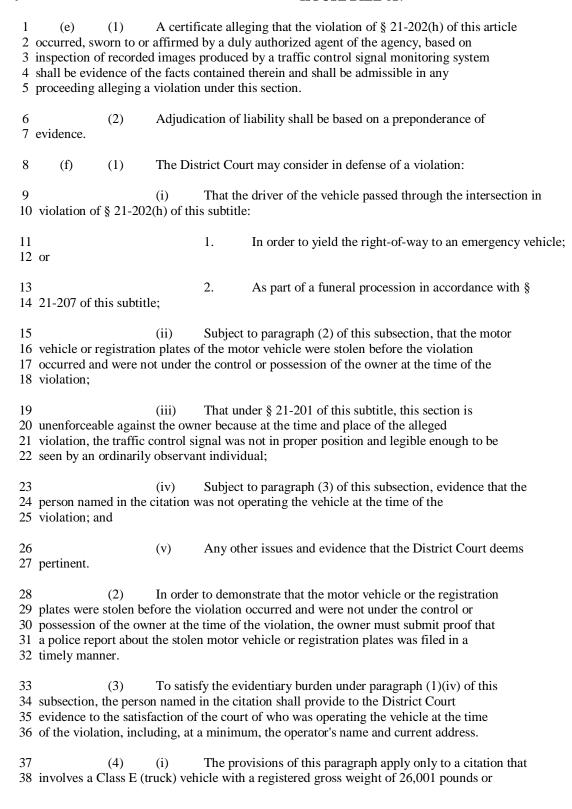
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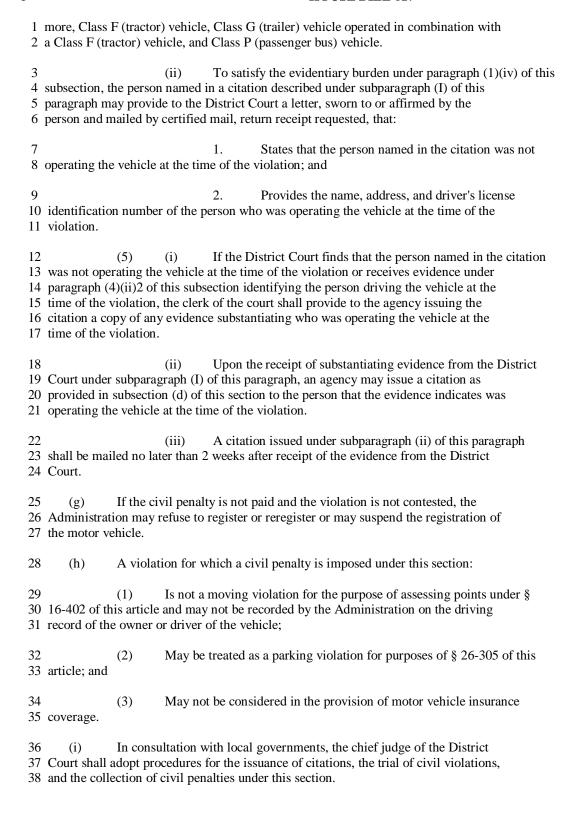
By: Charles County Delegation Introduced and read first time: February 7, 2003 Assigned to: Environmental Matters A BILL ENTITLED 1 AN ACT concerning 2 Vehicle Laws - Violations Recorded by Traffic Control Signal Monitoring 3 **Systems - Penalty** 4 FOR the purpose of increasing the maximum civil penalty for certain red light violations recorded by a traffic control signal monitoring system; and generally 5 6 relating to the civil penalty for violations recorded by traffic control signal 7 monitoring systems. BY repealing and reenacting, with amendments, 8 Article - Transportation 9 10 Section 21-202.1 Annotated Code of Maryland 11 12 (2002 Replacement Volume) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 13 14 MARYLAND, That the Laws of Maryland read as follows: 15 **Article - Transportation** 16 21-202.1. 17 In this section the following words have the meanings indicated. (a) (1) "Agency" means: 18 (2)19 For a traffic control signal operated and maintained at an 20 intersection under the control of the State, the law enforcement agency primarily 21 responsible for traffic control at that intersection; or 22 For a traffic control signal operated and maintained at an 23 intersection under the control of a political subdivision, a law enforcement agency of 24 the political subdivision that is authorized to issue citations for a violation of the 25 Maryland Vehicle Law or of local traffic laws or regulations. "Owner" means the registered owner of a motor vehicle or a 26

27 lessee of a motor vehicle under a lease of 6 months or more.

| | company or a holde Subtitle 9 of this ar | | | " does not include a motor vehicle rental or leasing ration plate issued under Part III of Title 13, | | |
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| 4 5 | (4) monitoring system: | "Record | led image | es" means images recorded by a traffic control signal | | |
| 6 | | (i) | On: | | | |
| 7 | | | 1. | Two or more photographs; | | |
| 8 | | | 2. | Two or more microphotographs; | | |
| 9 | | | 3. | Two or more electronic images; | | |
| 10 | | | 4. | Videotape; or | | |
| 11 | | | 5. | Any other medium; and | | |
| | or portion of tape, vehicle. | (ii) Showing the rear of a motor vehicle and, on at least one image tion of tape, clearly identifying the registration plate number of the motor e. | | | | |
| 17 | (5) "Traffic control signal monitoring system" means a device with one or more motor vehicle sensors working in conjunction with a traffic control signal to produce recorded images of motor vehicles entering an intersection against a red signal indication. | | | | | |
| 19 20 | (b) This section applies to a violation of § 21-202(h) of this subtitle at an intersection monitored by a traffic control signal monitoring system. | | | | | |
| 23 24 | (c) (1) Unless the driver of the motor vehicle received a citation from a police officer at the time of the violation, the owner or, in accordance with subsection (f)(5) of this section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is recorded by a traffic control signal monitoring system while being operated in violation of § 21-202(h) of this subtitle. | | | | | |
| 26 | (2) | A civil | penalty u | nder this subsection may not exceed [\$100] \$120. | | |
| 27 | (3) | For pur | poses of | this section, the District Court shall prescribe: | | |
| 28 29 | section and § 7-302 | (i) 2 of the Co | | rm citation form consistent with subsection (d)(1) of this Judicial Proceedings Article; and | | |
| | paid by persons wh Court. | (ii) no choose t | | penalty, which shall be indicated on the citation, to be the civil penalty without appearing in District | | |
| | (d) (1) subsection, an ager section a citation w | ncy shall m | ail to the | ovisions of paragraphs (2) through (4) of this owner liable under subsection (c) of this | | |

| 1 | | (i) | The name and address of the registered owner of the vehicle; | | | |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| 2 | violation; | (ii) | The registration number of the motor vehicle involved in the | | | |
| 4 | | (iii) | The violation charged; | | | |
| 5 | | (iv) | The location of the intersection; | | | |
| 6 | | (v) | The date and time of the violation; | | | |
| 7 | | (vi) | A copy of the recorded image; | | | |
| 8 9 | (vii) The amount of the civil penalty imposed and the date by which the civil penalty should be paid; | | | | | |
| | (viii) A signed statement by a technician employed by the agency that, based on inspection of recorded images, the motor vehicle was being operated in violation of § 21-202(h) of this subtitle; | | | | | |
| 13 14 | § 21-202(h) of this su | (ix) ıbtitle; an | A statement that recorded images are evidence of a violation of d | | | |
| 15 16 | section: | (x) | Information advising the person alleged to be liable under this | | | |
| 17 18 | citation may be conte | sted in th | 1. Of the manner and time in which liability as alleged in the ne District Court; and | | | |
| | | | 2. Warning that failure to pay the civil penalty or to contest an admission of liability and may result in refusal or le registration. | | | |
| 22 23 | 2 (2) The agency may mail a warning notice in lieu of a citation to the 3 owner liable under subsection (c) of this section. | | | | | |
| | (3) Except as provided in subsection (f)(5) of this section, a citation issued under this section shall be mailed no later than 2 weeks after the alleged violation. | | | | | |
| 27 28 | (4) An agency may not mail a citation to a person who is not an owner under subsection (a)(3)(ii) of this section. | | | | | |
| 29 30 | (5) subsection may: | A person | n who receives a citation under paragraph (1) of this | | | |
| 31 32 | citation, directly to the | (i) le politica | Pay the civil penalty, in accordance with instructions on the al subdivision or to the District Court; or | | | |
| 33 | | (ii) | Elect to stand trial for the alleged violation. | | | |





- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 2 October 1, 2003.