

HB0364/370715/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 364
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Stein” and substitute “Stein, and Burns”; in line 4, after “counties” insert “and municipalities”; strike beginning with “altering” in line 6 down through “system;” in line 7; in line 10, after “hearing;” insert “requiring a county, before using a speed monitoring system at certain locations, to obtain certain approval, provide certain notice, and provide a municipal corporation instead of the county the opportunity to use a speed monitoring system at the locations;”; in line 15, after “system;” insert “requiring a certain speed monitoring system placed in a certain location to be calibrated to only record images of motor vehicles traveling at or above a certain speed; repealing a certain requirement that an individual provide certain information to satisfy a certain evidentiary burden;”; in line 20, strike “providing that” and substitute “requiring the Comptroller to distribute to the State Highway Administration”; in line 21, strike “shall first” and substitute “in an amount to”; and in line 27, strike the second “certain” and substitute “reasonable”.

On page 2, in line 30, after “systems;” insert “requiring certain State and local entities to administer and process civil citations issued under this Act in consultation with the District Court;”; and in line 37, after “Act;” insert “providing that certain provisions of this Act do not apply to certain speed monitoring systems in Montgomery County;”.

AMENDMENT NO. 2

On page 4, in line 18, strike “**OR A SPEED MONITORING SYSTEM**”.

On page 5, in line 16, strike “**THE STATE OR A**” and substitute “**A LOCAL**”; and in line 22, strike “**ENFORCE**” and substitute “**IMPLEMENT**”.

(Over)

On page 12, in line 30, after the second “system” insert “, INCLUDING A WORK ZONE SPEED CONTROL SYSTEM,”; in line 32, after “system” insert “OR A WORK ZONE SPEED CONTROL SYSTEM”.

AMENDMENT NO. 3

On page 6, in line 14, after “CLEAR” insert “AND LEGIBLE”; in the same line, after the first “the” insert “ENTIRE”; after line 25, insert:

“(II) BEFORE A COUNTY MAY USE A SPEED MONITORING SYSTEM ON A STATE HIGHWAY AT A LOCATION WITHIN A MUNICIPAL CORPORATION, THE COUNTY SHALL:

1. OBTAIN THE APPROVAL OF THE STATE HIGHWAY ADMINISTRATION;

2. NOTIFY THE MUNICIPAL CORPORATION OF THE STATE HIGHWAY ADMINISTRATION’S APPROVAL OF THE USE OF A SPEED MONITORING SYSTEM AT THAT LOCATION; AND

3. GRANT THE MUNICIPAL CORPORATION 60 DAYS FROM THE DATE OF THE COUNTY’S NOTICE TO THE MUNICIPAL CORPORATION TO ENACT AN ORDINANCE AUTHORIZING THE MUNICIPAL CORPORATION INSTEAD OF THE COUNTY TO USE A SPEED MONITORING SYSTEM AT THAT LOCATION.”;

in line 26, strike “(II)” and substitute “(III)”; and in line 28, strike “12 MONTHS” and substitute “30 DAYS”.

On page 7, in lines 1 and 12, strike “(III)” and “(IV)”, respectively, and substitute “(IV)” and “(V)”, respectively.

On page 16, in line 2, after “CLEAR” insert “AND LEGIBLE”; and in the same line, after the first “THE” insert “ENTIRE”.

AMENDMENT NO. 4

On page 8, after line 9, insert:

“(5) (I) THIS PARAGRAPH DOES NOT APPLY TO A SPEED MONITORING SYSTEM PLACED IN A SCHOOL ZONE.

“(II) IF A SPEED MONITORING SYSTEM IS PLACED WITHIN 250 FEET AFTER THE LOCATION OF A SIGN DECREASING THE MAXIMUM SPEED LIMIT ON THE HIGHWAY, THE SPEED MONITORING SYSTEM SHALL BE CALIBRATED TO ONLY RECORD IMAGES OF MOTOR VEHICLES TRAVELING AT SPEEDS AT LEAST 10 MILES PER HOUR ABOVE THE POSTED SPEED LIMIT IN EFFECT BEFORE THE LOCATION OF THE SIGN.”;

in line 15, strike the brackets; and in the same line, strike “\$75”.

AMENDMENT NO. 5

On page 9, in lines 3 and 4, strike “EMPLOYEE OR agent of” and substitute “LAW ENFORCEMENT OFFICER EMPLOYED BY OR UNDER CONTRACT WITH”.

AMENDMENT NO. 6

On page 10, in line 37, after “violation;” insert “AND”.

On page 11, strike beginning with “Provides” in line 1 down through “(iii)” in line 4.

On page 21, in line 24, after “VIOLATION;” insert “AND”; and strike beginning with “PROVIDES” in line 25 down through “(III)” in line 28.

(Over)

AMENDMENT NO. 7

On page 12, in line 2, strike “**STATE AND**”; in line 3, strike “**OR UNITS**”; in line 6, after “(j)” insert “**(1) AN AGENCY OR AN AGENT OR CONTRACTOR DESIGNATED BY THE AGENCY SHALL ADMINISTER AND PROCESS CIVIL CITATIONS ISSUED UNDER THIS SECTION IN COORDINATION WITH THE DISTRICT COURT.**”

(2)”;

and in line 7, strike “**OR AN AGENCY**”.

On page 22, in line 31, after “(j)” insert “**THE DEPARTMENT OF STATE POLICE OR AN AGENT OR CONTRACTOR DESIGNATED BY THE DEPARTMENT OF STATE POLICE SHALL ADMINISTER AND PROCESS CIVIL CITATIONS ISSUED UNDER THIS SECTION IN COORDINATION WITH THE DISTRICT COURT.**”

(k)”.

AMENDMENT NO. 8

On page 14, in line 26, strike “**OF**” and substitute “**THE COMPTROLLER SHALL DISTRIBUTE TO THE STATE HIGHWAY ADMINISTRATION REVENUE FROM**”; and strike beginning with the comma in line 27 down through “**ADMINISTRATION**” in line 28 and substitute “**IN AN AMOUNT**”.

AMENDMENT NO. 9

On page 16, in line 5, strike “**AND**”; in line 7, after “**POLICE**” insert “**; AND**”

(iii) THE MARYLAND TRANSIT ADMINISTRATION POLICE”;

in lines 21 and 22, strike “A POLICE OFFICER” and substitute “AN INDIVIDUAL”; in line 23, after “SYSTEM” insert “AND WHO IS:

(I) A POLICE OFFICER;

(II) A REPRESENTATIVE OF A LOCAL POLICE DEPARTMENT;

(III) A REPRESENTATIVE OF A STATE POLICE DEPARTMENT;

OR

(IV) A STATE HIGHWAY ADMINISTRATION CONTRACTOR”;

and in line 30, after “LIMIT” insert “, ESTABLISHED USING GENERALLY ACCEPTED TRAFFIC ENGINEERING PRACTICES,”.

AMENDMENT NO. 10

On page 17, in line 8, strike “WITHIN ONE-QUARTER OF A MILE” and substitute “AT A REASONABLE DISTANCE CONSISTENT WITH NATIONAL GUIDELINES”.

AMENDMENT NO. 11

On page 18, in line 30, strike “THE” and substitute “A”; and in lines 30 and 31, strike “OR STATE POLICE DEPARTMENT” and substitute “, STATE POLICE DEPARTMENT, OR POLICE DEPARTMENT CONTRACTOR”.

AMENDMENT NO. 12

On page 24, in line 8, strike “12-month” and substitute “30-day”; in line 13, strike “or deploys” and substitute “, deploys, or operates”; after line 27, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That § 21-809(b)(1)(i), (iii), and (v) of the Transportation Article, as enacted by Section 1 of this Act, does not

(Over)

apply to speed monitoring systems installed and operated in Montgomery County before October 1, 2008.”;

and in line 28, strike “9.” and substitute “10.”.