
By: **Delegate Fulton**
 Introduced and read first time: February 7, 2005
 Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Traffic Control Signal Monitoring System Penalties -**
 3 **Funding for Prosecution of Gun Offenses**

4 FOR the purpose of requiring that a certain percentage of certain penalties received
 5 annually by Baltimore City from citations issued as a result of traffic control
 6 signal monitoring systems controlled by Baltimore City be designated for use by
 7 the Baltimore City State's Attorney's Office to fund the prosecution of gun
 8 offenses in Baltimore City; providing for the application of this Act; and
 9 generally relating to penalties received from citations issued as a result of
 10 traffic control signal monitoring systems controlled by Baltimore City.

11 BY repealing and reenacting, with amendments,
 12 Article - Courts and Judicial Proceedings
 13 Section 7-302(e)
 14 Annotated Code of Maryland
 15 (2002 Replacement Volume and 2004 Supplement)

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

18 **Article - Courts and Judicial Proceedings**

19 7-302.

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

1 (2) (I) A citation issued as the result of a traffic control signal
2 monitoring system controlled by a political subdivision shall provide that, in an
3 uncontested case, the penalty shall be paid directly to that political subdivision. A
4 citation issued as the result of a traffic control signal monitoring system controlled by
5 a State agency shall provide that the penalty shall be paid directly to the District
6 Court.

7 (II) IN BALTIMORE CITY, 50% OF THE PENALTIES RECEIVED
8 ANNUALLY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE DESIGNATED
9 FOR USE BY THE BALTIMORE CITY STATE'S ATTORNEY'S OFFICE TO FUND THE
10 PROSECUTION OF GUN OFFENSES IN BALTIMORE CITY.

11 (3) Civil penalties resulting from citations issued using traffic control
12 signal monitoring systems that are collected by the District Court shall be collected in
13 accordance with subsection (a) of this section and distributed in accordance with §
14 12-118 of the Transportation Article.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
16 construed to apply only prospectively and may not be applied or interpreted to have
17 any effect on or application to any penalty paid before the effective date of this Act.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2005.