

# HOUSE BILL 263

R5

7lr1304

---

By: **Delegates Carr, Beidle, and Stein**

Introduced and read first time: January 23, 2017

Assigned to: Environment and Transportation

---

## A BILL ENTITLED

1 AN ACT concerning

2 **School Bus Monitoring Cameras – Exclusion of Vehicle Rental**  
3 **Companies – Repeal**

4 FOR the purpose of altering a certain definition to repeal the exclusion of motor vehicle  
5 rental companies as owners of motor vehicles for the purpose of the enforcement of  
6 violations of overtaking and passing school vehicles operating alternately flashing  
7 red lights that are recorded by school bus monitoring cameras; and generally relating  
8 to vehicle rental companies and school bus monitoring cameras.

9 BY repealing and reenacting, with amendments,  
10 Article – Transportation  
11 Section 21–706.1(a)(3)  
12 Annotated Code of Maryland  
13 (2012 Replacement Volume and 2016 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article – Transportation  
16 Section 21–706.1(e) and (h)(5)  
17 Annotated Code of Maryland  
18 (2012 Replacement Volume and 2016 Supplement)

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

21 **Article – Transportation**

22 21–706.1.

23 (a) (3) (i) “Owner” means the registered owner of a motor vehicle or a  
24 lessee of a motor vehicle under a lease of 6 months or more.

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) "Owner" does not include:

2 1. A motor vehicle [rental or] leasing company; or

3 2. A holder of a special registration plate issued under Title  
4 13, Subtitle 9, Part III of this article.

5 (e) (1) Unless the driver of the motor vehicle received a citation from a police  
6 officer at the time of the violation, the owner or, in accordance with subsection (h)(5) of this  
7 section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is  
8 recorded by a school bus monitoring camera during the commission of a violation.

9 (2) A civil penalty under this subsection may not exceed \$250.

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

11 (i) A uniform citation form consistent with subsection (f)(1) of this  
12 section and § 7-302 of the Courts Article; and

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

15 (h) (5) (i) If the District Court finds that the person named in the citation  
16 was not operating the vehicle at the time of the violation or receives evidence under  
17 paragraph (4)(ii)2 of this subsection identifying the person driving the vehicle at the time  
18 of the violation, the clerk of the court shall provide to the law enforcement agency issuing  
19 the citation a copy of any evidence substantiating who was operating the vehicle at the time  
20 of the violation.

21 (ii) On the receipt of substantiating evidence from the District Court  
22 under subparagraph (i) of this paragraph, the law enforcement agency may issue a citation  
23 as provided in subsection (f) of this section to the person that the evidence indicates was  
24 operating the vehicle at the time of the violation.

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

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2017.