

HOUSE BILL 437

R5, F1

8lr0911

By: **Delegates Ali, Conaway, Gibson, Hayes, McCray, Mosby, and Proctor**

Introduced and read first time: January 25, 2018

Assigned to: Environment and Transportation and Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Red Light and Speed Camera Fines – Grants to Schools**
3 **(Baltimore City Technology and Resource Act of 2018)**

4 FOR the purpose of requiring Baltimore City to use certain fines collected from violations
5 enforced by certain traffic control signal monitoring systems or speed monitoring
6 systems to make grants to certain schools; requiring the Baltimore City Board of
7 School Commissioners to establish a need-based formula to distribute the grants;
8 requiring a school that receives a certain distribution to use the money for certain
9 purposes; providing that after making grants totaling a certain amount in the
10 aggregate, Baltimore City is not required to make additional grants; and generally
11 relating to the use of certain fines collected by Baltimore City.

12 BY repealing and reenacting, with amendments,
13 Article – Courts and Judicial Proceedings
14 Section 7–302(e)
15 Annotated Code of Maryland
16 (2013 Replacement Volume and 2017 Supplement)

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

19 **Article – Courts and Judicial Proceedings**

20 7–302.

21 (e) (1) A citation issued pursuant to § 21–202.1, § 21–706.1, § 21–809, §
22 21–810, or § 24–111.3 of the Transportation Article shall provide that the person receiving
23 the citation may elect to stand trial by notifying the issuing agency of the person’s intention
24 to stand trial at least 5 days prior to the date of payment as set forth in the citation. On
25 receipt of the notice to stand trial, the agency shall forward to the District Court having
26 venue a copy of the citation and a copy of the notice from the person who received the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 citation indicating the person's intention to stand trial. On receipt thereof, the District
2 Court shall schedule the case for trial and notify the defendant of the trial date under
3 procedures adopted by the Chief Judge of the District Court.

4 (2) A citation issued as the result of a vehicle height monitoring system, a
5 traffic control signal monitoring system, or a speed monitoring system, including a work
6 zone speed control system, controlled by a political subdivision or a school bus monitoring
7 camera shall provide that, in an uncontested case, the penalty shall be paid directly to that
8 political subdivision. A citation issued as the result of a traffic control signal monitoring
9 system or a work zone speed control system controlled by a State agency, or as a result of
10 a vehicle height monitoring system, a traffic control signal monitoring system, a speed
11 monitoring system, or a school bus monitoring camera in a case contested in District Court,
12 shall provide that the penalty shall be paid directly to the District Court.

13 (3) Civil penalties resulting from citations issued using a vehicle height
14 monitoring system, traffic control signal monitoring system, speed monitoring system,
15 work zone speed control system, or school bus monitoring camera that are collected by the
16 District Court shall be collected in accordance with subsection (a) of this section and
17 distributed in accordance with § 12-118 of the Transportation Article.

18 (4) (i) **[From] EXCEPT AS PROVIDED IN PARAGRAPH (5)(II) OF THIS**
19 **SUBSECTION, FROM** the fines collected by a political subdivision as a result of violations
20 enforced by speed monitoring systems or school bus monitoring cameras, a political
21 subdivision:

22 1. May recover the costs of implementing and administering
23 the speed monitoring systems or school bus monitoring cameras; and

24 2. Subject to subparagraph (ii) of this paragraph, may spend
25 any remaining balance solely for public safety purposes, including pedestrian safety
26 programs.

27 (ii) 1. For any fiscal year, if the balance remaining from the fines
28 collected by a political subdivision as a result of violations enforced by speed monitoring
29 systems, after the costs of implementing and administering the systems are recovered in
30 accordance with subparagraph (i)1 of this paragraph, is greater than 10% of the total
31 revenues of the political subdivision for the fiscal year, the political subdivision shall remit
32 any funds that exceed 10% of the total revenues to the Comptroller.

33 2. The Comptroller shall deposit any money remitted under
34 this subparagraph to the General Fund of the State.

35 (5) From the fines collected by Baltimore City:

36 (I) **[as] AS** a result of violations enforced by vehicle height
37 monitoring systems, Baltimore City may:

1 [(i)] 1. Recover the costs of implementing and administering the
2 vehicle height monitoring systems; and

3 [(ii)] 2. Spend the remaining balance solely on roadway
4 improvements; OR

5 (II) AS A RESULT OF VIOLATIONS ENFORCED BY TRAFFIC
6 CONTROL SIGNAL MONITORING SYSTEMS OR SPEED MONITORING SYSTEMS,
7 BALTIMORE CITY SHALL MAKE GRANTS, IN ACCORDANCE WITH PARAGRAPH (6) OF
8 THIS SUBSECTION.

9 (6) (I) THE BALTIMORE CITY BOARD OF SCHOOL
10 COMMISSIONERS SHALL ESTABLISH A NEED-BASED FORMULA TO DISTRIBUTE
11 GRANTS REQUIRED UNDER PARAGRAPH (5)(II) OF THIS SUBSECTION TO
12 LOW-PERFORMING SCHOOLS AND SCHOOLS THAT HAVE NOT MET ACADEMIC
13 STANDARDS ESTABLISHED BY THE BALTIMORE CITY BOARD OF SCHOOL
14 COMMISSIONERS.

15 (II) A SCHOOL THAT RECEIVES A GRANT UNDER PARAGRAPH
16 (5)(II) OF THIS SUBSECTION SHALL USE THE MONEY TO ADDRESS TECHNOLOGY AND
17 OTHER RESOURCE INADEQUACIES OF THE SCHOOL INCLUDING THE PURCHASE OF
18 TEXTBOOKS AND HIRING OF ADDITIONAL STAFF.

19 (III) AFTER MAKING GRANTS UNDER PARAGRAPH (5)(II) OF THIS
20 SUBSECTION TOTALING AT LEAST \$25,000,000 IN THE AGGREGATE, BALTIMORE
21 CITY IS NOT REQUIRED TO MAKE ANY ADDITIONAL GRANTS.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2018.