

HB0462/290714/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 462
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Hogan” and substitute “Delegates Hogan and Hucker”; in line 4, strike “county board of education” and substitute “law enforcement agency”; in line 5, strike “certain local law enforcement agency” and substitute “county board of education”; in line 7, after “vehicles” insert “, if authorized by a local law enacted by the governing body of the local jurisdiction”; strike beginning with “requiring” in line 7 down through “agency;” in line 9; in line 9, strike “recording” and substitute “recorded image”; and in line 14, after “penalty;” insert “providing for the payment of fines imposed and the distribution of revenues collected as a result of violations enforced by school bus monitoring cameras;”.

On page 2, in line 12, after “4-401(13)” insert “, 7-302(e).”.

AMENDMENT NO. 2

On page 2, after line 34, insert:

“7-302.

(e) (1) A citation issued pursuant to § 21-202.1, § 21-706.1, § 21-809, or § 21-810 of the Transportation Article shall provide that the person receiving the citation may elect to stand trial by notifying the issuing agency of the person’s intention to stand trial at least 5 days prior to the date of payment as set forth in the citation. On receipt of the notice to stand trial, the agency shall forward to the District Court having venue a copy of the citation and a copy of the notice from the person who received the citation indicating the person’s intention to stand trial. On receipt thereof, the District Court shall schedule the case for trial and notify the defendant of the trial date under procedures adopted by the Chief Judge of the District Court.

(Over)

(2) A citation issued as the result of a traffic control signal monitoring system or speed monitoring system, including a work zone speed control system, controlled by a political subdivision OR A SCHOOL BUS MONITORING CAMERA shall provide that, in an uncontested case, the penalty shall be paid directly to that political subdivision. A citation issued as the result of a traffic control signal monitoring system or a work zone speed control system controlled by a State agency, or as a result of a traffic control signal monitoring system [or], a speed monitoring system, OR A SCHOOL BUS MONITORING CAMERA in a case contested in District Court, shall provide that the penalty shall be paid directly to the District Court.

(3) Civil penalties resulting from citations issued using A traffic control signal monitoring [systems or] SYSTEM, speed monitoring [systems] SYSTEM, [or a] work zone speed control system, OR SCHOOL BUS MONITORING CAMERA that are collected by the District Court shall be collected in accordance with subsection (a) of this section and distributed in accordance with § 12–118 of the Transportation Article.

(4) (i) From the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems OR SCHOOL BUS MONITORING CAMERAS, a political subdivision:

1. May recover the costs of implementing and administering the speed monitoring systems OR SCHOOL BUS MONITORING CAMERAS; and

2. Subject to subparagraph (ii) of this paragraph, may spend any remaining balance solely for public safety purposes, including pedestrian safety programs.

(ii) 1. For any fiscal year, if the balance remaining from the fines collected by a political subdivision as a result of violations enforced by speed

monitoring systems, after the costs of implementing and administering the systems are recovered in accordance with subparagraph (i)1 of this paragraph, is greater than 10% of the total revenues of the political subdivision for the fiscal year, the political subdivision shall remit any funds that exceed 10% of the total revenues to the Comptroller.

2. The Comptroller shall deposit any money remitted under this subparagraph to the General Fund of the State.”.

AMENDMENT NO. 3

On page 4, strike beginning with “to” in line 28 down through “AN” in line 29 and substitute “to a law enforcement”.

On page 5, in line 11, strike the brackets; in lines 21 and 22, strike “AN AGENCY” and substitute “THE COUNTY BOARD OF EDUCATION”; strike in their entirety lines 24 through 27, inclusive; and in line 28, strike “RECORDING” and substitute “RECORDED IMAGE”.

On page 6, in line 12, strike “\$100” and substitute “\$250”.

On page 7, in lines 29 and 30, strike “OR THE DISTRICT COURT”.

On page 8, in line 2, strike “THE” and substitute “A LAW ENFORCEMENT”; and in line 29, strike “COURT” and substitute “DISTRICT COURT”.

On page 9, in line 21, strike “AN” and substitute “THE LAW ENFORCEMENT”.

On page 10, in line 9, after “AND” insert “THE”.

AMENDMENT NO. 4

On page 5, in line 21, strike “A COUNTY BOARD OF EDUCATION” and substitute “A SCHOOL BUS MONITORING CAMERA MAY NOT BE USED IN A LOCAL JURISDICTION UNDER THIS SECTION UNLESS ITS USE IS AUTHORIZED BY THE GOVERNING BODY OF THE LOCAL JURISDICTION BY LOCAL LAW ENACTED AFTER REASONABLE NOTICE AND A PUBLIC HEARING.”

(2) IF AUTHORIZED BY THE GOVERNING BODY OF THE LOCAL JURISDICTION, A LAW ENFORCEMENT AGENCY”.