
By: **Montgomery County Delegation**

Introduced and read first time: February 1, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Vehicle Laws - Speed Monitoring Systems**
3 **MC 513-05**

4 FOR the purpose of authorizing the placement of certain speed monitoring systems on
5 certain highways in Montgomery County; requiring a certain speed monitoring
6 system operator to complete certain training; requiring a speed monitoring
7 system to undergo certain calibration; providing that certain persons recorded
8 by a speed monitoring system while operating a motor vehicle in violation of
9 certain speed limit laws are subject to certain penalties; requiring certain local
10 police departments in Montgomery County to mail a citation to the owner of a
11 motor vehicle that is recorded by a speed monitoring system in the county to be
12 in violation of certain laws regarding the operation of a motor vehicle in excess
13 of certain speed limits; establishing a certain maximum fine for a violation of
14 law enforced by means of a speed monitoring system under this Act; requiring a
15 citation to include certain information; authorizing the local police department
16 to send a warning instead of a citation; authorizing the local police department
17 to reissue a citation to the driver of a vehicle under certain circumstances;
18 requiring certain citations to be mailed within certain time periods; requiring
19 the District Court to prescribe a certain citation form and a civil penalty to be
20 indicated on the citation; establishing the standard of proof in a trial for a
21 violation of law enforced by means of a speed monitoring system under this Act;
22 requiring the Chief Judge of the District Court, in consultation with certain
23 county agencies, to adopt certain procedures; authorizing persons receiving
24 citations to have the speed monitoring system operator be present and testify at
25 trial; providing that certain persons are responsible for paying the civil penalty
26 indicated on the citation under certain circumstances; providing that persons
27 receiving citations may elect to stand trial in the District Court; establishing
28 defenses that the District Court may consider; authorizing vehicle owners to
29 submit a certain letter to the District Court to establish a certain defense;
30 authorizing the Motor Vehicle Administration to impose certain penalties if the
31 person cited under this Act fails to pay the civil penalty or contest liability;
32 prohibiting imposition of liability under this Act from being considered for
33 certain purposes; providing for the admissibility and use of certain evidence;
34 modifying the jurisdiction of the District Court to include certain proceedings;
35 providing for the handling of certain court costs and penalties; defining certain

1 terms; clarifying certain language; prohibiting the custodian of recorded images
2 produced by a speed monitoring system from allowing inspection of the recorded
3 images, subject to certain exceptions; providing that the fees of certain
4 contractors may not be contingent on the number of citations issued under this
5 Act; restricting the use of certain revenues generated by this Act; providing for
6 the application of this Act; providing that existing obligations or contracts may
7 not be impaired by this Act; requiring Montgomery County to report to the
8 General Assembly on or before a certain date; and generally relating to
9 imposition of liability on certain persons recorded by speed monitoring systems
10 violating certain laws regarding the operation of motor vehicles in excess of
11 certain speed limits.

12 BY repealing and reenacting, with amendments,
13 Article - Courts and Judicial Proceedings
14 Section 4-401(13), 7-301(a), 7-302(e), and 10-311
15 Annotated Code of Maryland
16 (2002 Replacement Volume and 2004 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - Insurance
19 Section 11-215(e) and 11-318(e)
20 Annotated Code of Maryland
21 (2003 Replacement Volume and 2004 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article - State Government
24 Section 10-616(o)
25 Annotated Code of Maryland
26 (1999 Replacement Volume and 2004 Supplement)

27 BY adding to
28 Article - Transportation
29 Section 21-809
30 Annotated Code of Maryland
31 (2002 Replacement Volume and 2004 Supplement)

32 BY repealing and reenacting, with amendments,
33 Article - Transportation
34 Section 26-305(a) and 26-401
35 Annotated Code of Maryland
36 (2002 Replacement Volume and 2004 Supplement)

37 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
38 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 controlled by a State agency OR A SPEED MONITORING SYSTEM, IN A CASE
37 CONTESTED IN DISTRICT COURT, shall provide that the penalty shall be paid directly
38 to the District Court.

39 (3) Civil penalties resulting from citations issued using traffic control
40 signal monitoring systems OR SPEED MONITORING SYSTEMS that are collected by the

1 District Court shall be collected in accordance with subsection (a) of this section and
2 distributed in accordance with § 12-118 of the Transportation Article.

3 10-311.

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

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

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

16

Article - Insurance

17 11-215.

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

25 11-318.

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

33

Article - State Government

34 10-616.

35 (o) (1) In this subsection, "recorded images" has the meaning stated in §
36 21-202.1 OR § 21-809 of the Transportation Article.

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

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

7 (i) as required in § 21-202.1 or § 21-809 of the Transportation
8 Article;

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

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

14 **Article - Transportation**

15 21-809.

16 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
17 INDICATED.

18 (2) "LOCAL POLICE DEPARTMENT" MEANS:

19 (I) THE MONTGOMERY COUNTY DEPARTMENT OF POLICE; AND

20 (II) THE POLICE DEPARTMENT OF ANY MUNICIPAL CORPORATION
21 IN MONTGOMERY COUNTY.

22 (3) (I) "OWNER" MEANS THE REGISTERED OWNER OF A MOTOR
23 VEHICLE OR A LESSEE OF A MOTOR VEHICLE UNDER A LEASE OF 6 MONTHS OR
24 MORE.

25 (II) "OWNER" DOES NOT INCLUDE:

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

27 2. A HOLDER OF A SPECIAL REGISTRATION PLATE ISSUED
28 UNDER TITLE 13, SUBTITLE 9, PART III OF THIS ARTICLE.

29 (4) "RECORDED IMAGE" MEANS AN IMAGE RECORDED BY A SPEED
30 MONITORING SYSTEM:

31 (I) ON:

32 1. A PHOTOGRAPH;

33 2. A MICROPHOTOGRAPH;

1 (II) SHALL BE KEPT ON FILE; AND

2 (III) SHALL BE ADMITTED AS EVIDENCE IN ANY COURT
3 PROCEEDING FOR A VIOLATION OF THIS SECTION.

4 (4) (I) A SPEED MONITORING SYSTEM SHALL UNDERGO AN ANNUAL
5 CALIBRATION CHECK PERFORMED BY AN INDEPENDENT CALIBRATION
6 LABORATORY.

7 (II) THE INDEPENDENT CALIBRATION LABORATORY SHALL ISSUE A
8 SIGNED CERTIFICATE OF CALIBRATION AFTER THE ANNUAL CALIBRATION CHECK,
9 WHICH:

10 1. SHALL BE KEPT ON FILE; AND

11 2. SHALL BE ADMITTED AS EVIDENCE IN ANY COURT
12 PROCEEDING FOR A VIOLATION OF THIS SECTION.

13 (C) (1) UNLESS THE DRIVER OF THE MOTOR VEHICLE RECEIVED A
14 CITATION FROM A POLICE OFFICER AT THE TIME OF THE VIOLATION, THE OWNER
15 OR, IN ACCORDANCE WITH SUBSECTION (F)(4) OF THIS SECTION, THE DRIVER OF A
16 MOTOR VEHICLE IS SUBJECT TO A CIVIL PENALTY IF THE MOTOR VEHICLE IS
17 RECORDED BY A SPEED MONITORING SYSTEM WHILE BEING OPERATED IN
18 VIOLATION OF THIS SUBTITLE.

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

20 (3) FOR PURPOSES OF THIS SECTION, THE DISTRICT COURT SHALL
21 PRESCRIBE:

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

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

27 (D) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (2) THROUGH (4) OF
28 THIS SUBSECTION, THE LOCAL POLICE DEPARTMENT SHALL MAIL TO THE OWNER,
29 LIABLE UNDER SUBSECTION (C) OF THIS SECTION, A CITATION THAT SHALL
30 INCLUDE:

31 (I) THE NAME AND ADDRESS OF THE REGISTERED OWNER OF THE
32 VEHICLE;

33 (II) THE REGISTRATION NUMBER OF THE MOTOR VEHICLE
34 INVOLVED IN THE VIOLATION;

35 (III) THE VIOLATION CHARGED;

36 (IV) THE LOCATION WHERE THE VIOLATION OCCURRED;

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

2 (VI) A COPY OF THE RECORDED IMAGE;

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

5 (VIII) A SIGNED STATEMENT BY A DULY AUTHORIZED AGENT OF THE
6 LOCAL POLICE DEPARTMENT THAT, BASED ON INSPECTION OF RECORDED IMAGES,
7 THE MOTOR VEHICLE WAS BEING OPERATED IN VIOLATION OF THIS SUBTITLE;

8 (IX) A STATEMENT THAT RECORDED IMAGES ARE EVIDENCE OF A
9 VIOLATION OF THIS SUBTITLE;

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

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

16 1. IS AN ADMISSION OF LIABILITY;

17 2. MAY RESULT IN THE REFUSAL BY THE ADMINISTRATION
18 TO REGISTER THE MOTOR VEHICLE; AND

19 3. MAY RESULT IN THE SUSPENSION OF THE MOTOR
20 VEHICLE REGISTRATION.

21 (2) THE LOCAL POLICE DEPARTMENT MAY MAIL A WARNING NOTICE
22 INSTEAD OF A CITATION TO THE OWNER LIABLE UNDER SUBSECTION (C) OF THIS
23 SECTION.

24 (3) EXCEPT AS PROVIDED IN SUBSECTION (F)(4) OF THIS SECTION, THE
25 LOCAL POLICE DEPARTMENT MAY NOT MAIL A CITATION TO A PERSON WHO IS NOT
26 AN OWNER.

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

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

34 (I) PAY THE CIVIL PENALTY, IN ACCORDANCE WITH
35 INSTRUCTIONS ON THE CITATION, DIRECTLY TO THE MONTGOMERY COUNTY
36 DEPARTMENT OF FINANCE; OR

1 (II) ELECT TO STAND TRIAL IN THE DISTRICT COURT FOR THE
2 ALLEGED VIOLATION.

3 (E) (1) A CERTIFICATE ALLEGING THAT THE VIOLATION OF THIS SUBTITLE
4 OCCURRED AND THE REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION
5 HAVE BEEN SATISFIED, SWORN TO, OR AFFIRMED BY A DULY AUTHORIZED AGENT OF
6 THE LOCAL POLICE DEPARTMENT, BASED ON INSPECTION OF RECORDED IMAGES
7 PRODUCED BY A SPEED MONITORING SYSTEM, SHALL BE EVIDENCE OF THE FACTS
8 CONTAINED IN THE CERTIFICATE AND SHALL BE ADMISSIBLE IN A PROCEEDING
9 ALLEGING A VIOLATION UNDER THIS SECTION WITHOUT THE PRESENCE OR
10 TESTIMONY OF THE SPEED MONITORING SYSTEM OPERATOR WHO PERFORMED THE
11 REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION.

12 (2) IF A PERSON WHO RECEIVED A CITATION UNDER SUBSECTION (D) OF
13 THIS SECTION DESIRES THE SPEED MONITORING SYSTEM OPERATOR TO BE PRESENT
14 AND TESTIFY AT TRIAL, THE PERSON SHALL NOTIFY THE COURT AND THE STATE IN
15 WRITING NO LATER THAN 20 DAYS BEFORE TRIAL.

16 (3) ADJUDICATION OF LIABILITY SHALL BE BASED ON A
17 PREPONDERANCE OF EVIDENCE.

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

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

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

26 (III) ANY OTHER ISSUES AND EVIDENCE THAT THE DISTRICT COURT
27 DEEMS PERTINENT.

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

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

38 (I) STATES THAT THE PERSON NAMED IN THE CITATION WAS NOT
39 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 LOCAL POLICE DEPARTMENT A COPY OF ANY
10 EVIDENCE SUBSTANTIATING WHO WAS OPERATING THE VEHICLE AT THE TIME OF
11 THE VIOLATION.

12 (II) ON RECEIPT OF SUBSTANTIATING EVIDENCE FROM THE
13 DISTRICT COURT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE LOCAL
14 POLICE DEPARTMENT MAY ISSUE A CITATION AS PROVIDED IN SUBSECTION (D) OF
15 THIS SECTION TO THE PERSON WHO THE EVIDENCE INDICATES WAS OPERATING THE
16 VEHICLE AT THE 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 A PERSON LIABLE UNDER THIS SECTION DOES NOT PAY THE CIVIL
21 PENALTY OR CONTEST THE VIOLATION, THE ADMINISTRATION:

22 (1) MAY REFUSE TO REGISTER OR REREGISTER THE MOTOR VEHICLE
23 CITED FOR THE VIOLATION; OR

24 (2) MAY SUSPEND THE REGISTRATION OF THE MOTOR VEHICLE CITED
25 FOR THE VIOLATION.

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

28 (1) IS NOT A MOVING VIOLATION FOR THE PURPOSE OF ASSESSING
29 POINTS UNDER § 16-402 OF THIS ARTICLE;

30 (2) MAY NOT BE RECORDED BY THE ADMINISTRATION ON THE DRIVING
31 RECORD OF THE OWNER OR DRIVER OF THE VEHICLE;

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

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

36 (I) IN CONSULTATION WITH THE MONTGOMERY COUNTY DEPARTMENT OF
37 FINANCE AND THE LOCAL POLICE DEPARTMENTS, THE CHIEF JUDGE OF THE

1 DISTRICT COURT SHALL ADOPT PROCEDURES FOR THE ISSUANCE OF CITATIONS,
2 THE TRIAL OF CIVIL VIOLATIONS, AND THE COLLECTION OF CIVIL PENALTIES UNDER
3 THIS SECTION.

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

7 26-305.

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

14 (1) It is notified by a political subdivision or authorized State agency
15 that [a] THE person cited for [a] THE violation under this subtitle or § 21-202.1 OR
16 § 21-809 of this article has failed to either:

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

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

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

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

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

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

29 26-401.

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

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

35 (1) Beginning in fiscal year 2006 and each fiscal year thereafter,
36 Montgomery County shall use the revenues generated from the enforcement of speed

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

3 (2) Related public safety expenditures required under this section shall
4 be 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 the Montgomery County
14 Council shall report to the General Assembly on or before December 31, 2009, in
15 accordance with § 2-1246 of the State Government Article, on the effectiveness of
16 speed monitoring systems in Montgomery County.

17 SECTION 6. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2005.