

SENATE BILL 132

R5

5lr1493

By: **Senators Brochin and Raskin**

Introduced and read first time: January 28, 2015

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Speed Monitoring Systems – Local Designees – Hearing and Approval**

3 FOR the purpose of making a local jurisdiction’s designation of an official or employee to
4 investigate and respond to questions or concerns about the local jurisdiction’s speed
5 monitoring system program subject to the approval of the governing body of the local
6 jurisdiction following a public hearing; and generally relating to local designees and
7 speed monitoring systems.

8 BY repealing and reenacting, with amendments,

9 Article – Transportation

10 Section 21–809(b)(1)(ix)

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2014 Supplement)

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

15 **Article – Transportation**

16 21–809.

17 (b) (1) (ix) 1. A local jurisdiction that authorizes a program of speed
18 monitoring systems shall designate, **SUBJECT TO THE APPROVAL OF THE GOVERNING**
19 **BODY OF THE LOCAL JURISDICTION FOLLOWING A PUBLIC HEARING**, an official or
20 employee to investigate and respond to questions or concerns about the local jurisdiction’s
21 speed monitoring system program.

22 2. A. The local designee shall review a citation generated
23 by a speed monitoring system if the person who received the citation requests review before
24 the deadline for contesting liability under this section.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 B. If the local designee determines that the citation is an
2 erroneous violation, the local designee shall void the citation.

3 C. If the local designee determines that a person did not
4 receive notice of a citation issued under this section due to an administrative error, the
5 local designee may resend the citation in accordance with subsection (d) of this section or
6 void the citation.

7 D. A local designee that takes any action described under
8 subsubsubparagraph C of this subsubparagraph shall notify the Administration of the
9 action for the purpose of rescinding any administrative penalties imposed under subsection
10 (g) of this section.

11 E. A local designee may not determine that a citation is an
12 erroneous violation based solely on the dismissal of the citation by a court.

13 3. A local designee may not be employed by a speed
14 monitoring system contractor or have been involved in any review of a speed monitoring
15 system citation, other than review of a citation under this subparagraph.

16 4. On receipt of a written question or concern from a person,
17 the local designee shall provide a written answer or response to the person within a
18 reasonable time.

19 5. A local jurisdiction shall make any written questions or
20 concerns received under this subparagraph and any subsequent written answers or
21 responses available for public inspection.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2015.