

SENATE BILL 214

D1, R5

4lr0865

By: **Senator Jennings**

Introduced and read first time: January 16, 2014

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Fines for Texting Offenses – Use for Educational Programs**

3 FOR the purpose of requiring the Comptroller to distribute a certain portion of the
4 revenue from fines collected for violations of a certain prohibition on using a
5 text messaging device while driving to the R Adams Cowley Shock Trauma
6 Center at the University of Maryland Medical System to be used by the Center
7 for Injury Prevention and Policy for educational programs addressing the
8 dangers of distracted driving; and generally relating to the distribution of
9 revenue from fines for text messaging while driving.

10 BY repealing and reenacting, with amendments,
11 Article – Transportation
12 Section 12–118
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2013 Supplement)

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

17 **Article – Transportation**

18 12–118.

19 (a) Except as specifically provided by law, all money received under the
20 Maryland Vehicle Law shall be accounted for and remitted to the State Comptroller.

21 (b) Out of the money remitted to the State Comptroller under the Maryland
22 Vehicle Law, the State Comptroller shall:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) Pay or retain enough to pay all refunds of taxes or fees provided for
2 in the Maryland Vehicle Law;

3 (2) Credit to the Gasoline and Motor Vehicle Revenue Account of the
4 Transportation Trust Fund the revenues specified in § 8–402 of this article, after
5 retaining enough to pay:

6 (i) The salaries and other expenses of the State Highway
7 Administration in enforcing Title 24 of this article;

8 (ii) The salaries and other expenses of the Commercial Vehicle
9 Enforcement Division of the Department of State Police as approved by the
10 Department in enforcing Title 23, Subtitle 4 of this article, Title 24 of this article, the
11 provisions of the Tax – General Article on the motor carrier tax, and the provisions of
12 Title 10 of the Business Regulation Article on motor fuel fraud and motor fuel tax
13 fraud;

14 (iii) Funds required, in addition to the funding provided in §
15 13–804 of this article, for the salaries and other expenses of the Automotive Safety
16 Enforcement Division of the Department of State Police as approved by the
17 Department in enforcing Title 23 of this article and Subtitle 6 of Title 22 of this article;
18 and

19 (iv) The salaries and other expenses of the Department of State
20 Police and other State agencies, as approved by the Department, in enforcing the
21 provisions of § 25–111 of this article; and

22 (3) Credit the balance to the Transportation Trust Fund.

23 (c) (1) Except as provided in [paragraph (2)] **PARAGRAPHS (2) AND (3)**
24 of this subsection, notwithstanding any other law and in addition to any other
25 exceptions provided by law, all costs, fines, penalties, and forfeitures received by or
26 paid to the District Court under the Maryland Vehicle Law shall be collected and
27 remitted as provided in the Courts Article.

28 (2) The Comptroller shall distribute revenue from the civil fines
29 collected through use of a work zone speed control system under § 21–810 of this
30 article to a special fund, to be used only as provided in subsection (e) of this section.

31 **(3) THE COMPTROLLER SHALL DISTRIBUTE 25% OF THE**
32 **REVENUE FROM FINES COLLECTED FOR VIOLATIONS OF § 21–1124.1 OF THIS**
33 **ARTICLE (“TEXT MESSAGING PROHIBITED”), UP TO A MAXIMUM OF \$250,000**
34 **FOR EACH FISCAL YEAR, TO THE R ADAMS COWLEY SHOCK TRAUMA CENTER**
35 **AT THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM TO BE USED BY THE**
36 **CENTER FOR INJURY PREVENTION AND POLICY FOR EDUCATIONAL PROGRAMS**
37 **ADDRESSING THE DANGERS OF DISTRACTED DRIVING.**

1 (d) Except as provided in subsection (b) of this section, and except for funds
2 received from the Department and the Maryland Transportation Authority for services
3 rendered under agreements with the Department and the Maryland Transportation
4 Authority, the salaries and expenses of the Department of State Police and the State
5 Police Retirement System shall be paid from the general funds of this State.

6 (e) (1) Subject to paragraph (2) of this subsection, money in the special
7 fund established under subsection (c)(2) of this section:

8 (i) Shall be distributed first to the Department of State Police
9 and the State Highway Administration to cover the costs of implementing and
10 administering work zone speed control systems; and

11 (ii) After the distribution under item (i) of this paragraph, for
12 each of fiscal years 2013 through 2015 only, \$3,000,000 shall be distributed to the
13 Department of State Police to be used only for the purchase of replacement vehicles
14 and related motor vehicle equipment used to outfit police vehicles.

15 (2) The balance of the money in the special fund shall be distributed to
16 the Department of State Police to fund roadside enforcement activities.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2014.