

SENATE BILL 350

R5

4lr0867

By: **Senators Brochin, Klausmeier, and Zirkin**

Introduced and read first time: January 22, 2014

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Speed Monitoring Systems – Local Jurisdictions**

3 FOR the purpose of altering the standards and requirements for the required warning
4 period for violations recorded by speed monitoring systems; establishing that
5 speed monitoring systems placed in certain areas may only be placed on
6 highways with a certain minimum speed limit; applying certain notice and
7 signage standards for unmanned local stationary speed monitoring systems to
8 all local speed monitoring systems; altering the standards for signage required
9 for local stationary speed monitoring systems; establishing that a speed
10 monitoring system in a school zone may operate only during the regular school
11 year; requiring certain local jurisdictions to designate certain persons to act in a
12 certain liaison capacity; requiring a certain calibration check to be performed
13 quarterly rather than annually; altering the standards and requirements for
14 daily self-tests and annual calibrations for speed monitoring systems; requiring
15 certain local jurisdictions to designate, subject to the approvals of a certain local
16 governing body, a certain program administrator; requiring a contract for a
17 certain speed monitoring system to include certain provisions; establishing
18 certain training requirements; clarifying that a certificate alleging that a
19 certain speeding violation occurred is required to be sworn to or affirmed by a
20 certain law enforcement officer; expanding the application of the prohibition
21 against a speed monitoring system contractor's fee being contingent on the
22 number of citations issued or paid; providing for the application of this Act;
23 providing that certain speed monitoring system contract extensions are void
24 under certain circumstances; defining certain terms; and generally relating to
25 speed monitoring systems operated by local jurisdictions.

26 BY repealing and reenacting, with amendments,
27 Article – Transportation
28 Section 21–809
29 Annotated Code of Maryland
30 (2012 Replacement Volume and 2013 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Transportation**

4 21–809.

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

6 (2) “Agency” means:

7 (i) A law enforcement agency of a local political subdivision
8 that is authorized to issue a citation for a violation of the Maryland Vehicle Law or of
9 local traffic laws or regulations; or

10 (ii) For a municipal corporation that does not maintain a police
11 force, an agency established or designated by the municipal corporation to implement
12 this subtitle using speed monitoring systems in accordance with this section.

13 (3) (i) **“ERRONEOUS VIOLATION” MEANS A POTENTIAL**
14 **VIOLATION SUBMITTED BY A SPEED MONITORING SYSTEM CONTRACTOR FOR**
15 **REVIEW BY AN AGENCY THAT IS:**

16 **1. CLEARLY NOT SUPPORTED BY THE AVAILABLE**
17 **EVIDENCE OR APPLICABLE LAW; OR**

18 **2. BASED ON A TECHNICAL VARIABLE FOR WHICH**
19 **THE CONTRACTOR IS RESPONSIBLE.**

20 (ii) **“ERRONEOUS VIOLATION” INCLUDES:**

21 **1. A POTENTIAL VIOLATION BASED ON INACCURATE**
22 **RADAR IMAGING, INCLUDING THE PHENOMENON KNOWN AS THE “RADAR**
23 **EFFECT”;** AND

24 **2. A POTENTIAL VIOLATION BASED ON A RECORDED**
25 **IMAGE THAT IS GENERATED BY A SPEED MONITORING SYSTEM THAT IS AT AN**
26 **IMPROPER DISTANCE OR ANGLE OR IN IMPROPER FOCUS.**

27 (iii) **“ERRONEOUS VIOLATION” DOES NOT INCLUDE A**
28 **POTENTIAL VIOLATION THAT AN AGENCY IS UNABLE TO VALIDATE BUT**
29 **OTHERWISE COMPLIES WITH APPLICABLE LAWS AND CONTRACT PROVISIONS.**

1 **(4) (I)** “Owner” means the registered owner of a motor vehicle or a
2 lessee of a motor vehicle under a lease of 6 months or more.

3 (ii) “Owner” does not include:

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

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

7 **(5) “PROGRAM ADMINISTRATOR” MEANS AN EMPLOYEE OR**
8 **REPRESENTATIVE OF THE LOCAL JURISDICTION DESIGNATED BY THE LOCAL**
9 **JURISDICTION TO OVERSEE A CONTRACT WITH A SPEED MONITORING SYSTEM**
10 **CONTRACTOR.**

11 **[(4)] (6)** “Recorded image” means an image recorded by a speed
12 monitoring 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 and
24 legible identification of the entire registration plate number of the motor vehicle.

25 **(7) “SCHOOL ZONE” MEANS A DESIGNATED ROADWAY SEGMENT**
26 **WITHIN A ONE-QUARTER MILE RADIUS OF A SCHOOL FOR KINDERGARTEN OR**
27 **ANY GRADE LEVEL THROUGH GRADE 12 THAT IS APPROACHING, ADJACENT TO,**
28 **OR BEYOND SCHOOL BUILDINGS OR GROUNDS WHERE SCHOOL-RELATED**
29 **ACTIVITY OCCURS, INCLUDING:**

1 **(I) TRAVEL BY STUDENTS TO OR FROM SCHOOL ON FOOT**
2 **OR BY BICYCLE; OR**

3 **(II) THE DROPPING OFF OR PICKING UP OF STUDENTS BY**
4 **SCHOOL BUSES OR OTHER VEHICLES.**

5 **[(5)] (8)** “Speed monitoring system” means a device with one or more
6 motor vehicle sensors producing recorded images of motor vehicles traveling at speeds
7 at least 12 miles per hour above the posted speed limit.

8 **[(6)] (9)** “Speed monitoring system operator” means a representative of
9 an agency or contractor that operates a speed monitoring system.

10 (b) (1) (i) A speed monitoring system may not be used in a local
11 jurisdiction under this section unless its use is authorized by the governing body of the
12 local jurisdiction by local law enacted after reasonable notice and a public hearing.

13 (ii) Before a county may use a speed monitoring system on a
14 State highway at a location within a municipal corporation, the county shall:

15 1. Obtain the approval of the State Highway
16 Administration;

17 2. Notify the municipal corporation of the State
18 Highway Administration’s approval of the use of a speed monitoring system at that
19 location; and

20 3. Grant the municipal corporation 60 days from the
21 date of the county’s notice to the municipal corporation to enact an ordinance
22 authorizing the municipal corporation instead of the county to use a speed monitoring
23 system at that location.

24 (iii) 1. This subparagraph applies only in Prince George’s
25 County.

26 2. In the county, a municipal corporation may
27 implement and use a speed monitoring system consistent with the requirements of
28 this subsection on a county highway at a location within its corporate limits if the
29 municipal corporation:

30 A. Submits to the county a plan describing the boundary
31 of the applicable school zone and the proposed location of the speed monitoring system;
32 and

33 B. Requests and receives permission from the county to
34 use the speed monitoring system at the proposed location.

1 3. If the county fails to respond to the request within 60
2 days, the municipal corporation may implement and use the speed monitoring system
3 as described in the plan submission.

4 4. The county may not:

5 A. Unreasonably deny a request under this
6 subparagraph; or

7 B. Place exactions, fees, or unreasonable restrictions on
8 the implementation and use of a speed monitoring system under this subparagraph.

9 5. The county shall state in writing the reasons for any
10 denial of a request under this subparagraph.

11 6. A municipal corporation may contest in the circuit
12 court a county denial of a request under this subparagraph.

13 (iv) In Prince George's County, if a municipal corporation has
14 established a school zone that is within one-quarter mile of a school zone established
15 in another municipal corporation, the municipal corporation may not implement or use
16 a speed monitoring system in that school zone unless it has obtained the approval of
17 the other municipal corporation.

18 (v) An ordinance or resolution adopted by the governing body of
19 a local jurisdiction under this paragraph shall provide that [for a period of at least 30
20 days after the first speed monitoring system is placed in the local jurisdiction, a
21 violation recorded by any speed monitoring system in the local jurisdiction may be
22 enforced only by the issuance of a warning] **IF THE LOCAL JURISDICTION MOVES OR
23 PLACES A MOBILE OR STATIONARY SPEED MONITORING SYSTEM TO OR AT A
24 LOCATION WHERE A SPEED MONITORING SYSTEM HAD NOT PREVIOUSLY BEEN
25 MOVED OR PLACED, THE LOCAL JURISDICTION MAY NOT ISSUE A CITATION FOR
26 A VIOLATION RECORDED BY THAT SPEED MONITORING SYSTEM:**

27 **1. UNTIL SIGNAGE IS INSTALLED IN ACCORDANCE
28 WITH SUBPARAGRAPH (VII) OF THIS PARAGRAPH; AND**

29 **2. FOR AT LEAST THE FIRST 15 CALENDAR DAYS
30 AFTER THE SIGNAGE IS INSTALLED.**

31 (vi) This section applies to a violation of this subtitle recorded by
32 a speed monitoring system that meets the requirements of this subsection and has
33 been placed:

1 1. In Montgomery County, on a highway in a residential
2 district, as defined in § 21–101 of this title, with a maximum posted speed limit of 35
3 miles per hour, which speed limit was established using generally accepted traffic
4 engineering practices;

5 2. In a school zone [established under § 21–803.1 of this
6 subtitle] **WITH A POSTED SPEED LIMIT OF AT LEAST 20 MILES PER HOUR;** or

7 3. In Prince George’s County, on that part of a highway
8 located within the grounds of an institution of higher education as defined in §
9 10–101(h) of the Education Article, or within one-half mile of the grounds of a
10 building or property used by the institution of higher education where generally
11 accepted traffic and engineering practices indicate that motor vehicle, pedestrian, or
12 bicycle traffic is substantially generated or influenced by the institution of higher
13 education.

14 (vii) Before activating [an unmanned stationary] A speed
15 monitoring system, the local jurisdiction shall:

16 1. Publish notice of the location of the speed monitoring
17 system on its website and in a newspaper of general circulation in the jurisdiction;

18 2. Ensure that each sign that designates a school zone
19 [indicates] **IS PROXIMATE TO A SIGN THAT:**

20 A. **INDICATES** that speed monitoring systems are in use
21 in **THE** school [zones] **ZONE;** AND

22 B. **IS IN ACCORDANCE WITH THE MANUAL AND**
23 **SPECIFICATIONS FOR A UNIFORM SYSTEM OF TRAFFIC CONTROL DEVICES**
24 **ADOPTED BY THE STATE HIGHWAY ADMINISTRATION UNDER § 25–104 OF THIS**
25 **ARTICLE;** and

26 3. With regard to a speed monitoring system established
27 based on proximity to an institution of higher education under paragraph (1)(vi)3 of
28 this subsection, ensure that all speed limit signs approaching and within the segment
29 of highway on which the speed monitoring system is located include signs that:

30 A. Are in accordance with the manual and specifications
31 for a uniform system of traffic control devices adopted by the State Highway
32 Administration under § 25–104 of this article; and

33 B. Indicate that a speed monitoring system is in use.

1 (viii) A speed monitoring system in a school zone may operate
2 only Monday through Friday **DURING THE REGULAR SCHOOL YEAR** between 6:00
3 a.m. and 8:00 p.m.

4 **(IX) 1. A LOCAL JURISDICTION THAT AUTHORIZES A**
5 **PROGRAM OF SPEED MONITORING SYSTEMS SHALL DESIGNATE, SUBJECT TO**
6 **THE APPROVAL OF THE GOVERNING BODY OF THE LOCAL JURISDICTION, AN**
7 **OFFICIAL OR EMPLOYEE TO INVESTIGATE AND RESPOND TO QUESTIONS OR**
8 **CONCERNS ABOUT THE SPEED MONITORING SYSTEM PROGRAM IN THE LOCAL**
9 **JURISDICTION.**

10 **2. BEFORE THE DEADLINE FOR CONTESTING**
11 **LIABILITY UNDER THIS SECTION, THE LOCAL DESIGNEE MAY REVIEW AND, IF A**
12 **CITATION IS DETERMINED TO BE AN ERRONEOUS VIOLATION, VOID A SPEED**
13 **MONITORING SYSTEM CITATION.**

14 **3. A LOCAL DESIGNEE MAY NOT BE EMPLOYED BY A**
15 **SPEED MONITORING SYSTEM CONTRACTOR OR HAVE BEEN INVOLVED IN ANY**
16 **PREVIOUS REVIEW UNDER THIS SECTION OF SPEED MONITORING SYSTEM**
17 **CITATIONS.**

18 **4. ON RECEIPT OF A QUESTION OR CONCERN FROM**
19 **A PERSON, THE LOCAL DESIGNEE SHALL PROVIDE A WRITTEN ANSWER OR**
20 **RESPONSE TO THE PERSON WITHIN A REASONABLE TIME.**

21 **5. A LOCAL JURISDICTION SHALL MAKE ANY**
22 **WRITTEN QUESTIONS OR CONCERNS RECEIVED UNDER THIS SUBPARAGRAPH,**
23 **AND ANY SUBSEQUENT ANSWERS OR RESPONSES, AVAILABLE FOR PUBLIC**
24 **INSPECTION.**

25 (2) (i) A speed monitoring system operator shall complete training
26 by a manufacturer of speed monitoring systems in the procedures for setting up and
27 operating the speed monitoring system.

28 (ii) The manufacturer shall issue a signed certificate to the
29 speed monitoring system operator on completion of the training.

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

32 (3) A speed monitoring system operator shall fill out and sign a daily
33 set-up log for a speed monitoring system that:

1 (i) States that the speed monitoring system operator
2 successfully performed **OR REVIEWED AND EVALUATED** the manufacturer–specified
3 **DAILY** self–test of the speed monitoring system prior to producing a recorded image;

4 (ii) Shall be kept on file; and

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

7 (4) (i) A speed monitoring system shall undergo [an annual] A
8 **QUARTERLY** calibration check performed by an independent calibration laboratory
9 **THAT IS:**

10 1. **SELECTED BY THE LOCAL JURISDICTION; AND**

11 2. **UNAFFILIATED WITH THE MANUFACTURER OF**
12 **THE SPEED MONITORING SYSTEM.**

13 (ii) The independent calibration laboratory shall issue a signed
14 certificate of calibration after the [annual] **QUARTERLY** calibration check that:

15 1. Shall be kept on file; and

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

18 **(5) IF A LOCAL JURISDICTION AUTHORIZES A PROGRAM OF**
19 **SPEED MONITORING SYSTEMS UNDER THIS SECTION:**

20 **(I) THE LOCAL JURISDICTION SHALL DESIGNATE A**
21 **PROGRAM ADMINISTRATOR WHO MAY NOT BE AN EMPLOYEE OR A**
22 **REPRESENTATIVE OF THE SPEED MONITORING SYSTEM CONTRACTOR; AND**

23 **(II) THE CONTRACT WITH THE SPEED MONITORING SYSTEM**
24 **CONTRACTOR SHALL INCLUDE THE FOLLOWING PROVISIONS:**

25 1. **FOR POTENTIAL VIOLATIONS SUBMITTED BY A**
26 **CONTRACTOR FOR REVIEW BY AN AGENCY, IF MORE THAN 5% OF THE**
27 **VIOLATIONS IN A CALENDAR YEAR ARE ERRONEOUS VIOLATIONS, THEN THE**
28 **CONTRACTOR SHALL BE SUBJECT TO LIQUIDATED DAMAGES FOR EACH**
29 **ERRONEOUS VIOLATION EQUAL TO AT LEAST 50% OF THE FINE AMOUNT FOR**
30 **THE ERRONEOUS VIOLATION, PLUS ANY REIMBURSEMENTS PAID BY THE LOCAL**
31 **JURISDICTION; AND**

1 **2. THE LOCAL JURISDICTION MAY CANCEL A**
2 **CONTRACT WITH A CONTRACTOR IF THE CONTRACTOR VIOLATES THE**
3 **CONTRACT BEYOND A THRESHOLD SPECIFIED IN THE CONTRACT OR VIOLATES**
4 **THE LAW IN IMPLEMENTING THE CONTRACT.**

5 **(6) (I) THE MARYLAND ASSOCIATION OF CHIEFS OF POLICE,**
6 **IN CONSULTATION WITH THE MARYLAND SHERIFF'S ASSOCIATION AND THE**
7 **ADMINISTRATION, SHALL DEVELOP A TRAINING PROGRAM CONCERNING THE**
8 **OVERSIGHT AND ADMINISTRATION OF A SPEED MONITORING PROGRAM BY A**
9 **LOCAL JURISDICTION, INCLUDING A CURRICULUM OF BEST PRACTICES IN THE**
10 **STATE.**

11 **(II) 1. A PROGRAM ADMINISTRATOR SHALL**
12 **PARTICIPATE IN THE TRAINING PROGRAM ESTABLISHED UNDER THIS**
13 **PARAGRAPH BEFORE A LOCAL JURISDICTION INITIALLY IMPLEMENTS A SPEED**
14 **MONITORING PROGRAM AND SUBSEQUENTLY AT LEAST ONCE EVERY 2 YEARS.**

15 **2. IF A LOCAL JURISDICTION DESIGNATES A NEW**
16 **PROGRAM ADMINISTRATOR, THE NEW PROGRAM ADMINISTRATOR SHALL**
17 **PARTICIPATE IN THE NEXT AVAILABLE TRAINING PROGRAM.**

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

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

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

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

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

30 (d) (1) Subject to the provisions of paragraphs (2) through (4) of this
31 subsection, an agency shall mail to an owner liable under subsection (c) of this section
32 a citation that shall include:

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

34 (ii) The registration number of the motor vehicle involved in the
35 violation;

- 1 (iii) The violation charged;
- 2 (iv) The location where the violation occurred;
- 3 (v) The date and time of the violation;
- 4 (vi) A copy of the recorded image;
- 5 (vii) The amount of the civil penalty imposed and the date by
6 which the civil penalty should be paid;
- 7 (viii) A signed statement by a duly authorized law enforcement
8 officer employed by or under contract with an agency that, based on inspection of
9 recorded images, the motor vehicle was being operated in violation of this subtitle;
- 10 (ix) A statement that recorded images are evidence of a violation
11 of this subtitle;
- 12 (x) Information advising the person alleged to be liable under
13 this section of the manner and time in which liability as alleged in the citation may be
14 contested in the District Court; and
- 15 (xi) Information advising the person alleged to be liable under
16 this section that failure to pay the civil penalty or to contest liability in a timely
17 manner:
- 18 1. Is an admission of liability;
- 19 2. May result in the refusal by the Administration to
20 register the motor vehicle; and
- 21 3. May result in the suspension of the motor vehicle
22 registration.
- 23 (2) An agency may mail a warning notice instead of a citation to the
24 owner liable under subsection (c) of this section.
- 25 (3) Except as provided in subsection (f)(4) of this section, an agency
26 may not mail a citation to a person who is not an owner.
- 27 (4) Except as provided in subsection (f)(4) of this section, a citation
28 issued under this section shall be mailed no later than 2 weeks after the alleged
29 violation if the vehicle is registered in this State, and 30 days after the alleged
30 violation if the vehicle is registered in another state.

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

3 (i) Pay the civil penalty, in accordance with instructions on the
4 citation, directly to the political subdivision; or

5 (ii) Elect to stand trial in the District Court for the alleged
6 violation.

7 (e) (1) A certificate alleging that the violation of this subtitle occurred and
8 the requirements under subsection (b) of this section have been satisfied, sworn to, or
9 affirmed by [an agent or employee of] **A DULY AUTHORIZED LAW ENFORCEMENT**
10 **OFFICER EMPLOYED BY OR UNDER CONTRACT WITH** an agency, based on
11 inspection of recorded images produced by a speed monitoring system, shall be
12 evidence of the facts contained in the certificate and shall be admissible in a
13 proceeding alleging a violation under this section without the presence or testimony of
14 the speed monitoring system operator who performed the requirements under
15 subsection (b) of this section.

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

20 (3) Adjudication of liability shall be based on a preponderance of
21 evidence.

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

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

27 (ii) Subject to paragraph (3) of this subsection, evidence that the
28 person named in the citation was not operating the vehicle at the time of the violation;
29 and

30 (iii) Any other issues and evidence that the District Court deems
31 pertinent.

32 (2) To demonstrate that the motor vehicle or the registration plates
33 were stolen before the violation occurred and were not under the control or possession
34 of the owner at the time of the violation, the owner shall submit proof that a police
35 report regarding the stolen motor vehicle or registration plates was filed in a timely
36 manner.

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

5 (i) States that the person named in the citation was not
6 operating the vehicle at the time of the violation; and

7 (ii) Includes any other corroborating evidence.

8 (4) (i) If the District Court finds that the person named in the
9 citation was not operating the vehicle at the time of the violation or receives evidence
10 under paragraph (3) of this subsection identifying the person driving the vehicle at the
11 time of the violation, the clerk of the court shall provide to the agency issuing the
12 citation a copy of any evidence substantiating who was operating the vehicle at the
13 time of the violation.

14 (ii) On receipt of substantiating evidence from the District
15 Court under subparagraph (i) of this paragraph, an agency may issue a citation as
16 provided in subsection (d) of this section to the person who the evidence indicates was
17 operating the vehicle at the time of the violation.

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

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

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

25 (2) May suspend the registration of the motor vehicle cited for the
26 violation.

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

28 (1) Is not a moving violation for the purpose of assessing points under
29 § 16–402 of this article;

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

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

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

3 (i) In consultation with the appropriate local government agencies, the Chief
4 Judge of the District Court shall adopt procedures for the issuance of citations, the
5 trial of civil violations, and the collection of civil penalties under this section.

6 (j) (1) An agency or an agent or contractor designated by the agency shall
7 administer and process civil citations issued under this section in coordination with
8 the District Court.

9 (2) If a contractor **IN ANY MANNER** operates a speed monitoring
10 system **OR ADMINISTERS OR PROCESSES CITATIONS GENERATED BY A SPEED**
11 **MONITORING SYSTEM** on behalf of a local jurisdiction, the contractor's fee may not be
12 contingent **ON A PER-TICKET BASIS** on the number of citations issued or paid.

13 SECTION 2. AND BE IT FURTHER ENACTED, That, except as provided in
14 Section 3 of this Act, this Act shall apply only to a contract entered into on or after
15 April 8, 2014, and may not be construed to affect a contract entered into before April 8,
16 2014.

17 SECTION 3. AND BE IT FURTHER ENACTED, That for a speed monitoring
18 system contract that is entered into by a local jurisdiction before April 8, 2014, and
19 that is not consistent with the provisions of this Act, any extension of the term of the
20 contract through the exercise of an extension option or clause on or after April 8, 2014,
21 shall be void.

22 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2014.