to § 21-202.1 of the Transportation Article
36 shall provide that the person receiving the citation may elect to stand trial by
37 notifying the issuing agency of the person's intention to stand trial at least 5 days
38 prior to the date of payment as set forth in the citation. On receipt of the notice of
39 stand trial, the agency shall forward to the District Court having venue a copy of the
40 citation and a copy of the notice from the person who received the citation indicating
41 the person's intention to stand trial. On receipt thereof, the District Court shall
42 schedule the case for trial and notify the defendant of the trial date under procedures
43 adopted by the Chief Judge of the District Court.

44 (2) A citation issued as the result of a traffic control signal monitoring
45 system controlled by a political subdivision shall provide that, in an uncontested case,

1 the penalty shall be paid directly to that political subdivision. A citation issued as the
2 result of a traffic control signal monitoring system controlled by a State agency shall
3 provide that the penalty shall be paid directly to the District Court.

4 (3) Civil penalties resulting from citations issued using traffic control
5 signal monitoring systems that are collected by the District Court shall be collected in
6 accordance with subsection (a) of this section and distributed in accordance with §
7 12-118 of the Transportation Article.

8 (4) EXCEPT AS PROVIDED IN SUBSECTIONS (B), (C), AND (D) OF THIS
9 SECTION AND PARAGRAPHS (1) THROUGH (3) OF THIS SUBSECTION, FINES
10 RESULTING FROM CITATIONS ISSUED BY A LAW ENFORCEMENT OFFICER EMPLOYED
11 BY A POLITICAL SUBDIVISION FOR A VIOLATION OF THE MARYLAND VEHICLE LAW
12 SHALL BE COLLECTED IN ACCORDANCE WITH SUBSECTION (A)(1) OF THIS SECTION
13 AND DISTRIBUTED IN ACCORDANCE WITH § 12-118.1 OF THE TRANSPORTATION
14 ARTICLE.

15 **Article - Transportation**

16 12-118.1.

17 (A) FIFTY PERCENT OF EACH FINE COLLECTED BY THE DISTRICT COURT AS A
18 RESULT OF A TRAFFIC CITATION ISSUED BY A LAW ENFORCEMENT OFFICER
19 EMPLOYED BY A POLITICAL SUBDIVISION FOR A VIOLATION OF THIS ARTICLE SHALL
20 BE REMITTED TO THE POLITICAL SUBDIVISION IN WHICH THE OFFICER ISSUED THE
21 CITATION.

22 (B) THE BALANCE OF EACH FINE AFTER THE DISTRIBUTION REQUIRED
23 UNDER SUBSECTION (A) OF THIS SECTION SHALL BE REMITTED TO THE STATE
24 UNDER § 7-302 (A)(2) OF THE COURTS ARTICLE.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2001.