

HOUSE BILL 694

Unofficial Copy
R5
SB 565/02 - JPR

2003 Regular Session
3lr1671
CF 3lr1672

By: **Delegates Bronrott, Barkley, Barve, Bobo, Burns, Cane, V. Clagett,
Cryor, Dumais, Feldman, Franchot, Frush, Goldwater, Hixson, Holmes,
Hubbard, Hurson, Lee, Mandel, Marriott, Montgomery, Parker, Ross,
and Stern**

Introduced and read first time: February 7, 2003
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Speed Monitoring Systems - Radar Cameras**

3 FOR the purpose of authorizing certain law enforcement agencies to mail a citation to
4 the owner of a motor vehicle that is recorded on a highway in certain areas by a
5 speed monitoring system to be in violation of certain laws regarding the
6 operation of a motor vehicle in excess of certain speed limits; establishing a
7 process through which a local jurisdiction may request approval of the State
8 Highway Administration to place a speed monitoring system in a certain
9 location; requiring the State Highway Administration to approve or deny the
10 request within a certain time; establishing the content of a citation; authorizing
11 the sending of a warning in lieu of a citation; authorizing reissuance of a citation
12 to a driver of a vehicle under certain circumstances; requiring a citation to be
13 mailed within a certain time period; requiring the District Court to prescribe a
14 certain citation form and a civil penalty to be indicated on the citation for
15 certain purposes; requiring the Chief Judge of the District Court to adopt
16 certain procedures; providing that the owner of the vehicle is responsible for
17 paying the civil penalty indicated on the citation under certain circumstances;
18 providing that persons receiving citations may elect to stand trial in the District
19 Court; establishing defenses that may be considered; authorizing vehicle owners
20 to submit a certain letter to the District Court in order to establish a certain
21 defense; imposing certain additional penalties and authorizing certain other
22 actions when an owner fails to pay the civil penalty, contest liability, or appear
23 for trial; prohibiting imposition of liability under this Act from being considered
24 a moving violation for certain purposes, or being recorded on the driving record
25 of the owner or driver, or being considered by an insurer for certain purposes;
26 providing for the admissibility and use of certain evidence; modifying the
27 jurisdiction of the District Court for certain purposes; providing for the handling
28 of certain court costs and penalties; defining certain terms; prohibiting the
29 custodian of recorded images produced by a speed monitoring system from
30 allowing inspection of the recorded images, subject to certain exceptions;
31 correcting an obsolete reference; providing that the fees of certain contractors
32 may not be contingent on the number of citations issued or paid under this Act;

1 restricting the use of certain revenues generated by this Act; providing for the
2 application of this Act; providing that existing obligations or contracts may not
3 be impaired by this Act; and generally relating to imposition of liability on the
4 owner of a motor vehicle recorded by a speed monitoring system violating
5 certain laws regarding the operation of a motor vehicle in excess of certain speed
6 limits.

7 BY repealing and reenacting, with amendments,
8 Article - Courts and Judicial Proceedings
9 Section 4-401(13), 7-301(a), 7-302(e), and 10-311
10 Annotated Code of Maryland
11 (2002 Replacement Volume)

12 BY repealing and reenacting, with amendments,
13 Article - Insurance
14 Section 11-215(e) and 11-318(e)
15 Annotated Code of Maryland
16 (1997 Volume and 2002 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - State Government
19 Section 10-616(o)
20 Annotated Code of Maryland
21 (1999 Replacement Volume and 2002 Supplement)

22 BY adding to
23 Article - Transportation
24 Section 21-809
25 Annotated Code of Maryland
26 (2002 Replacement Volume)

27 BY repealing and reenacting, with amendments,
28 Article - Transportation
29 Section 26-305(a) and 26-401
30 Annotated Code of Maryland
31 (2002 Replacement Volume)

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

1 **Article - Courts and Judicial Proceedings**

2 4-401.

3 Except as provided in § 4-402 of this subtitle, and subject to the venue
4 provisions of Title 6 of this article, the District Court has exclusive original civil
5 jurisdiction in:

6 (13) A proceeding for a civil infraction under § 21-202.1 OR § 21-809 of the
7 Transportation Article;

8 7-301.

9 (a) The court costs in a traffic case, including parking and impounding cases
10 and cases under § 21-202.1 OR § 21-809 of the Transportation Article in which costs
11 are imposed, are \$20. Such costs shall also be applicable to those cases in which the
12 defendant elects to waive his right to trial and pay the fine or penalty deposit
13 established by the Chief Judge of the District Court by administrative regulation. In
14 an uncontested case under § 21-202.1 OR § 21-809 of the Transportation Article or
15 uncontested parking or impounding case in which the fines are paid directly to a
16 political subdivision or municipality, costs are \$2.00, which costs shall be paid to and
17 retained by the political subdivision or municipality. In an uncontested case in which
18 the fine is paid directly to an agency of State government authorized by law to
19 regulate parking of motor vehicles, the costs are \$2.00. The fine and the costs shall be
20 paid to the agency, which shall receive and account for these funds as in all other
21 cases involving sums due the State through a State agency.

22 7-302.

23 (e) (1) A citation issued pursuant to § 21-202.1 OR § 21-809 of the
24 Transportation Article shall provide that the person receiving the citation may elect to
25 stand trial by notifying the issuing agency of the person's intention to stand trial at
26 least 5 days prior to the date of payment as set forth in the citation. On receipt of the
27 notice to stand trial, the agency shall forward to the District Court having venue a
28 copy of the citation and a copy of the notice from the person who received the citation
29 indicating the person's intention to stand trial. On receipt thereof, the District Court
30 shall schedule the case for trial and notify the defendant of the trial date under
31 procedures adopted by the Chief Judge of the District Court.

32 (2) A citation issued as the result of a traffic control signal monitoring
33 system OR SPEED MONITORING SYSTEM controlled by a political subdivision shall
34 provide that, in an uncontested case, the penalty shall be paid directly to that political
35 subdivision. A citation issued as the result of a traffic control signal monitoring
36 system OR SPEED MONITORING SYSTEM controlled by a State agency shall provide
37 that the penalty shall be paid directly to the District Court.

38 (3) Civil penalties resulting from citations issued using traffic control
39 signal monitoring systems OR SPEED MONITORING SYSTEMS that are collected by the
40 District Court shall be collected in accordance with subsection (a) of this section and
41 distributed in accordance with § 12-118 of the Transportation Article.

1 10-311.

2 (A) A recorded image of a motor vehicle produced by a traffic control signal
3 monitoring system in accordance with § 21-202.1 of the Transportation Article is
4 admissible in a proceeding concerning a civil citation issued under that section for a
5 violation of § 21-202(h) of the Transportation Article without authentication.

6 (B) A RECORDED IMAGE OF A MOTOR VEHICLE PRODUCED BY A SPEED
7 MONITORING SYSTEM IN ACCORDANCE WITH § 21-809 OF THE TRANSPORTATION
8 ARTICLE IS ADMISSIBLE IN A PROCEEDING CONCERNING A CIVIL CITATION ISSUED
9 UNDER THAT SECTION FOR A VIOLATION OF TITLE 21, SUBTITLE 8 OF THE
10 TRANSPORTATION ARTICLE WITHOUT AUTHENTICATION.

11 (C) In any other judicial proceeding, a recorded image produced by a traffic
12 control signal monitoring system OR SPEED MONITORING SYSTEM is admissible as
13 otherwise provided by law.

14 **Article - Insurance**

15 11-215.

16 (e) For purposes of reclassifying an insured in a classification that entails a
17 higher premium, an insurer under an automobile insurance policy may not consider a
18 probation before judgment disposition of a motor vehicle law offense, a civil penalty
19 imposed pursuant to § 21-202.1 OR § 21-809 of the Transportation Article, or a first
20 offense of driving with an alcohol concentration of [0.10] 0.08 or more under §
21 16-205.1 of the Transportation Article on record with the Motor Vehicle
22 Administration, as provided in § 16-117(b) of the Transportation Article.

23 11-318.

24 (e) For purposes of reclassifying an insured in a classification that entails a
25 higher premium, an insurer under an automobile insurance policy may not consider a
26 probation before judgment disposition of a motor vehicle law offense, a civil penalty
27 imposed pursuant to § 21-202.1 OR § 21-809 of the Transportation Article, or a first
28 offense of driving with an alcohol concentration of [0.10] 0.08 or more under §
29 16-205.1 of the Transportation Article on record with the Motor Vehicle
30 Administration, as provided in § 16-117(b) of the Transportation Article.

31 **Article - State Government**

32 10-616.

33 (o) (1) In this subsection, "recorded images" has the meaning stated in §
34 21-202.1 OR § 21-809 of the Transportation Article.

35 (2) Except as provided in paragraph (3) of this subsection, a custodian of
36 recorded images produced by a traffic control signal monitoring system operated
37 under § 21-202.1 of the Transportation Article OR A SPEED MONITORING SYSTEM

1 OPERATED UNDER § 21-809 OF THE TRANSPORTATION ARTICLE shall deny inspection
2 of the recorded images.

3 (3) A custodian shall allow inspection of recorded images:

4 (i) as required in § 21-202.1 OR § 21-809 of the Transportation
5 Article;

6 (ii) by any person issued a citation under § 21-202.1 OR § 21-809 of
7 the Transportation Article, or an attorney of record for the person; or

8 (iii) by an employee or agent of a law enforcement agency in an
9 investigation or proceeding relating to the imposition of or indemnification from civil
10 liability pursuant to § 21-202.1 OR § 21-809 of the Transportation Article.

11 **Article - Transportation**

12 21-809.

13 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
14 INDICATED.

15 (2) "AGENCY" MEANS A LAW ENFORCEMENT AGENCY OF THE STATE OR
16 A POLITICAL SUBDIVISION THAT IS AUTHORIZED TO ISSUE CITATIONS FOR A
17 VIOLATION OF THE MARYLAND VEHICLE LAW OR OF LOCAL TRAFFIC LAWS OR
18 REGULATIONS.

19 (3) (I) "OWNER" MEANS THE REGISTERED OWNER OF A MOTOR
20 VEHICLE OR A LESSEE OF A MOTOR VEHICLE UNDER A LEASE OF 6 MONTHS OR
21 MORE.

22 (II) "OWNER" DOES NOT INCLUDE A MOTOR VEHICLE RENTAL OR
23 LEASING COMPANY OR A HOLDER OF A SPECIAL REGISTRATION PLATE ISSUED
24 UNDER TITLE 13, SUBTITLE 9, PART III OF THIS ARTICLE.

25 (4) "RECORDED IMAGE" MEANS AN IMAGE OF A PORTION OF A MOTOR
26 VEHICLE RECORDED BY A SPEED MONITORING SYSTEM:

27 (I) ON:

- 28 1. A PHOTOGRAPH;
- 29 2. A MICROPHOTOGRAPH;
- 30 3. AN ELECTRONIC IMAGE;
- 31 4. VIDEOTAPE; OR
- 32 5. ANY OTHER MEDIUM; AND

1 (II) CLEARLY IDENTIFYING THE REGISTRATION PLATE NUMBER OF
2 THE MOTOR VEHICLE.

3 (5) "SPEED MONITORING SYSTEM" MEANS A DEVICE WITH ONE OR MORE
4 MOTOR VEHICLE SENSORS PRODUCING RECORDED IMAGES OF MOTOR VEHICLES
5 TRAVELING AT SPEEDS AT LEAST 10 MILES PER HOUR ABOVE THE POSTED SPEED
6 LIMIT.

7 (B) (1) THIS SECTION APPLIES TO A VIOLATION OF THIS SUBTITLE
8 RECORDED BY A SPEED MONITORING SYSTEM WHICH HAS BEEN CALIBRATED TO
9 ENSURE ACCURACY AND PLACED:

10 (I) ON A HIGHWAY IN A RESIDENTIAL DISTRICT AS DEFINED IN §
11 21-101 OF THIS TITLE WITH A MAXIMUM POSTED SPEED LIMIT OF 35 MILES PER
12 HOUR;

13 (II) IN A SCHOOL ZONE ESTABLISHED UNDER § 21-803.1 OF THIS
14 SUBTITLE; OR

15 (III) IN A LOCATION APPROVED UNDER PARAGRAPH (2) OF THIS
16 SUBSECTION.

17 (2) (I) A LOCAL JURISDICTION MAY REQUEST THE APPROVAL OF THE
18 STATE HIGHWAY ADMINISTRATION TO HAVE A SPEED MONITORING SYSTEM PLACED
19 IN A LOCATION OTHER THAN A LOCATION SPECIFIED IN PARAGRAPH (1)(I) OR (II) OF
20 THIS SUBSECTION.

21 (II) WITHIN 30 DAYS OF RECEIVING A REQUEST UNDER
22 SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE STATE HIGHWAY ADMINISTRATION, IN
23 WRITING, SHALL:

24 1. APPROVE THE REQUEST BASED ON THE LOCAL
25 JURISDICTION'S DEMONSTRATION OF NEED FOR THE SPEED MONITORING SYSTEM
26 AT THE LOCATION THAT IS THE SUBJECT OF THE REQUEST; OR

27 2. DENY THE REQUEST, CITING THE REASONS FOR THE
28 DENIAL.

29 (C) (1) UNLESS THE DRIVER OF THE MOTOR VEHICLE RECEIVED A
30 CITATION FROM A POLICE OFFICER AT THE TIME OF THE VIOLATION, THE OWNER
31 OR, IN ACCORDANCE WITH SUBSECTION (F)(4) OF THIS SECTION, THE DRIVER OF A
32 MOTOR VEHICLE IS SUBJECT TO A CIVIL PENALTY IF THE MOTOR VEHICLE IS
33 RECORDED BY A SPEED MONITORING SYSTEM WHILE BEING OPERATED IN
34 VIOLATION OF THIS SUBTITLE.

35 (2) A CIVIL PENALTY UNDER THIS SUBSECTION MAY NOT EXCEED \$100.

36 (3) FOR PURPOSES OF THIS SECTION, THE DISTRICT COURT SHALL
37 PRESCRIBE:

1 (I) A UNIFORM CITATION FORM CONSISTENT WITH SUBSECTION
2 (D)(1) OF THIS SECTION AND § 7-302 OF THE COURTS AND JUDICIAL PROCEEDINGS
3 ARTICLE; AND

4 (II) A CIVIL PENALTY, WHICH SHALL BE INDICATED ON THE
5 CITATION, TO BE PAID BY PERSONS WHO CHOOSE TO PREPAY THE CIVIL PENALTY
6 WITHOUT APPEARING IN DISTRICT COURT.

7 (D) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (2) THROUGH (4) OF
8 THIS SUBSECTION, AN AGENCY SHALL MAIL TO THE OWNER LIABLE UNDER
9 SUBSECTION (C) OF THIS SECTION A CITATION WHICH SHALL INCLUDE:

10 (I) THE NAME AND ADDRESS OF THE REGISTERED OWNER OF THE
11 VEHICLE;

12 (II) THE REGISTRATION NUMBER OF THE MOTOR VEHICLE
13 INVOLVED IN THE VIOLATION;

14 (III) THE VIOLATION CHARGED;

15 (IV) THE LOCATION WHERE THE VIOLATION OCCURRED;

16 (V) THE DATE AND TIME OF THE VIOLATION;

17 (VI) A COPY OF THE RECORDED IMAGE;

18 (VII) THE AMOUNT OF THE CIVIL PENALTY IMPOSED AND THE DATE
19 BY WHICH THE CIVIL PENALTY SHOULD BE PAID;

20 (VIII) A SIGNED STATEMENT BY A DULY AUTHORIZED AGENT OF THE
21 AGENCY THAT, BASED ON INSPECTION OF RECORDED IMAGES, THE MOTOR VEHICLE
22 WAS BEING OPERATED IN VIOLATION OF THIS SUBTITLE;

23 (IX) A STATEMENT THAT RECORDED IMAGES ARE EVIDENCE OF A
24 VIOLATION OF THIS SUBTITLE; AND

25 (X) INFORMATION ADVISING THE PERSON ALLEGED TO BE LIABLE
26 UNDER THIS SECTION:

27 1. OF THE MANNER AND TIME IN WHICH LIABILITY AS
28 ALLEGED IN THE CITATION MAY BE CONTESTED IN THE DISTRICT COURT; AND

29 2. THAT FAILURE TO PAY THE CIVIL PENALTY OR TO
30 CONTEST LIABILITY IN A TIMELY MANNER IS AN ADMISSION OF LIABILITY AND MAY
31 RESULT IN REFUSAL OR SUSPENSION OF THE MOTOR VEHICLE REGISTRATION.

32 (2) THE AGENCY MAY MAIL A WARNING NOTICE IN LIEU OF A CITATION
33 TO THE OWNER LIABLE UNDER SUBSECTION (C) OF THIS SECTION.

34 (3) EXCEPT AS PROVIDED IN SUBSECTION (F)(4) OF THIS SECTION, A
35 CITATION ISSUED UNDER THIS SECTION SHALL BE MAILED NO LATER THAN 2 WEEKS

1 AFTER THE ALLEGED VIOLATION IF THE VEHICLE IS REGISTERED IN THIS STATE,
2 AND 30 DAYS AFTER THE ALLEGED VIOLATION IF THE VEHICLE IS REGISTERED IN
3 ANOTHER STATE.

4 (4) AN AGENCY MAY NOT MAIL A CITATION TO A PERSON WHO IS NOT AN
5 OWNER UNDER SUBSECTION (A)(3)(II) OF THIS SECTION.

6 (5) A PERSON WHO RECEIVES A CITATION UNDER PARAGRAPH (1) OF
7 THIS SUBSECTION MAY:

8 (I) PAY THE CIVIL PENALTY, IN ACCORDANCE WITH
9 INSTRUCTIONS ON THE CITATION, DIRECTLY TO THE POLITICAL SUBDIVISION OR TO
10 THE DISTRICT COURT; OR

11 (II) ELECT TO STAND TRIAL FOR THE ALLEGED VIOLATION.

12 (E) (1) A CERTIFICATE ALLEGING THAT THE VIOLATION OF THIS SUBTITLE
13 OCCURRED, SWORN TO OR AFFIRMED BY A DULY AUTHORIZED AGENT OF THE
14 AGENCY, BASED ON INSPECTION OF RECORDED IMAGES PRODUCED BY A SPEED
15 MONITORING SYSTEM, SHALL BE EVIDENCE OF THE FACTS CONTAINED THEREIN
16 AND SHALL BE ADMISSIBLE IN ANY PROCEEDING ALLEGING A VIOLATION UNDER
17 THIS SECTION.

18 (2) ADJUDICATION OF LIABILITY SHALL BE BASED ON A
19 PREPONDERANCE OF EVIDENCE.

20 (F) (1) THE DISTRICT COURT MAY CONSIDER IN DEFENSE OF A VIOLATION:

21 (I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THAT THE
22 MOTOR VEHICLE OR REGISTRATION PLATES OF THE MOTOR VEHICLE WERE STOLEN
23 BEFORE THE VIOLATION OCCURRED AND WERE NOT UNDER THE CONTROL OR
24 POSSESSION OF THE OWNER AT THE TIME OF THE VIOLATION;

25 (II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, EVIDENCE
26 THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE VEHICLE AT
27 THE TIME OF THE VIOLATION; AND

28 (III) ANY OTHER ISSUES AND EVIDENCE THAT THE DISTRICT COURT
29 DEEMS PERTINENT.

30 (2) IN ORDER TO DEMONSTRATE THAT THE MOTOR VEHICLE OR THE
31 REGISTRATION PLATES WERE STOLEN BEFORE THE VIOLATION OCCURRED AND
32 WERE NOT UNDER THE CONTROL OR POSSESSION OF THE OWNER AT THE TIME OF
33 THE VIOLATION, THE OWNER SHALL SUBMIT PROOF THAT A POLICE REPORT ABOUT
34 THE STOLEN MOTOR VEHICLE OR REGISTRATION PLATES WAS FILED IN A TIMELY
35 MANNER.

36 (3) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH (1)(II) OF
37 THIS SUBSECTION, THE PERSON NAMED IN THE CITATION SHALL PROVIDE TO THE

1 DISTRICT COURT A LETTER, SWORN TO OR AFFIRMED BY THE PERSON AND MAILED
2 BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, THAT:

3 (I) STATES THAT THE PERSON NAMED IN THE CITATION WAS NOT
4 OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION;

5 (II) PROVIDES THE NAME, ADDRESS, AND, IF POSSIBLE, THE
6 DRIVER'S LICENSE IDENTIFICATION NUMBER OF THE PERSON WHO WAS OPERATING
7 THE VEHICLE AT THE TIME OF THE VIOLATION; AND

8 (III) INCLUDES ANY OTHER CORROBORATING EVIDENCE.

9 (4) (I) IF THE DISTRICT COURT FINDS THAT THE PERSON NAMED IN
10 THE CITATION WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION
11 OR RECEIVES EVIDENCE UNDER PARAGRAPH (3) OF THIS SUBSECTION IDENTIFYING
12 THE PERSON DRIVING THE VEHICLE AT THE TIME OF THE VIOLATION, THE CLERK OF
13 THE COURT SHALL PROVIDE TO THE AGENCY ISSUING THE CITATION A COPY OF ANY
14 EVIDENCE SUBSTANTIATING WHO WAS OPERATING THE VEHICLE AT THE TIME OF
15 THE VIOLATION.

16 (II) UPON THE RECEIPT OF SUBSTANTIATING EVIDENCE FROM THE
17 DISTRICT COURT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, AN AGENCY MAY
18 ISSUE A CITATION AS PROVIDED IN SUBSECTION (D) OF THIS SECTION TO THE
19 PERSON WHO THE EVIDENCE INDICATES WAS OPERATING THE VEHICLE AT THE
20 TIME OF THE VIOLATION.

21 (III) A CITATION ISSUED UNDER SUBPARAGRAPH (II) OF THIS
22 PARAGRAPH SHALL BE MAILED NO LATER THAN 2 WEEKS AFTER RECEIPT OF THE
23 EVIDENCE FROM THE DISTRICT COURT.

24 (G) IF THE CIVIL PENALTY IS NOT PAID AND THE VIOLATION IS NOT
25 CONTESTED, THE ADMINISTRATION MAY REFUSE TO REGISTER OR REREGISTER OR
26 MAY SUSPEND THE REGISTRATION OF THE MOTOR VEHICLE.

27 (H) A VIOLATION FOR WHICH A CIVIL PENALTY IS IMPOSED UNDER THIS
28 SECTION:

29 (1) IS NOT A MOVING VIOLATION FOR THE PURPOSE OF ASSESSING
30 POINTS UNDER § 16-402 OF THIS ARTICLE AND MAY NOT BE RECORDED BY THE
31 ADMINISTRATION ON THE DRIVING RECORD OF THE OWNER OR DRIVER OF THE
32 VEHICLE;

33 (2) MAY BE TREATED AS A PARKING VIOLATION FOR PURPOSES OF §
34 26-305 OF THIS ARTICLE; AND

35 (3) MAY NOT BE CONSIDERED IN THE PROVISION OF MOTOR VEHICLE
36 INSURANCE COVERAGE.

37 (I) IN CONSULTATION WITH LOCAL GOVERNMENTS, THE CHIEF JUDGE OF
38 THE DISTRICT COURT SHALL ADOPT PROCEDURES FOR THE ISSUANCE OF

1 CITATIONS, THE TRIAL OF CIVIL VIOLATIONS, AND THE COLLECTION OF CIVIL
2 PENALTIES UNDER THIS SECTION.

3 (J) IF A CONTRACTOR OPERATES A SPEED MONITORING SYSTEM ON BEHALF
4 OF A LOCAL JURISDICTION OR AGENCY, THE CONTRACTOR'S FEE MAY NOT BE
5 CONTINGENT ON THE NUMBER OF CITATIONS ISSUED OR PAID.

6 26-305.

7 (a) The Administration may not register or transfer the registration of any
8 vehicle involved in a parking violation under this subtitle, a violation under any
9 federal parking regulation that applies to property in this State under the jurisdiction
10 of the U.S. government, or a violation of § 21-202(h) of this article as determined
11 under § 21-202.1 of this article OR TITLE 21, SUBTITLE 8 OF THIS ARTICLE AS
12 DETERMINED UNDER § 21-809 OF THIS ARTICLE, if:

13 (1) It is notified by a political subdivision or authorized State agency
14 that a person cited for a violation under this subtitle or § 21-202.1 OR § 21-809 of this
15 article has failed to either:

16 (i) Pay the fine for the violation by the date specified in the
17 citation; or

18 (ii) File a notice of his intention to stand trial for the violation;

19 (2) It is notified by the District Court that a person who has elected to
20 stand trial for the violation under this subtitle or under § 21-202.1 OR § 21-809 of this
21 article has failed to appear for trial; or

22 (3) It is notified by a U.S. District Court that a person cited for a
23 violation under a federal parking regulation:

24 (i) Has failed to pay the fine for the violation by the date specified
25 in the federal citation; or

26 (ii) Either has failed to file a notice of his intention to stand trial for
27 the violation, or, if electing to stand trial, has failed to appear for trial.

28 26-401.

29 If a person is taken before a District Court commissioner or is given a traffic
30 citation or a civil citation under § 21-202.1 OR § 21-809 of this article containing a
31 notice to appear in court, the commissioner or court shall be one that sits within the
32 county in which the offense allegedly was committed.

33 SECTION 2. AND BE IT FURTHER ENACTED, That:

34 (1) Beginning in fiscal year 2004 and each fiscal year thereafter, each local
35 jurisdiction shall use the revenues generated from the enforcement of speed limit

1 laws as authorized under this Act solely to increase local expenditures for related
2 public safety purposes, including pedestrian safety programs; and

3 (2) Related public safety expenditures required under this Section shall be
4 used to supplement and may not supplant existing local expenditures for the same
5 purpose.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be
7 construed to apply only prospectively and may not be applied or interpreted to have
8 any effect on or application to any contract awarded before the effective date of this
9 Act.

10 SECTION 4. AND BE IT FURTHER ENACTED, That an obligation or contract
11 right existing on the effective date of this Act may not be impaired in any way by this
12 Act.

13 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2003.