

SENATE BILL 826

R5
SB 963/08 – JPR

9lr2513

By: **Prince George's County Senators**
Introduced and read first time: February 6, 2009
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Safer Roads Act of 2009**

3 FOR the purpose of adding Prince George's County and municipal corporations in
4 Prince George's County as entities authorized to use certain speed monitoring
5 systems to enforce highway speed laws under certain standards and procedures;
6 requiring Prince George's County, municipal corporations in Prince George's
7 County, and the Comptroller to distribute certain funds in a certain manner;
8 altering the speed of a motor vehicle at which a speed monitoring system will
9 produce a recorded image of the vehicle on a residential highway; prohibiting in
10 Prince George's County the use of a speed monitoring system unless authorized
11 by the County Council or, if applicable, the governing body of a municipal
12 corporation in Prince George's County by ordinance or resolution adopted after
13 reasonable notice and a public hearing; requiring a certain ordinance or
14 resolution to provide for the issuance of warnings during a certain period for
15 certain violations; authorizing the use of speed monitoring systems in Prince
16 George's County on certain highways that have certain posted speed limits and
17 that have been identified by local law enforcement agencies as significant
18 dangerous locations based on certain data with certain exceptions; making an
19 exception for certain interstate highways; establishing a certain maximum fine
20 for a violation of law enforced by means of a speed monitoring system in Prince
21 George's County; adding to the list of defenses that the District Court of Prince
22 George's County may consider in defense of a certain violation; requiring the
23 Chief Judge of the District Court to consult with a certain Prince George's
24 County agency in adopting certain procedures; restricting the use of certain
25 revenues generated by this Act; providing for the application of this Act;
26 providing that existing obligations or contract rights may not be impaired by
27 this Act; requiring Prince George's County to report on the effectiveness of
28 speed monitoring systems to the General Assembly on or before a certain date;
29 altering a certain definition; requiring certain police departments, during a
30 certain period, to issue only warning citations to certain motorists and to
31 conduct a public education and awareness campaign regarding the use of speed

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 monitoring systems in Prince George's County; requiring the Prince George's
2 County Police Department to submit a certain annual report to the Prince
3 George's County Delegation to the General Assembly and to the County
4 Executive and County Council of Prince George's County; providing for the
5 construction of this Act; prohibiting a presently existing obligation or contract
6 from being impaired by this Act; and generally relating to imposition of liability
7 on certain persons recorded by speed monitoring systems violating certain laws
8 regarding the operation of motor vehicles in excess of certain speed limits.

9 BY repealing and reenacting, without amendments,
10 Article – Courts and Judicial Proceedings
11 Section 4–401(13), 7–301(a), and 10–311
12 Annotated Code of Maryland
13 (2006 Replacement Volume and 2008 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Courts and Judicial Proceedings
16 Section 7–302(e)
17 Annotated Code of Maryland
18 (2006 Replacement Volume and 2008 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article – Insurance
21 Section 11–215(e) and 11–318(e)
22 Annotated Code of Maryland
23 (2003 Replacement Volume and 2008 Supplement)

24 BY repealing and reenacting, without amendments,
25 Article – State Government
26 Section 10–616(o)
27 Annotated Code of Maryland
28 (2004 Replacement Volume and 2008 Supplement)

29 BY repealing and reenacting, with amendments,
30 Article – Transportation
31 Section 21–809
32 Annotated Code of Maryland
33 (2006 Replacement Volume and 2008 Supplement)

34 BY repealing and reenacting, without amendments,
35 Article – Transportation
36 Section 26–305(a) and 26–401
37 Annotated Code of Maryland
38 (2006 Replacement Volume and 2008 Supplement)

39 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
40 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, § 21–704.1, or
7 § 21–809 of the Transportation Article or § 10–112 of the Criminal Law Article;

8 7–301.

9 (a) The court costs in a traffic case, including parking and impounding cases,
10 cases under § 21–202.1 or § 21–809 of the Transportation Article in which costs are
11 imposed, and cases under § 10–112 of the Criminal Law Article in which costs are
12 imposed are \$22.50. Such costs shall also be applicable to those cases in which the
13 defendant elects to waive his right to trial and pay the fine or penalty deposit
14 established by the Chief Judge of the District Court by administrative regulation. In
15 an uncontested case under § 21–202.1 or § 21–809 of the Transportation Article, an
16 uncontested case under § 10–112 of the Criminal Law Article, or an uncontested
17 parking or impounding case in which the fines are paid directly to a political
18 subdivision or municipality, costs are \$2.00, which costs shall be paid to and retained
19 by the political subdivision or municipality. In an uncontested case in which the fine is
20 paid directly to an agency of State government authorized by law to regulate parking
21 of motor vehicles, the costs are \$2.00. The fine and the costs shall be paid to the
22 agency, which shall receive and account for these funds as in all other cases involving
23 sums due the State through a State agency.

24 7–302.

25 (e) (1) A citation issued pursuant to § 21–202.1 or § 21–809 of the
26 Transportation Article shall provide that the person receiving the citation may elect to
27 stand trial by notifying the issuing agency of the person’s intention to stand trial at
28 least 5 days prior to the date of payment as set forth in the citation. On receipt of the
29 notice to stand trial, the agency shall forward to the District Court having venue a
30 copy of the citation and a copy of the notice from the person who received the citation
31 indicating the person’s intention to stand trial. On receipt thereof, the District Court
32 shall schedule the case for trial and notify the defendant of the trial date under
33 procedures adopted by the Chief Judge of the District Court.

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

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

5 (4) (I) **FROM THE FINES COLLECTED IN PRINCE GEORGE’S**
6 **COUNTY AS A RESULT OF VIOLATIONS ENFORCED BY SPEED MONITORING**
7 **SYSTEMS, THE PRINCE GEORGE’S COUNTY OFFICE OF FINANCE OR, IF**
8 **APPLICABLE, A MUNICIPAL CORPORATION IN PRINCE GEORGE’S COUNTY:**

9 **1. MAY RECOVER THE COSTS OF IMPLEMENTING**
10 **AND ADMINISTERING THE SPEED MONITORING SYSTEMS; AND**

11 **2. SHALL REMIT THE BALANCE TO THE**
12 **COMPTROLLER ON AN ANNUAL BASIS.**

13 **(II) THE COMPTROLLER SHALL DEPOSIT THE MONEY**
14 **REMITTED UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH IN THE GENERAL**
15 **FUND OF THE STATE.**

16 10–311.

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

21 (b) A recorded image of a motor vehicle produced by a speed monitoring
22 system in accordance with § 21–809 of the Transportation Article is admissible in a
23 proceeding concerning a civil citation issued under that section for a violation of Title
24 21, Subtitle 8 of the Transportation Article without authentication.

25 (c) In any other judicial proceeding, a recorded image produced by a traffic
26 control signal monitoring system or speed monitoring system is admissible as
27 otherwise provided by law.

28 **Article – Insurance**

29 11–215.

30 (e) For purposes of reclassifying an insured in a classification that entails a
31 higher premium, an insurer under an automobile insurance policy may not consider a
32 probation before judgment disposition of a motor vehicle law offense, a civil penalty
33 imposed pursuant to § 21–202.1 or § 21–809 of the Transportation Article, or a first
34 offense of driving with an alcohol concentration of 0.08 or more under § 16–205.1 of the

1 Transportation Article on record with the Motor Vehicle Administration, as provided
2 in § 16–117(b) of the Transportation Article.

3 11–318.

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

11 **Article – State Government**

12 10–616.

13 (o) (1) In this subsection, “recorded images” has the meaning stated in §
14 21–202.1 or § 21–809 of the Transportation Article.

15 (2) Except as provided in paragraph (3) of this subsection, a custodian
16 of recorded images produced by a traffic control signal monitoring system operated
17 under § 21–202.1 of the Transportation Article or a speed monitoring system operated
18 under § 21–809 of the Transportation Article shall deny inspection of the recorded
19 images.

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

21 (i) as required in § 21–202.1 or § 21–809 of the Transportation
22 Article;

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

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

28 **Article – Transportation**

29 21–809.

30 (a) (1) In this section the following words have the meanings indicated.

31 (2) “Local police department” means:

32 (i) The Montgomery County Department of Police; [and]

1 (II) THE PRINCE GEORGE'S COUNTY POLICE
2 DEPARTMENT; AND

3 [(ii)] (III) The police department of any municipal corporation in
4 Montgomery County OR PRINCE GEORGE'S COUNTY.

5 (3) (i) "Owner" means the registered owner of a motor vehicle or a
6 lessee of a motor vehicle under a lease of 6 months or more.

7 (ii) "Owner" does not include:

8 1. A motor vehicle rental or leasing company; or

9 2. A holder of a special registration plate issued under
10 Title 13, Subtitle 9, Part III of this article.

11 (4) "Recorded image" means an image recorded by a speed monitoring
12 system:

13 (i) On:

14 1. A photograph;

15 2. A microphotograph;

16 3. An electronic image;

17 4. Videotape; or

18 5. Any other medium; and

19 (ii) Showing:

20 1. The rear of a motor vehicle;

21 2. At least two time-stamped images of the motor
22 vehicle that include the same stationary object near the motor vehicle; and

23 3. On at least one image or portion of tape, a clear
24 identification of the registration plate number of the motor vehicle.

25 (5) "Speed monitoring system" means a device with one or more motor
26 vehicle sensors producing recorded images of motor vehicles traveling at speeds at
27 least [10] 12 miles per hour above the posted speed limit.

28 (6) "Speed monitoring system operator" means an individual who
29 operates a speed monitoring system.

1 (b) (1) (I) [This] **SUBJECT TO SUBPARAGRAPH (II) OF THIS**
2 **PARAGRAPH AND PARAGRAPH (2) OF THIS SUBSECTION, THIS** section applies to a
3 violation of this subtitle that occurs in Montgomery County **OR PRINCE GEORGE'S**
4 **COUNTY** recorded by a speed monitoring system that meets the requirements of this
5 subsection and has been placed:

6 [(i)] **1.** On a highway in a residential district as defined in §
7 21-101 of this title:

8 [1.] **A.** With a maximum posted speed limit of [35] **45**
9 miles per hour; and

10 [2.] **B.** That has a speed limit that was established
11 using generally accepted traffic engineering practices; or

12 [(ii)] **2.** In a school zone established under § 21-803.1 of this
13 subtitle.

14 **(II) IN PRINCE GEORGE'S COUNTY, THIS SECTION ALSO**
15 **APPLIES TO A VIOLATION OF THIS SUBTITLE RECORDED BY A SPEED**
16 **MONITORING SYSTEM THAT MEETS THE REQUIREMENTS OF THIS SUBSECTION**
17 **AND HAS BEEN PLACED ON A HIGHWAY THAT:**

18 **1. IS NOT INTERSTATE HIGHWAY 95 OR 495 OR U.S.**
19 **ROUTE 50 OR 301;**

20 **2. HAS A MAXIMUM POSTED SPEED LIMIT BETWEEN**
21 **46 AND 55 MILES PER HOUR, WHICH SPEED LIMIT WAS ESTABLISHED USING**
22 **GENERALLY ACCEPTED TRAFFIC ENGINEERING PRACTICES; AND**

23 **3. HAS BEEN IDENTIFIED BY A LOCAL LAW**
24 **ENFORCEMENT AGENCY AS A SIGNIFICANT DANGEROUS LOCATION BASED ON**
25 **ACCIDENT AND SPEEDING VIOLATION DATA.**

26 **(2) (I) IN PRINCE GEORGE'S COUNTY, A SPEED MONITORING**
27 **SYSTEM MAY NOT BE USED UNDER THIS SECTION UNLESS ITS USE IS**
28 **AUTHORIZED BY AN ORDINANCE OR RESOLUTION ENACTED BY THE COUNTY**
29 **COUNCIL OR THE GOVERNING BODY OF A MUNICIPAL CORPORATION IN PRINCE**
30 **GEORGE'S COUNTY AFTER REASONABLE NOTICE AND A PUBLIC HEARING.**

31 **(II) AN ORDINANCE OR RESOLUTION ADOPTED UNDER THIS**
32 **PARAGRAPH SHALL PROVIDE THAT FOR A PERIOD OF AT LEAST 5 MONTHS**
33 **AFTER THE FIRST SPEED MONITORING SYSTEM IS PLACED IN PRINCE GEORGE'S**

1 **COUNTY, A VIOLATION MAY BE ENFORCED ONLY BY THE ISSUANCE OF A**
2 **WARNING.**

3 [(2)] **(3)** (i) A speed monitoring system operator shall complete
4 training by a manufacturer of speed monitoring systems in the procedures for setting
5 up and operating the speed monitoring system.

6 (ii) The manufacturer shall issue a signed certificate to the
7 speed monitoring system operator upon completion of the training.

8 (iii) The certificate of training shall be admitted as evidence in
9 any court proceeding for a violation of this section.

10 [(3)] **(4)** A speed monitoring system operator shall fill out and sign a
11 daily set-up log for a speed monitoring system that:

12 (i) States that the speed monitoring system operator
13 successfully performed the manufacturer-specified self-test of the speed monitoring
14 system prior to producing a recorded image;

15 (ii) Shall be kept on file; and

16 (iii) Shall be admitted as evidence in any court proceeding for a
17 violation of this section.

18 [(4)] **(5)** (i) A speed monitoring system shall undergo an annual
19 calibration check performed by an independent calibration laboratory.

20 (ii) The independent calibration laboratory shall issue a signed
21 certificate of calibration after the annual calibration check, which:

22 1. Shall be kept on file; and

23 2. Shall be admitted as evidence in any court proceeding
24 for a violation of this section.

25 (c) (1) Unless the driver of the motor vehicle received a citation from a
26 police officer at the time of the violation, the owner or, in accordance with subsection
27 (f)(4) of this section, the driver of a motor vehicle is subject to a civil penalty if the
28 motor vehicle is recorded by a speed monitoring system while being operated in
29 violation of this subtitle.

30 (2) A civil penalty under this subsection may not exceed \$40.

31 (3) For purposes of this section, the District Court shall prescribe:

1 (i) A uniform citation form consistent with subsection (d)(1) of
2 this section and § 7-302 of the Courts Article; and

3 (ii) A civil penalty, which shall be indicated on the citation, to be
4 paid by persons who choose to prepay the civil penalty without appearing in District
5 Court.

6 (d) (1) Subject to the provisions of paragraphs (2) through (4) of this
7 subsection, the local police department shall mail to the owner, liable under subsection
8 (c) of this section, a citation that shall include:

9 (i) The name and address of the registered owner of the vehicle;

10 (ii) The registration number of the motor vehicle involved in the
11 violation;

12 (iii) The violation charged;

13 (iv) The location where the violation occurred;

14 (v) The date and time of the violation;

15 (vi) A copy of the recorded image;

16 (vii) The amount of the civil penalty imposed and the date by
17 which the civil penalty should be paid;

18 (viii) A signed statement by a duly authorized agent of the local
19 police department that, based on inspection of recorded images, the motor vehicle was
20 being operated in violation of this subtitle;

21 (ix) A statement that recorded images are evidence of a violation
22 of this subtitle;

23 (x) Information advising the person alleged to be liable under
24 this section of the manner and time in which liability as alleged in the citation may be
25 contested in the District Court; and

26 (xi) Information advising the person alleged to be liable under
27 this section that failure to pay the civil penalty or to contest liability in a timely
28 manner:

29 1. Is an admission of liability;

30 2. May result in the refusal by the Administration to
31 register the motor vehicle; and

1 3. May result in the suspension of the motor vehicle
2 registration.

3 (2) The local police department may mail a warning notice instead of a
4 citation to the owner liable under subsection (c) of this section.

5 (3) Except as provided in subsection (f)(4) of this section, the local
6 police department may not mail a citation to a person who is not an owner.

7 (4) Except as provided in subsection (f)(4) of this section, a citation
8 issued under this section shall be mailed no later than 2 weeks after the alleged
9 violation if the vehicle is registered in this State, and 30 days after the alleged
10 violation if the vehicle is registered in another state.

11 (5) A person who receives a citation under paragraph (1) of this
12 subsection may:

13 (i) Pay the civil penalty, in accordance with instructions on the
14 citation, directly to the Montgomery County Department of Finance **OR PRINCE**
15 **GEORGE'S COUNTY OFFICE OF FINANCE, AS APPROPRIATE;** or

16 (ii) Elect to stand trial in the District Court for the alleged
17 violation.

18 (e) (1) A certificate alleging that the violation of this subtitle occurred and
19 the requirements under subsection (b) of this section have been satisfied, sworn to, or
20 affirmed by a duly authorized agent of the local police department, based on inspection
21 of recorded images produced by a speed monitoring system, shall be evidence of the
22 facts contained in the certificate and shall be admissible in a proceeding alleging a
23 violation under this section without the presence or testimony of the speed monitoring
24 system operator who performed the requirements under subsection (b) of this section.

25 (2) If a person who received a citation under subsection (d) of this
26 section desires the speed monitoring system operator to be present and testify at trial,
27 the person shall notify the court and the State in writing no later than 20 days before
28 trial.

29 (3) Adjudication of liability shall be based on a preponderance of
30 evidence.

31 (f) (1) The District Court may consider in defense of a violation:

32 (i) Subject to paragraph (2) of this subsection, that the motor
33 vehicle or the registration plates of the motor vehicle were stolen before the violation
34 occurred and were not under the control or possession of the owner at the time of the
35 violation;

1 (ii) Subject to paragraph (3) of this subsection, evidence that the
2 person named in the citation was not operating the vehicle at the time of the violation;
3 [and]

4 (iii) **SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION,**
5 **THAT THE PERSON NAMED IN THE CITATION WAS A VOLUNTEER FOR AN**
6 **AMBULANCE, FIRE, OR RESCUE COMPANY OR A LAW ENFORCEMENT AGENCY**
7 **WHO WAS RESPONDING TO AN EMERGENCY SITUATION AT THE TIME OF THE**
8 **VIOLATION; AND**

9 (IV) Any other issues and evidence that the District Court deems
10 pertinent.

11 (2) In order to demonstrate that the motor vehicle or the registration
12 plates were stolen before the violation occurred and were not under the control or
13 possession of the owner at the time of the violation, the owner shall submit proof that
14 a police report regarding the stolen motor vehicle or registration plates was filed in a
15 timely manner.

16 (3) To satisfy the evidentiary burden under paragraph (1)(ii) of this
17 subsection, the person named in the citation shall provide to the District Court a
18 letter, sworn to or affirmed by the person and mailed by certified mail, return receipt
19 requested, that:

20 (i) States that the person named in the citation was not
21 operating the vehicle at the time of the violation;

22 (ii) Provides the name, address, and, if possible, the driver's
23 license identification number of the person who was operating the vehicle at the time
24 of the violation; and

25 (iii) Includes any other corroborating evidence.

26 (4) (i) If the District Court finds that the person named in the
27 citation was not operating the vehicle at the time of the violation or receives evidence
28 under paragraph (3) of this subsection identifying the person driving the vehicle at the
29 time of the violation, the clerk of the court shall provide to the local police department
30 a copy of any evidence substantiating who was operating the vehicle at the time of the
31 violation.

32 (ii) On receipt of substantiating evidence from the District
33 Court under subparagraph (i) of this paragraph, the local police department may issue
34 a citation as provided in subsection (d) of this section to the person who the evidence
35 indicates was operating the vehicle at the time of the violation.

1 (iii) A citation issued under subparagraph (ii) of this paragraph
2 shall be mailed no later than 2 weeks after receipt of the evidence from the District
3 Court.

4 (5) **TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH**
5 **(1)(III) OF THIS SUBSECTION, THE PERSON NAMED IN THE CITATION SHALL**
6 **PROVIDE TO THE DISTRICT COURT A LETTER, SWORN TO OR AFFIRMED BY THE**
7 **HEAD OF THE AMBULANCE, FIRE, OR RESCUE COMPANY OR LAW ENFORCEMENT**
8 **AGENCY FOR WHICH THE PERSON WAS A VOLUNTEER, AND MAILED BY**
9 **CERTIFIED MAIL RETURN RECEIPT REQUESTED, THAT STATES THAT THE**
10 **PERSON NAMED IN THE CITATION WAS A VOLUNTEER AND WAS RESPONDING TO**
11 **AN EMERGENCY AT THE TIME OF THE VIOLATION.**

12 (g) If a person liable under this section does not pay the civil penalty or
13 contest the violation, the Administration:

14 (1) May refuse to register or reregister the motor vehicle cited for the
15 violation; or

16 (2) May suspend the registration of the motor vehicle cited for the
17 violation.

18 (h) A violation for which a civil penalty is imposed under this section:

19 (1) Is not a moving violation for the purpose of assessing points under
20 § 16–402 of this article;

21 (2) May not be recorded by the Administration on the driving record of
22 the owner or driver of the vehicle;

23 (3) May be treated as a parking violation for purposes of § 26–305 of
24 this article; and

25 (4) May not be considered in the provision of motor vehicle insurance
26 coverage.

27 (i) In consultation with the Montgomery County Department of Finance,
28 **THE PRINCE GEORGE'S COUNTY OFFICE OF FINANCE**, and the local police
29 departments, the Chief Judge of the District Court shall adopt procedures for the
30 issuance of citations, the trial of civil violations, and the collection of civil penalties
31 under this section.

32 (j) If a contractor operates a speed monitoring system on behalf of
33 Montgomery County **OR PRINCE GEORGE'S COUNTY**, the contractor's fee may not
34 be contingent on the number of citations issued or paid.

35 26–305.

1 (a) The Administration may not register or transfer the registration of any
2 vehicle involved in a parking violation under this subtitle, a violation under any
3 federal parking regulation that applies to property in this State under the jurisdiction
4 of the U.S. government, a violation of § 21–202(h) of this article as determined under §
5 21–202.1 of this article or Title 21, Subtitle 8 of this article as determined under §
6 21–809 of this article, or a violation of the State litter control law or a local law or
7 ordinance adopted by Baltimore City relating to the unlawful disposal of litter as
8 determined under § 10–112 of the Criminal Law Article, if:

9 (1) It is notified by a political subdivision or authorized State agency
10 that the person cited for the violation under this subtitle, § 21–202.1 or § 21–809 of
11 this article, or § 10–112 of the Criminal Law Article has failed to either:

12 (i) Pay the fine for the violation by the date specified in the
13 citation; or

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

15 (2) It is notified by the District Court that a person who has elected to
16 stand trial for the violation under this subtitle, under § 21–202.1 or § 21–809 of this
17 article, or under § 10–112 of the Criminal Law Article has failed to appear for trial; or

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

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

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

24 26–401.

25 If a person is taken before a District Court commissioner or is given a traffic
26 citation or a civil citation under § 21–202.1 or § 21–809 of this article containing a
27 notice to appear in court, the commissioner or court shall be one that sits within the
28 county in which the offense allegedly was committed.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
30 construed to apply only prospectively and may not be applied or interpreted to have
31 any effect on or application to any contract awarded before the effective date of this
32 Act.

33 SECTION 3. AND BE IT FURTHER ENACTED, That a presently existing
34 obligation or contract right may not be impaired in any way by this Act.

1 SECTION 4. AND BE IT FURTHER ENACTED, That the Prince George's
2 County Police Department or a municipal corporation police department in Prince
3 George's County shall implement or continue, as the case may be, an extensive public
4 education and awareness campaign about the use of speed monitoring systems in the
5 county.

6 SECTION 5. AND BE IT FURTHER ENACTED, That the Prince George's
7 County Police Department, in consultation with the municipal corporation police
8 departments in Prince George's County, shall submit a written report to the Prince
9 George's County Delegation to the General Assembly and to the County Executive and
10 County Council of Prince George's County on or before September 30 each year
11 covering enforcement activity, driver behavior, financial matters, and other relevant
12 issues in the immediately preceding fiscal year related to the use of speed monitoring
13 systems as authorized by this Act.

14 SECTION 6. AND BE IT FURTHER ENACTED, That the Prince George's
15 County Council shall report to the General Assembly on or before December 31, 2013,
16 in accordance with § 2-1246 of the State Government Article, on the effectiveness of
17 speed monitoring systems in Prince George's County.

18 SECTION 7. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2009.