

HOUSE BILL 857

R5
HB 1205/11 – ENV

2lr2210

By: **Delegate Conaway**
Introduced and read first time: February 9, 2012
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Red Light and Speed Monitoring Systems – Law Enforcement**
3 **Vehicles**

4 FOR the purpose of providing that certain images of a law enforcement vehicle
5 recorded by a traffic control signal monitoring system, a speed monitoring
6 system, or a work zone speed control system may not be the basis for a civil
7 penalty or the issuance of a citation under certain provisions of law; and
8 generally relating to traffic control signal monitoring systems, speed monitoring
9 systems, and work zone speed control systems.

10 BY repealing and reenacting, without amendments,
11 Article – Transportation
12 Section 21–202.1(a)(4) and (5), 21–809(a)(4) and (5), and 21–810(a)(4) and (7)
13 Annotated Code of Maryland
14 (2009 Replacement Volume and 2011 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Transportation
17 Section 21–202.1(d), 21–809(c), and 21–810(c)
18 Annotated Code of Maryland
19 (2009 Replacement Volume and 2011 Supplement)

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

22 **Article – Transportation**

23 21–202.1.

24 (a) (4) “Recorded images” means images recorded by a traffic control
25 signal monitoring system:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) On:

- 2 1. Two or more photographs;
- 3 2. Two or more microphotographs;
- 4 3. Two or more electronic images;
- 5 4. Videotape; or
- 6 5. Any other medium; and

7 (ii) Showing the rear of a motor vehicle and, on at least one
8 image or portion of tape, clearly identifying the registration plate number of the motor
9 vehicle.

10 (5) “Traffic control signal monitoring system” means a device with one
11 or more motor vehicle sensors working in conjunction with a traffic control signal to
12 produce recorded images of motor vehicles entering an intersection against a red
13 signal indication.

14 (d) (1) **[Unless] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS**
15 **SUBSECTION, UNLESS** the driver of the motor vehicle received a citation from a police
16 officer at the time of the violation, the owner or, in accordance with subsection (g)(5) of
17 this section, the driver of a motor vehicle is subject to a civil penalty if the motor
18 vehicle is recorded by a traffic control signal monitoring system while being operated
19 in violation of § 21–202(h) of this subtitle.

20 (2) A civil penalty under this subsection may not exceed \$100.

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

22 (i) A uniform citation form consistent with subsection (e)(1) of
23 this section and § 7–302 of the Courts and Judicial Proceedings Article; and

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

27 (4) **RECORDED IMAGES OF A LAW ENFORCEMENT VEHICLE MAY**
28 **NOT BE THE BASIS FOR A CIVIL PENALTY OR THE ISSUANCE OF A CITATION**
29 **UNDER THIS SECTION.**

30 21–809.

1 (a) (4) “Recorded image” means an image recorded by a speed monitoring
2 system:

3 (i) On:

- 4 1. A photograph;
- 5 2. A microphotograph;
- 6 3. An electronic image;
- 7 4. Videotape; or
- 8 5. Any other medium; and

9 (ii) Showing:

- 10 1. The rear of a motor vehicle;
- 11 2. At least two time-stamped images of the motor
12 vehicle that include the same stationary object near the motor vehicle; and
- 13 3. On at least one image or portion of tape, a clear and
14 legible identification of the entire registration plate number of the motor vehicle.

15 (5) “Speed monitoring system” means a device with one or more motor
16 vehicle sensors producing recorded images of motor vehicles traveling at speeds at
17 least 12 miles per hour above the posted speed limit.

18 (c) (1) **[Unless] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS**
19 **SUBSECTION, UNLESS** the driver of the motor vehicle received a citation from a police
20 officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of
21 this section, the driver of a motor vehicle is subject to a civil penalty if the motor
22 vehicle is recorded by a speed monitoring system while being operated in violation of
23 this subtitle.

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

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

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

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

1 **(4) A RECORDED IMAGE OF A LAW ENFORCEMENT VEHICLE MAY**
2 **NOT BE THE BASIS FOR A CIVIL PENALTY OR THE ISSUANCE OF A CITATION**
3 **UNDER THIS SECTION.**

4 21–810.

5 (a) (4) “Recorded image” means an image recorded by a work zone speed
6 control system:

7 (i) On:

- 8 1. A photograph;
- 9 2. A microphotograph;
- 10 3. An electronic image;
- 11 4. Videotape; or
- 12 5. Any other medium; and

13 (ii) Showing:

- 14 1. The rear of a motor vehicle;
- 15 2. At least two time–stamped images of the motor
16 vehicle that include the same stationary object near the motor vehicle; and
- 17 3. On at least one image or portion of tape, a clear and
18 legible identification of the entire registration plate number of the motor vehicle.

19 (7) “Work zone speed control system” means a device having one or
20 more motor vehicle sensors connected to a camera system capable of producing
21 recorded images of motor vehicles traveling at or above a predetermined speed in or
22 approaching a work zone.

23 (c) (1) **[Unless] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS**
24 **SUBSECTION, UNLESS** the driver of the motor vehicle received a citation from a police
25 officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of
26 this section, the driver of a motor vehicle is subject to a civil penalty if an image of the
27 motor vehicle is recorded by a work zone speed control system in accordance with
28 subsection (b) of this section while being operated in violation of this subtitle.

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

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

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

3 (ii) Indicate on the citation the amount of the civil penalty to be
4 paid by persons who choose to prepay the civil penalty without appearing in District
5 Court.

6 **(4) A RECORDED IMAGE OF A LAW ENFORCEMENT VEHICLE MAY**
7 **NOT BE THE BASIS FOR A CIVIL PENALTY OR THE ISSUANCE OF A CITATION**
8 **UNDER THIS SECTION.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2012.