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By: **Delegates Branch, Anderson, C. Davis, Doory, Fulton, Goodwin,  
Hammen, Haynes, Kirk, Krysiak, Marriott, McHale, McIntosh, Oaks,  
Paige, and Rosenberg**

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Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore City - Illegal Dumping - Surveillance Systems**

3 FOR the purpose of authorizing the Baltimore City Department of Public Works  
4 (Department) to place certain surveillance systems at certain dumping sites in  
5 Baltimore City for a certain purpose; providing that certain persons recorded on  
6 a surveillance image while committing a certain littering offense are subject to  
7 certain penalties; ~~requiring the Department to mail a certain citation to the~~  
8 ~~owner of a motor vehicle that is recorded on a certain surveillance image being~~  
9 ~~used in the commission of a certain violation~~; establishing a maximum fine for a  
10 violation of certain laws or ordinances relating to littering that are enforced by  
11 means of a surveillance system; requiring the District Court, in consultation  
12 with the Department, to prescribe a certain citation form; requiring the  
13 Department to mail a certain citation to the owner of a motor vehicle that is  
14 recorded on a certain surveillance image being used in the commission of a  
15 certain violation; requiring a citation to include certain information; authorizing  
16 the Department to send a warning instead of a citation; requiring a citation to  
17 be mailed within a certain time period; providing that persons who receive a  
18 certain citation may pay the civil penalty or may elect to stand trial in the  
19 District Court; establishing that a certain certificate may be evidence of certain  
20 facts and shall be admissible in a certain proceeding; establishing the standard  
21 of proof for a violation of law enforced by means of a surveillance system under  
22 this Act; establishing certain defenses that the District Court may consider for a  
23 violation enforced by means of a surveillance system under this Act; authorizing  
24 a vehicle owner to submit certain evidence to the court to establish certain  
25 defenses; authorizing the Department to reissue a citation under certain  
26 circumstances; requiring the District Court to forward certain evidence to the

1 Department; authorizing the Motor Vehicle Administration to refuse to register  
2 ~~or reregister~~ a motor vehicle or to suspend the registration of a motor vehicle if  
3 a person named in a citation does not pay the penalty or contest the violation;  
4 providing that a violation under this Act may not be recorded on a certain  
5 driving record and may be treated as a parking violation for certain purposes;  
6 requiring the Chief Judge of the District Court, in consultation with the  
7 Department, to adopt certain procedures; establishing that the District Court  
8 has exclusive original jurisdiction in a proceeding for a civil infraction under  
9 this Act; providing for the court costs in a proceeding under this Act;  
10 establishing certain requirements for a citation issued under this Act; providing  
11 for the distribution of penalties paid for a violation of certain offenses and  
12 ordinances enforced by means of surveillance systems; requiring the custodian  
13 of a surveillance image to deny inspection of the image except under certain  
14 circumstances; prohibiting the Motor Vehicle Administration from registering or  
15 transferring the registration of a vehicle involved in a violation of a certain  
16 provision of law or a certain ordinance as determined by means of a surveillance  
17 system under certain circumstances; defining certain terms; and generally  
18 relating to the use of surveillance systems at dumping sites in Baltimore City.

19 BY repealing and reenacting, with amendments,  
20 Article - Courts and Judicial Proceedings  
21 Section 4-401(13) and 7-301(a)  
22 Annotated Code of Maryland  
23 (2002 Replacement Volume and 2004 Supplement)

24 BY adding to  
25 Article - Courts and Judicial Proceedings  
26 Section 7-302(f)  
27 Annotated Code of Maryland  
28 (2002 Replacement Volume and 2004 Supplement)

29 BY adding to  
30 Article - Criminal Law  
31 Section 10-112  
32 Annotated Code of Maryland  
33 (2002 Volume and 2004 Supplement)

34 BY repealing and reenacting, without amendments,  
35 Article - State Government  
36 Section 10-616(p)(5)(i)  
37 Annotated Code of Maryland  
38 (2004 Replacement Volume)

39 BY adding to  
40 Article - State Government

1 Section 10-616(t)  
2 Annotated Code of Maryland  
3 (2004 Replacement Volume)

4 BY repealing and reenacting, with amendments,  
5 Article - Transportation  
6 Section 26-305  
7 Annotated Code of Maryland  
8 (2002 Replacement Volume and 2004 Supplement)

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

11 **Article - Courts and Judicial Proceedings**

12 4-401.

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

16 (13) A proceeding for a civil infraction under § 21-202.1 of the  
17 Transportation Article OR § 10-112 OF THE CRIMINAL LAW ARTICLE;

18 7-301.

19 (a) The court costs in a traffic case, including parking and impounding cases  
20 [and], cases under § 21-202.1 of the Transportation Article in which costs are  
21 imposed, AND CASES UNDER § 10-112 OF THE CRIMINAL LAW ARTICLE IN WHICH  
22 COSTS ARE IMPOSED are \$20. Such costs shall also be applicable to those cases in  
23 which the defendant elects to waive his right to trial and pay the fine or penalty  
24 deposit established by the Chief Judge of the District Court by administrative  
25 regulation. In an uncontested case under § 21-202.1 of the Transportation Article  
26 [or], AN UNCONTESTED CASE UNDER § 10-112 OF THE CRIMINAL LAW ARTICLE, OR  
27 AN uncontested parking or impounding case in which the fines are paid directly to a  
28 political subdivision or municipality, costs are \$2.00, which costs shall be paid to and  
29 retained by the political subdivision or municipality. In an uncontested case in which  
30 the fine is paid directly to an agency of State government authorized by law to  
31 regulate parking of motor vehicles, the costs are \$2.00. The fine and the costs shall be  
32 paid to the agency, which shall receive and account for these funds as in all other  
33 cases involving sums due the State through a State agency.

34 7-302.

35 (F) (1) A CITATION ISSUED UNDER § 10-112 OF THE CRIMINAL LAW ARTICLE  
36 SHALL PROVIDE THAT THE PERSON RECEIVING THE CITATION MAY ELECT TO STAND  
37 TRIAL BY NOTIFYING THE BALTIMORE CITY DEPARTMENT OF PUBLIC WORKS OF THE  
38 PERSON'S INTENTION TO STAND TRIAL AT LEAST 5 DAYS PRIOR TO THE DATE OF

1 PAYMENT AS SET FORTH IN THE CITATION. ON RECEIPT OF THE NOTICE TO STAND  
2 TRIAL, THE BALTIMORE CITY DEPARTMENT OF PUBLIC WORKS SHALL FORWARD TO  
3 THE DISTRICT COURT HAVING VENUE A COPY OF THE CITATION AND A COPY OF THE  
4 NOTICE FROM THE PERSON WHO RECEIVED THE CITATION INDICATING THE  
5 PERSON'S INTENTION TO STAND TRIAL. ON RECEIPT THEREOF, THE DISTRICT COURT  
6 SHALL SCHEDULE THE CASE FOR TRIAL AND NOTIFY THE DEFENDANT OF THE TRIAL  
7 DATE UNDER PROCEDURES ADOPTED BY THE CHIEF JUDGE OF THE DISTRICT  
8 COURT.

9 (2) A CITATION ISSUED AS A RESULT OF THE USE OF A SURVEILLANCE  
10 SYSTEM SHALL PROVIDE THAT, IN AN UNCONTESTED CASE, THE PENALTY SHALL BE  
11 PAID DIRECTLY TO BALTIMORE CITY.

12 (3) CIVIL PENALTIES COLLECTED BY THE DISTRICT COURT RESULTING  
13 FROM CITATIONS ISSUED AS A RESULT OF THE USE OF A SURVEILLANCE SYSTEM  
14 SHALL BE COLLECTED IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION AND  
15 DISTRIBUTED TO BALTIMORE CITY.

16 **Article - Criminal Law**

17 10-112.

18 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
19 INDICATED.

20 (2) "DEPARTMENT" MEANS THE BALTIMORE CITY DEPARTMENT OF  
21 PUBLIC WORKS.

22 (3) "DUMPING SITE" MEANS A LOCATION IN BALTIMORE CITY THAT IS:

23 (I) OWNED BY THE CITY OR THE STATE; AND

24 (II) IDENTIFIED BY THE DEPARTMENT AS PROPERTY THAT HAS  
25 BEEN REPEATEDLY USED FOR THE DISPOSAL OF LITTER IN VIOLATION OF STATE  
26 LAW OR A LOCAL LAW OR ORDINANCE.

27 (4) (I) "OWNER" MEANS THE REGISTERED OWNER OF A MOTOR  
28 VEHICLE OR A LESSEE OF A MOTOR VEHICLE UNDER A LEASE OF 6 MONTHS OR  
29 MORE.

30 (II) "OWNER" DOES NOT INCLUDE:

31 1. A MOTOR VEHICLE RENTAL OR LEASING COMPANY; OR

32 2. A HOLDER OF A SPECIAL REGISTRATION PLATE ISSUED  
33 UNDER TITLE 13, SUBTITLE 9, PART III OF THE TRANSPORTATION ARTICLE.

34 (5) "SURVEILLANCE IMAGE" MEANS AN IMAGE RECORDED BY A  
35 SURVEILLANCE SYSTEM:

1 (I) ON:

- 2 1. A PHOTOGRAPH;
- 3 2. A MICROGRAPH;
- 4 3. AN ELECTRONIC IMAGE;
- 5 4. VIDEOTAPE; OR
- 6 5. ANY OTHER MEDIUM;

7 (II) SHOWING THE FRONT OR REAR OF A MOTOR VEHICLE, AND, ON  
8 AT LEAST ONE IMAGE OR PORTION OF THE TAPE, CLEARLY IDENTIFYING THE  
9 REGISTRATION PLATE NUMBER OF THE MOTOR VEHICLE; AND

10 (III) SHOWING AN INDIVIDUAL COMMITTING A VIOLATION OF THE  
11 STATE LITTER CONTROL LAW OR A LOCAL LAW OR ORDINANCE RELATING TO THE  
12 UNLAWFUL DISPOSAL OF LITTER.

13 (6) "SURVEILLANCE SYSTEM" MEANS A COLLECTION OF ONE OR MORE  
14 CAMERAS LOCATED AT A DUMPING SITE THAT PRODUCES A SURVEILLANCE IMAGE.

15 (B) THIS SECTION APPLIES TO A VIOLATION OF THE STATE LITTER CONTROL  
16 LAW OR A LOCAL LAW OR ORDINANCE RELATING TO THE UNLAWFUL DISPOSAL OF  
17 LITTER THAT OCCURS AT A DUMPING SITE MONITORED BY A SURVEILLANCE  
18 SYSTEM.

19 (C) THE DEPARTMENT MAY:

- 20 (1) PLACE SURVEILLANCE SYSTEMS AT DUMPING SITES; AND
- 21 (2) USE SURVEILLANCE IMAGES TO ENFORCE THE PROVISIONS OF THE  
22 STATE LITTER CONTROL LAW OR A LOCAL LAW OR ORDINANCE RELATING TO THE  
23 UNLAWFUL DISPOSAL OF LITTER.

24 (D) (1) UNLESS THE INDIVIDUAL COMMITTING A VIOLATION RECEIVED A  
25 CITATION FROM A POLICE OFFICER AT THE TIME OF THE VIOLATION, THE OWNER OF  
26 THE VEHICLE USED TO COMMIT THE VIOLATION, OR IN ACCORDANCE WITH  
27 SUBSECTION (G)(4) OF THIS SECTION, THE INDIVIDUAL COMMITTING THE  
28 VIOLATION, IS SUBJECT TO A CIVIL PENALTY IF THE ~~INDIVIDUAL COMMITTING THE~~  
29 VIOLATION AND THE MOTOR VEHICLE ~~BEING USED BY THE INDIVIDUAL TO COMMIT~~  
30 THE VIOLATION ARE RECORDED ON A SURVEILLANCE IMAGE BY A SURVEILLANCE  
31 SYSTEM WHILE THE INDIVIDUAL IS COMMITTING A VIOLATION OF THE STATE  
32 LITTER CONTROL LAW OR A LOCAL LAW OR ORDINANCE RELATING TO THE  
33 UNLAWFUL DISPOSAL OF LITTER.

34 (2) A CIVIL PENALTY UNDER THIS SUBSECTION MAY NOT EXCEED \$1,000.

35 (3) FOR PURPOSES OF THIS SECTION, THE DISTRICT COURT, IN  
36 CONSULTATION WITH THE DEPARTMENT, SHALL PRESCRIBE:

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

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

6 (E) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (2) THROUGH (4) OF  
7 THIS SUBSECTION, THE DEPARTMENT SHALL MAIL TO THE OWNER LIABLE UNDER  
8 SUBSECTION (D) OF THIS SECTION A CITATION THAT SHALL INCLUDE:

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

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

13 (III) THE VIOLATION CHARGED;

14 (IV) THE LOCATION WHERE THE VIOLATION OCCURRED;

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

16 (VI) A COPY OF THE SURVEILLANCE IMAGE;

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

19 (VIII) A SIGNED STATEMENT BY A DULY AUTHORIZED AGENT OF THE  
20 DEPARTMENT THAT, BASED ON INSPECTION OF SURVEILLANCE IMAGES, THE MOTOR  
21 VEHICLE WAS BEING USED BY AN INDIVIDUAL WHO WAS COMMITTING A VIOLATION  
22 OF THE STATE LITTER CONTROL LAW OR A LOCAL LAW OR ORDINANCE RELATING TO  
23 THE UNLAWFUL DISPOSAL OF LITTER;

24 (IX) A STATEMENT THAT SURVEILLANCE IMAGES ARE EVIDENCE OF  
25 A VIOLATION OF THE STATE LITTER CONTROL LAW OR A LOCAL LAW OR ORDINANCE  
26 RELATING TO THE UNLAWFUL DISPOSAL OF LITTER;

27 (X) INFORMATION ADVISING THE PERSON ALLEGED TO BE LIABLE  
28 UNDER THIS SECTION OF THE MANNER AND TIME IN WHICH LIABILITY AS ALLEGED  
29 IN THE CITATION MAY BE CONTESTED IN THE DISTRICT COURT; AND

30 (XI) INFORMATION ADVISING THE PERSON ALLEGED TO BE LIABLE  
31 UNDER THIS SECTION THAT FAILURE TO PAY THE CIVIL PENALTY OR TO CONTEST  
32 LIABILITY IN A TIMELY MANNER:

33 1. IS AN ADMISSION OF LIABILITY;

34 2. MAY RESULT IN THE REFUSAL BY THE MOTOR VEHICLE  
35 ADMINISTRATION TO REGISTER THE MOTOR VEHICLE; AND

1                                   3.       MAY RESULT IN THE SUSPENSION OF THE MOTOR  
2 VEHICLE REGISTRATION.

3                   (2)       THE DEPARTMENT MAY MAIL A WARNING NOTICE INSTEAD OF A  
4 CITATION TO THE OWNER LIABLE UNDER SUBSECTION (D) OF THIS SECTION.

5                   (3)       EXCEPT AS PROVIDED IN SUBSECTION (G)(4) OF THIS SECTION, THE  
6 DEPARTMENT MAY NOT MAIL A CITATION TO A PERSON WHO IS NOT AN OWNER.

7                   (4)       EXCEPT AS PROVIDED IN SUBSECTION (G)(4) OF THIS SECTION, A  
8 CITATION ISSUED UNDER THIS SECTION SHALL BE MAILED NO LATER THAN 2 WEEKS  
9 AFTER THE ALLEGED VIOLATION.

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

12                   (I)       PAY THE CIVIL PENALTY, IN ACCORDANCE WITH THE  
13 INSTRUCTIONS ON THE CITATION, DIRECTLY TO BALTIMORE CITY ~~OR THE DISTRICT~~  
14 ~~COURT~~; OR

15                   (II)       ELECT TO STAND TRIAL IN THE DISTRICT COURT FOR THE  
16 ALLEGED VIOLATION.

17   (F)   (1)       A CERTIFICATE ALLEGING THAT A VIOLATION OF THE STATE LITTER  
18 CONTROL LAW OR A LOCAL LAW OR ORDINANCE RELATING TO THE UNLAWFUL  
19 DISPOSAL OF LITTER OCCURRED, SWORN TO OR AFFIRMED BY A DULY AUTHORIZED  
20 AGENT OF THE DEPARTMENT, BASED ON INSPECTION OF SURVEILLANCE IMAGES  
21 PRODUCED BY A SURVEILLANCE SYSTEM, SHALL BE EVIDENCE OF THE FACTS  
22 CONTAINED IN THE CERTIFICATE AND SHALL BE ADMISSABLE IN A PROCEEDING  
23 ALLEGING A VIOLATION UNDER THIS SECTION.

24                  (2)       ADJUDICATION OF LIABILITY SHALL BE BASED ON A  
25 PREPONDERANCE OF THE EVIDENCE.

26   (G)   (1)       THE DISTRICT COURT MAY CONSIDER IN DEFENSE OF A VIOLATION:

27                  (I)       SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THAT:

28                                   1.       THE MOTOR VEHICLE WAS STOLEN BEFORE THE  
29 VIOLATION OCCURRED AND WAS NOT UNDER THE CONTROL OR POSSESSION OF THE  
30 OWNER AT THE TIME OF THE VIOLATION; OR

31                                   2.       THE REGISTRATION PLATES OF THE MOTOR VEHICLE  
32 WERE STOLEN BEFORE THE VIOLATION OCCURRED AND WERE NOT UNDER THE  
33 CONTROL OR POSSESSION OF THE OWNER AT THE TIME OF THE VIOLATION;

34                  (II)       SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, EVIDENCE  
35 THAT THE PERSON NAMED IN THE CITATION WAS NOT THE PERSON IN THE  
36 SURVEILLANCE IMAGE COMMITTING THE VIOLATION OF THE STATE LITTER

1 CONTROL LAW OR A LOCAL LAW OR ORDINANCE RELATING TO THE UNLAWFUL  
2 DISPOSAL OF LITTER; AND

3 (III) ANY OTHER ISSUES AND EVIDENCE THAT THE DISTRICT COURT  
4 DEEMS PERTINENT.

5 (2) IN ORDER TO ASSERT A DEFENSE UNDER PARAGRAPH (1)(I) OF THIS  
6 SUBSECTION, THE OWNER SHALL SUBMIT PROOF THAT A POLICE REPORT  
7 REGARDING THE STOLEN MOTOR VEHICLE OR REGISTRATION PLATES WAS FILED IN  
8 A TIMELY MANNER.

9 (3) IN ORDER TO SATISFY THE EVIDENTIARY BURDEN UNDER  
10 PARAGRAPH (1)(II) OF THIS SUBSECTION, THE PERSON NAMED IN THE CITATION  
11 SHALL PROVIDE TO THE DISTRICT COURT EVIDENCE TO THE SATISFACTION OF THE  
12 COURT OF THE IDENTITY OF THE PERSON IN THE SURVEILLANCE IMAGE WHO WAS  
13 ACTUALLY COMMITTING THE VIOLATION, INCLUDING, AT A MINIMUM, THE PERSON'S  
14 NAME AND CURRENT ADDRESS.

15 (4) (I) IF THE DISTRICT COURT FINDS THAT THE PERSON NAMED IN  
16 THE CITATION DID NOT COMMIT THE VIOLATION OR RECEIVES EVIDENCE UNDER  
17 PARAGRAPH (3) OF THIS SUBSECTION IDENTIFYING THE PERSON WHO COMMITTED  
18 THE VIOLATION, THE CLERK OF THE COURT SHALL PROVIDE THE DEPARTMENT  
19 WITH A COPY OF ANY EVIDENCE SUBSTANTIATING WHO WAS OPERATING THE  
20 VEHICLE AT THE TIME OF THE VIOLATION.

21 (II) ON RECEIPT OF SUBSTANTIATING EVIDENCE FROM THE  
22 DISTRICT COURT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT  
23 MAY ISSUE A CITATION AS PROVIDED IN SUBSECTION (E) OF THIS SECTION TO THE  
24 PERSON THAT THE EVIDENCE INDICATES COMMITTED THE VIOLATION.

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

28 (H) IF THE PERSON NAMED IN THE CITATION DOES NOT PAY THE CIVIL  
29 PENALTY AND DOES NOT CONTEST THE VIOLATION, THE MOTOR VEHICLE  
30 ADMINISTRATION MAY:

31 (1) REFUSE TO REGISTER ~~OR REREGISTER~~ THE MOTOR VEHICLE CITED  
32 IN THE VIOLATION; OR

33 (2) SUSPEND THE REGISTRATION OF THE MOTOR VEHICLE CITED IN  
34 THE VIOLATION.

35 (I) A VIOLATION FOR WHICH A CIVIL PENALTY IS IMPOSED UNDER THIS  
36 SECTION:

37 (1) MAY NOT BE RECORDED BY THE MOTOR VEHICLE ADMINISTRATION  
38 ON THE DRIVING RECORD OF THE OWNER OR THE DRIVER OF THE MOTOR VEHICLE;  
39 AND



1 (2) MAY BE TREATED AS A PARKING VIOLATION FOR PURPOSES OF §  
2 26-305 OF THE TRANSPORTATION ARTICLE.

3 (J) IN CONSULTATION WITH THE DEPARTMENT, THE CHIEF JUDGE OF THE  
4 DISTRICT COURT SHALL ADOPT PROCEDURES FOR THE ISSUANCE OF CITATIONS,  
5 THE TRIAL OF CIVIL VIOLATIONS, AND THE COLLECTION OF CIVIL PENALTIES UNDER  
6 THIS SECTION.

7 **Article - State Government**

8 10-616.

9 (p) (5) Notwithstanding the provisions of paragraphs (3) and (4) of this  
10 subsection, a custodian shall disclose personal information:

11 (i) for use by a federal, state, or local government, including a law  
12 enforcement agency, or a court in carrying out its functions;

13 (T) (1) IN THIS SUBSECTION, "SURVEILLANCE IMAGE" HAS THE MEANING  
14 STATED IN § 10-112 OF THE CRIMINAL LAW ARTICLE.

15 (2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A  
16 CUSTODIAN OF A SURVEILLANCE IMAGE SHALL DENY INSPECTION OF THE  
17 SURVEILLANCE IMAGE.

18 (3) A CUSTODIAN SHALL ALLOW INSPECTION OF A SURVEILLANCE  
19 IMAGE:

20 (I) AS REQUIRED IN § 10-112 OF THE CRIMINAL LAW ARTICLE;

21 (II) BY ANY PERSON ISSUED A CITATION UNDER § 10-112 OF THE  
22 CRIMINAL LAW ARTICLE, OR AN ATTORNEY OF RECORD FOR THE PERSON; OR

23 (III) BY AN EMPLOYEE OR AGENT OF THE BALTIMORE CITY  
24 DEPARTMENT OF PUBLIC WORKS IN AN INVESTIGATION OR PROCEEDING RELATING  
25 TO THE IMPOSITION OF OR INDEMNIFICATION FROM CIVIL LIABILITY UNDER § 10-112  
26 OF THE CRIMINAL LAW ARTICLE.

27 **Article - Transportation**

28 26-305.

29 (a) The Administration may not register or transfer the registration of any  
30 vehicle involved in a parking violation under this subtitle, a violation under any  
31 federal parking regulation that applies to property in this State under the jurisdiction  
32 of the U.S. government, [or] a violation of § 21-202(h) of this article as determined  
33 under § 21-202.1 of this article, OR A VIOLATION OF THE STATE LITTER CONTROL  
34 LAW OR A LOCAL LAW OR ORDINANCE ADOPTED BY BALTIMORE CITY RELATING TO  
35 THE UNLAWFUL DISPOSAL OF LITTER AS DETERMINED UNDER § 10-112 OF THE  
36 CRIMINAL LAW ARTICLE, if:

1 (1) It is notified by a political subdivision or authorized State agency  
2 that a person cited for a violation under this subtitle [or], § 21-202.1 of this article,  
3 OR § 10-112 OF THE CRIMINAL LAW ARTICLE has failed to either:

4 (i) Pay the fine for the violation by the date specified in the  
5 citation; or

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

7 (2) It is notified by the District Court that a person who has elected to  
8 stand trial for the violation under this subtitle [or], under § 21-202.1 of this article,  
9 OR UNDER § 10-112 OF THE CRIMINAL LAW ARTICLE has failed to appear for trial; or

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

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

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

16 (b) (1) Notwithstanding the provisions of subsection (a) of this section, the  
17 Administration may suspend the registration of a vehicle involved in a parking  
18 violation under this subtitle or a violation under any federal parking regulation that  
19 applies to property in this State under the jurisdiction of the U.S. government if  
20 notified in accordance with subsection (a) of this section that the violator is a chronic  
21 offender.

22 (2) The Administration may adopt rules and regulations to define  
23 chronic offender and develop procedures to carry out the suspension of registration as  
24 authorized by this subsection.

25 (c) The Administration shall continue the suspension and refusal to register  
26 or transfer a registration of the vehicle until:

27 (1) If the suspension or refusal was required under subsection (a)(1) or  
28 (b)(1) of this section, the political subdivision or State agency notifies the  
29 Administration that the charge has been satisfied;

30 (2) If the suspension or refusal was required under subsection (a)(2) or  
31 (b)(1) of this section, the District Court notifies the Administration that the person  
32 cited has appeared for trial or has pleaded guilty and paid the fine for the violation; or

33 (3) If the suspension or refusal was required under subsection (a)(3) or  
34 (b)(1) of this section, the U.S. District Court notifies the Administration that the  
35 charge has been satisfied.

1 (d) (1) If the registration of the vehicle has been suspended in accordance  
2 with subsection (b)(1) of this section, a person may not drive the vehicle on any  
3 highway in this State.

4 (2) A person convicted under paragraph (1) of this subsection is subject  
5 to the penalty set forth in § 27-101(b) of this article.

6 (e) The procedures specified in this section are in addition to any other  
7 penalty provided by law for the failure to pay a fine or stand trial for a parking  
8 violation.

9 (f) The Administration shall adopt procedures by which the political  
10 subdivisions, State agencies, the District Court, and the U.S. District Court shall  
11 notify it of any restrictions and any rescission of restrictions placed on the  
12 registration of vehicles under this section.

13 (g) (1) In addition to any other fee or penalty provided by law, an owner of a  
14 vehicle who is denied registration of the vehicle under the provisions of this section  
15 shall pay a fee established by the Administration before renewal of the registration of  
16 the vehicle.

17 (2) The fee described under paragraph (1) of this subsection:

18 (i) May be distributed in part to a political subdivision acting as an  
19 agent of the Administration in the registration of a vehicle under § 13-404 of this  
20 article if, based upon information provided to the Administration by the political  
21 subdivision under this section, the vehicle's prior registration was suspended or the  
22 vehicle's registration renewal was denied; and

23 (ii) Except as provided under item (i) of this paragraph, shall be  
24 retained by the Administration and may not be credited to the Gasoline and Motor  
25 Vehicle Revenue Account for distribution under § 8-403 or § 8-404 of this article.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2005.