

HOUSE BILL 14

R5
HB 1654/17 – HRU

(PRE-FILED)

8lr0468

By: **Delegate Chang**

Requested: August 9, 2017

Introduced and read first time: January 10, 2018

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 20, 2018

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Work Zone Speed Control System – Increased Penalty for**
3 **Multiple Offenses**

4 FOR the purpose of increasing the maximum civil penalty for a violation of a posted speed
5 restriction in a work zone captured by a speed control system under certain
6 circumstances; requiring that a citation issued for a violation captured by a work
7 zone speed control system contain certain notice; and generally relating to civil
8 penalties for a violation of posted speed restrictions captured by speed control
9 systems.

10 BY repealing and reenacting, without amendments,
11 Article – Transportation
12 Section 21–810(b)(1) through (3) and (c)(1)
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2017 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Transportation
17 Section 21–810(c)(2) and (d)(1)(x) and (xi)
18 Annotated Code of Maryland
19 (2012 Replacement Volume and 2017 Supplement)

20 BY adding to
21 Article – Transportation

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 21–810(d)(1)(xii)
2 Annotated Code of Maryland
3 (2012 Replacement Volume and 2017 Supplement)

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

6 **Article – Transportation**

7 21–810.

8 (b) (1) A work zone speed control system that meets the requirements of this
9 subsection may be used to record the images of motor vehicles traveling on a highway:

10 (i) Within a work zone;

11 (ii) That is an expressway or a controlled access highway as defined
12 in § 21–101 of this title; and

13 (iii) On which the speed limit, established using generally accepted
14 traffic engineering practices, is 45 miles per hour or greater.

15 (2) A work zone speed control system may be used only:

16 (i) On a highway as specified in paragraph (1) of this subsection;

17 (ii) When being operated by a work zone speed control system
18 operator; and

19 (iii) If, in accordance with the Maryland manual on uniform traffic
20 control devices, a conspicuous road sign is placed at a reasonable distance consistent with
21 national guidelines before the work zone alerting drivers that a speed monitoring system
22 may be in operation in the work zone.

23 (3) A work zone speed control system may be used only to record the images
24 of vehicles that are traveling at speeds at least 12 miles per hour above the posted work
25 zone speed limit.

26 (c) (1) Unless the driver of the motor vehicle received a citation from a police
27 officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this
28 section, the driver of a motor vehicle is subject to a civil penalty if an image of the motor
29 vehicle is recorded by a work zone speed control system in accordance with subsection (b)
30 of this section while being operated in violation of this subtitle.

31 (2) A civil penalty under this subsection:

1 (I) FOR A FIRST AND SECOND OFFENSE IN A CALENDAR YEAR,
2 may not exceed \$40; AND

3 (II) FOR A THIRD OR SUBSEQUENT OFFENSE IN A CALENDAR
4 YEAR, MAY NOT EXCEED \$80.

5 (d) (1) Subject to the provisions of paragraphs (2) through (4) of this
6 subsection, a local police department, State police department, or police department
7 contractor shall mail to the owner liable under subsection (c) of this section a citation that
8 shall include:

9 (x) Information advising the person alleged to be liable under this
10 section of the manner and time in which liability as alleged in the citation may be contested
11 in the District Court; [and]

12 (xi) Information advising the person alleged to be liable under this
13 section that failure to pay the civil penalty or to contest liability in a timely manner:

- 14 1. Is an admission of liability;
- 15 2. May result in the refusal to register the motor vehicle; and
- 16 3. May result in the suspension of the motor vehicle
17 registration; AND

18 (XII) NOTICE OF THE INCREASED CIVIL PENALTY IMPOSED FOR A
19 THIRD OR SUBSEQUENT OFFENSE IN THE SAME CALENDAR YEAR.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.