

SENATE BILL 455

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R5  
SB 565/02 - JPR

2003 Regular Session  
3r1672  
CF 3r1671

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By: **Senator Forehand**

Introduced and read first time: January 31, 2003

Assigned to: Judicial Proceedings

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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;  
33 restricting the use of certain revenues generated by this Act; providing for the  
34 application of this Act; providing that existing obligations or contracts may not  
35 be impaired by this Act; and generally relating to imposition of liability on the

1 owner of a motor vehicle recorded by a speed monitoring system violating  
2 certain laws regarding the operation of a motor vehicle in excess of certain speed  
3 limits.

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

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

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

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

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

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

31 **Article - Courts and Judicial Proceedings**

32 4-401.

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

1 (13) A proceeding for a civil infraction under § 21-202.1 OR § 21-809 of the  
2 Transportation Article;  
3 7-301.

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

17 7-302.

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

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

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

37 10-311.

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

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

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

9 **Article - Insurance**

10 11-215.

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

18 11-318.

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

26 **Article - State Government**

27 10-616.

28 (o) (1) In this subsection, "recorded images" has the meaning stated in §  
29 21-202.1 OR § 21-809 of the Transportation Article.

30 (2) Except as provided in paragraph (3) of this subsection, a custodian of  
31 recorded images produced by a traffic control signal monitoring system operated  
32 under § 21-202.1 of the Transportation Article OR A SPEED MONITORING SYSTEM  
33 OPERATED UNDER § 21-809 OF THE TRANSPORTATION ARTICLE shall deny inspection  
34 of the recorded images.

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

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

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

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

6 **Article - Transportation**

7 21-809.

8 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
9 INDICATED.

10 (2) "AGENCY" MEANS A LAW ENFORCEMENT AGENCY OF THE STATE OR  
11 A POLITICAL SUBDIVISION THAT IS AUTHORIZED TO ISSUE CITATIONS FOR A  
12 VIOLATION OF THE MARYLAND VEHICLE LAW OR OF LOCAL TRAFFIC LAWS OR  
13 REGULATIONS.

14 (3) (I) "OWNER" MEANS THE REGISTERED OWNER OF A MOTOR  
15 VEHICLE OR A LESSEE OF A MOTOR VEHICLE UNDER A LEASE OF 6 MONTHS OR  
16 MORE.

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

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

22 (I) ON:

- 23 1. A PHOTOGRAPH;
- 24 2. A MICROPHOTOGRAPH;
- 25 3. AN ELECTRONIC IMAGE;
- 26 4. VIDEOTAPE; OR
- 27 5. ANY OTHER MEDIUM; AND

28 (II) CLEARLY IDENTIFYING THE REGISTRATION PLATE NUMBER OF  
29 THE MOTOR VEHICLE.

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

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

4 (I) ON A HIGHWAY IN A RESIDENTIAL DISTRICT AS DEFINED IN §  
5 21-101 OF THIS TITLE WITH A MAXIMUM POSTED SPEED LIMIT OF 35 MILES PER  
6 HOUR;

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

9 (III) IN A LOCATION APPROVED UNDER PARAGRAPH (2) OF THIS  
10 SUBSECTION.

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

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

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

21 2. DENY THE REQUEST, CITING THE REASONS FOR THE  
22 DENIAL.

23 (C) (1) UNLESS THE DRIVER OF THE MOTOR VEHICLE RECEIVED A  
24 CITATION FROM A POLICE OFFICER AT THE TIME OF THE VIOLATION, THE OWNER  
25 OR, IN ACCORDANCE WITH SUBSECTION (F)(4) OF THIS SECTION, THE DRIVER OF A  
26 MOTOR VEHICLE IS SUBJECT TO A CIVIL PENALTY IF THE MOTOR VEHICLE IS  
27 RECORDED BY A SPEED MONITORING SYSTEM WHILE BEING OPERATED IN  
28 VIOLATION OF THIS SUBTITLE.

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

30 (3) FOR PURPOSES OF THIS SECTION, THE DISTRICT COURT SHALL  
31 PRESCRIBE:

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

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

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

4 (I) THE NAME AND ADDRESS OF THE REGISTERED OWNER OF THE  
5 VEHICLE;

6 (II) THE REGISTRATION NUMBER OF THE MOTOR VEHICLE  
7 INVOLVED IN THE VIOLATION;

8 (III) THE VIOLATION CHARGED;

9 (IV) THE LOCATION WHERE THE VIOLATION OCCURRED;

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

11 (VI) A COPY OF THE RECORDED IMAGE;

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

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

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

19 (X) INFORMATION ADVISING THE PERSON ALLEGED TO BE LIABLE  
20 UNDER THIS SECTION:

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

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

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

28 (3) EXCEPT AS PROVIDED IN SUBSECTION (F)(4) OF THIS SECTION, A  
29 CITATION ISSUED UNDER THIS SECTION SHALL BE MAILED NO LATER THAN 2 WEEKS  
30 AFTER THE ALLEGED VIOLATION IF THE VEHICLE IS REGISTERED IN THIS STATE,  
31 AND 30 DAYS AFTER THE ALLEGED VIOLATION IF THE VEHICLE IS REGISTERED IN  
32 ANOTHER STATE.

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

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

3 (I) PAY THE CIVIL PENALTY, IN ACCORDANCE WITH  
4 INSTRUCTIONS ON THE CITATION, DIRECTLY TO THE POLITICAL SUBDIVISION OR TO  
5 THE DISTRICT COURT; OR

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

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

13 (2) ADJUDICATION OF LIABILITY SHALL BE BASED ON A  
14 PREPONDERANCE OF EVIDENCE.

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

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

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

23 (III) ANY OTHER ISSUES AND EVIDENCE THAT THE DISTRICT COURT  
24 DEEMS PERTINENT.

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

31 (3) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH (1)(II) OF  
32 THIS SUBSECTION, THE PERSON NAMED IN THE CITATION SHALL PROVIDE TO THE  
33 DISTRICT COURT A LETTER, SWORN TO OR AFFIRMED BY THE PERSON AND MAILED  
34 BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, THAT:

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



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

4 (III) INCLUDES ANY OTHER CORROBORATING EVIDENCE.

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

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

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

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

23 (H) A VIOLATION FOR WHICH A CIVIL PENALTY IS IMPOSED UNDER THIS  
24 SECTION:

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

29 (2) MAY BE TREATED AS A PARKING VIOLATION FOR PURPOSES OF §  
30 26-305 OF THIS ARTICLE; AND

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

33 (I) IN CONSULTATION WITH LOCAL GOVERNMENTS, THE CHIEF JUDGE OF  
34 THE DISTRICT COURT SHALL ADOPT PROCEDURES FOR THE ISSUANCE OF  
35 CITATIONS, THE TRIAL OF CIVIL VIOLATIONS, AND THE COLLECTION OF CIVIL  
36 PENALTIES UNDER THIS SECTION.

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

1 26-305.

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

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

11 (i) Pay the fine for the violation by the date specified in the  
12 citation; or

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

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

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

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

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

23 26-401.

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

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

29 (1) Beginning in fiscal year 2004 and each fiscal year thereafter, each local  
30 jurisdiction shall use the revenues generated from the enforcement of speed limit  
31 laws as authorized under this Act solely to increase local expenditures for related  
32 public safety purposes, including pedestrian safety programs; and

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

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

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

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