
By: **Delegate Ross**

Introduced and read first time: February 16, 2006

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Violations - Fines - State Aid for Police Protection Fund**

3 FOR the purpose of requiring the Comptroller to distribute a certain amount of fines
4 collected for certain vehicle violations into the State Aid for Police Protection
5 Fund; requiring that certain funds deposited into the State Aid for Police
6 Protection Fund be distributed to Baltimore City, the counties, and municipal
7 corporations in a certain manner; and generally relating to collecting funds to
8 support the State Aid for Police Protection Fund.

9 BY repealing and reenacting, with amendments,
10 Article - Courts and Judicial Proceedings
11 Section 7-302
12 Annotated Code of Maryland
13 (2002 Replacement Volume and 2005 Supplement)

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

16 **Article - Courts and Judicial Proceedings**

17 7-302.

18 (a) Except as provided in subsections (b) through [(e)] (F) of this section, the
19 clerks of the District Court shall:

20 (1) Collect costs, fines, forfeitures, or penalties imposed by the court; and

21 (2) Remit them to the State under a system agreed upon by the Chief
22 Judge of the District Court and the Comptroller.

23 (b) If a parking or impounding fine, penalty, or forfeiture, or a fine, penalty, or
24 forfeiture relating to violation of housing, building, fire, health, or sanitation codes, or
25 a Mass Transit Fare Payment Statute, or a fine or penalty relating to failure to pay
26 the prescribed toll at a highway or vehicular crossing is collected by the District Court
27 pursuant to a local ordinance, law, or regulation of a political subdivision or
28 municipality, or pursuant to a regulation of an agency of State government authorized

1 to regulate parking of motor vehicles, or pursuant to a statute pertaining to the
2 payment of mass transit fares, or pursuant to a statute pertaining to the failure to
3 pay tolls, it shall be remitted to the respective local government, or to the State
4 agency.

5 (c) Every agency of State government, political subdivision or municipality
6 which has enacted or which shall enact an ordinance, law, or regulation controlling
7 the parking of motor vehicles, or providing for the impounding of motor vehicles, or
8 pertaining to the failure to pay tolls shall provide that fines, penalties or forfeitures
9 for the violation of said ordinances, laws, or regulations shall be paid directly to the
10 State agency, political subdivision or municipality, and not to the District Court, in
11 uncontested cases.

12 (d) Every ordinance, law, or regulation controlling the parking of motor
13 vehicles or providing for impounding such vehicles or pertaining to the failure to pay
14 tolls shall provide that the person receiving a citation may elect to stand trial for said
15 offense by notifying the State agency, political subdivision or municipality of his
16 intention of standing trial, which notice shall be given at least five (5) days prior to
17 the date of payment as set forth in the citation. Upon receipt of the notice of such
18 intention to stand trial, the political subdivision or municipality shall forward to the
19 District Court in said political subdivision or municipality, and the State agency shall
20 forward to the District Court having venue, a copy of the citation and a copy of the
21 notice from the person who received the citation indicating his intention to stand
22 trial. Upon receipt thereof, the District Court shall schedule the case for trial and
23 notify the defendant of the trial date under procedures to be adopted by the Chief
24 Judge of the District Court. All parking or impounding fines, penalties or forfeitures
25 or failure to pay toll penalties collected through the District Court pursuant to a
26 parking or impounding or toll collection ordinance, law, or regulation enacted by a
27 State agency, political subdivision or municipality shall be remitted to the respective
28 local government or State agency.

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

38 (2) A citation issued as the result of a traffic control signal monitoring
39 system controlled by a political subdivision shall provide that, in an uncontested case,
40 the penalty shall be paid directly to that political subdivision. A citation issued as the
41 result of a traffic control signal monitoring system controlled by a State agency shall
42 provide that the penalty shall be paid directly to the District Court.

43 (3) Civil penalties resulting from citations issued using traffic control
44 signal monitoring systems that are collected by the District Court shall be collected in

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

3 (F) (1) THIS SUBSECTION APPLIES TO ANY FINES COLLECTED IN A TRAFFIC
4 CASE FOR A VIOLATION OF THE VEHICLE LAWS OR REGULATIONS OF THE STATE OR
5 ANY LOCAL AUTHORITY FOR WHICH POINTS HAVE BEEN ASSESSED UNDER § 16-402
6 OF THE TRANSPORTATION ARTICLE.

7 (2) (I) THE COMPTROLLER SHALL DISTRIBUTE TO THE STATE AID FOR
8 POLICE PROTECTION FUND ESTABLISHED UNDER ARTICLE 41, § 4-401 OF THE CODE,
9 20% OF THE FINES DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION, AS
10 DETERMINED BY THE COMPTROLLER.

11 (II) FUNDS DISTRIBUTED TO THE STATE AID FOR POLICE
12 PROTECTION FUND SHALL BE DISTRIBUTED EACH FISCAL YEAR AMONG BALTIMORE
13 CITY, THE COUNTIES, AND MUNICIPAL CORPORATIONS IN THE SAME PROPORTION AS
14 ALL EXISTING FUNDS IN THE STATE AID FOR POLICE PROTECTION FUND ARE
15 DISTRIBUTED AMONG BALTIMORE CITY, COUNTIES, AND MUNICIPAL CORPORATIONS.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2006.