## **HOUSE BILL 1769**

R5 8lr3886

By: Delegate Kipke

Introduced and read first time: February 23, 2018 Assigned to: Rules and Executive Nominations

## A BILL ENTITLED

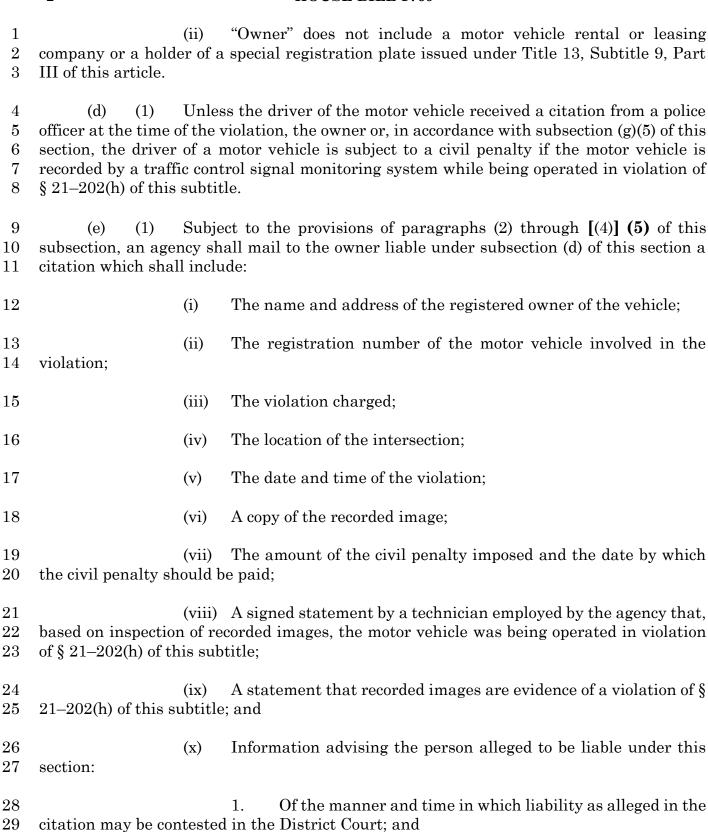
1 AN ACT concerning

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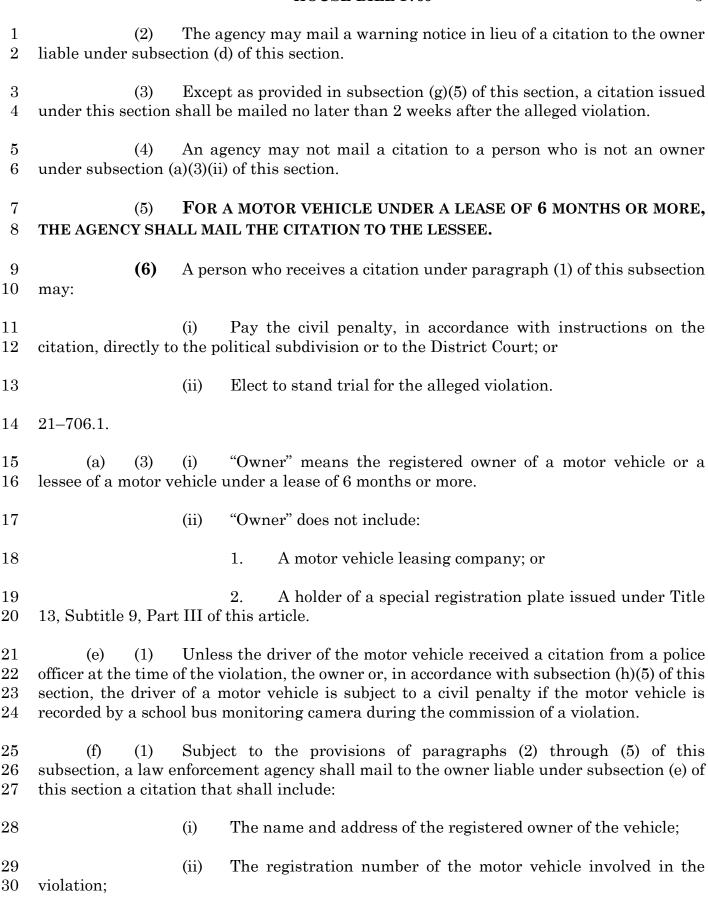
## Motor Vehicles - Automated Enforcement - Leased Vehicles 2 3 FOR the purpose of requiring certain State or local agencies to mail certain traffic citations generated by certain automated enforcement systems and issued to leased motor 4 5 vehicles to the lessee of the motor vehicle; making certain conforming changes; and 6 generally relating to traffic citations generated by automated enforcement systems and issued to leased motor vehicles. 7 8 BY repealing and reenacting, without amendments, 9 Article - Transportation 10 Section 21-202.1(a)(3) and (d)(1), 21-706.1(a)(3) and (e)(1), 21-809(a)(4) and (c)(1), 11 and 21-810(a)(3) and (c)(1)12 Annotated Code of Maryland (2012 Replacement Volume and 2017 Supplement) 13 14 BY repealing and reenacting, with amendments, Article - Transportation 15 Section 21–202.1(e), 21–706.1(f), 21–809(d), and 21–810(d) 16 17 Annotated Code of Maryland (2012 Replacement Volume and 2017 Supplement) 18 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 20 That the Laws of Maryland read as follows: 21 Article - Transportation 2221-202.1. "Owner" means the registered owner of a motor vehicle or a 23 (a) (3)

lessee of a motor vehicle under a lease of 6 months or more.





Warning that failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability and may result in refusal or suspension of the motor vehicle registration.

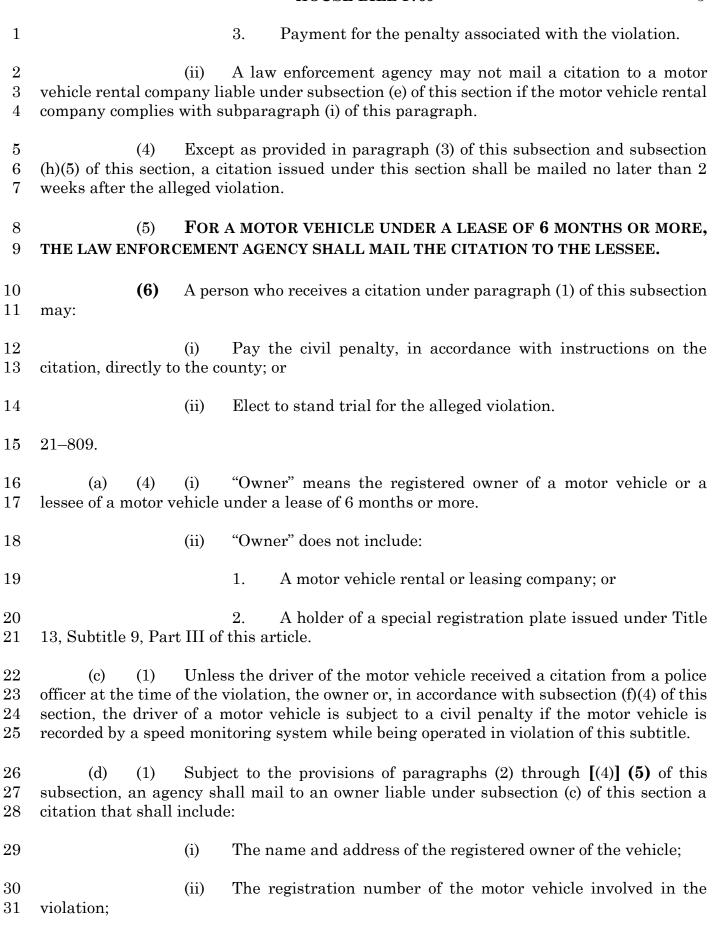


The violation charged;

(iii)

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1		(iv)	To the extent possible, the location of the violation;							
2		(v)	The date and time of the violation;							
3		(vi)	A copy of the recorded image;							
4 5	the civil penalty m	(vii) ust be	The amount of the civil penalty imposed and the date by which paid;							
6 7 8	(viii) A signed statement by a technician employed by the law enforcement agency that, based on inspection of recorded images, the motor vehicle was being operated during the commission of a violation;									
9		(ix)	A statement that recorded images are evidence of a violation; and							
10 11	section:	(x)	Information advising the person alleged to be liable under this							
12 13	citation may be con	ntested	1. Of the manner and time in which liability as alleged in the lin the District Court; and							
14 15 16	in a timely manne the motor vehicle r		2. That failure to pay the civil penalty or to contest liability admission of liability and may result in refusal or suspension of ation.							
17 18	(2) The law enforcement agency may mail a warning notice in place of a citation to the owner liable under subsection (e) of this section.									
19 20 21 22 23	(3) (i) Before mailing a citation to a motor vehicle rental company liable under subsection (e) of this section, a law enforcement agency shall mail a notice to the motor vehicle rental company stating that a citation will be mailed to the motor vehicle rental company unless, within 45 days of receiving the notice, the motor vehicle rental company provides the law enforcement agency with:									
24 25 26	last known mailing violation occurred;		1. A statement made under oath that states the name and ess of the individual driving or renting the motor vehicle when the							
27 28 29 30		_	2. A. A statement made under oath that states that the pany is unable to determine who was driving or renting the vehicle occurred because the motor vehicle was stolen at the time of the							
31 32	vehicle theft claim	ed und	B. A copy of the police report associated with the motor er item A of this item; or							



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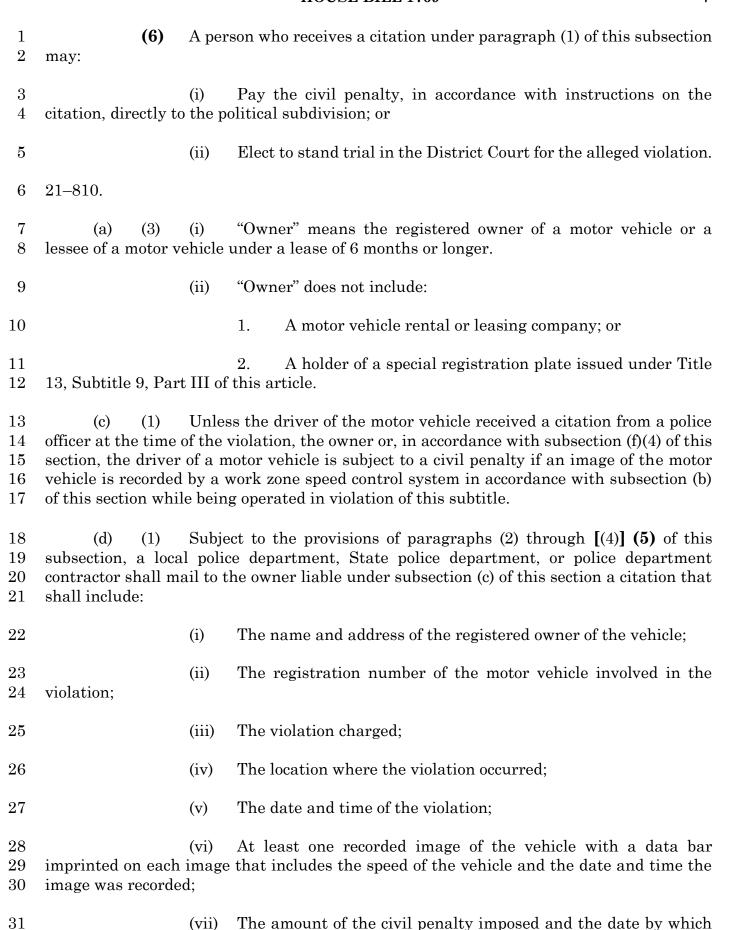
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(5)

THE AGENCY SHALL MAIL THE CITATION TO THE LESSEE.

1	(iii)	The	iolation ch	arged;						
2	(iv)	The l	ocation wh	ere the	violatio	n occurre	ed;			
3	(v)	The	ate and tir	ne of th	e violat	ion;				
4	(vi)	A cop	y of the red	corded i	mage;					
5 6	(vii) the civil penalty should		mount of t	the civil	penalt	y impose	d and th	ne date b	y which	
7 8 9	(viii) A signed statement by a duly authorized law enforcement officer employed by or under contract with an agency that, based on inspection of recorded images, the motor vehicle was being operated in violation of this subtitle;									
10	(ix) this subtitle;	A sta	tement tha	at recor	ded ima	iges are (	evidence	of a viol	ation of	
$egin{array}{c} 12 \\ 13 \\ 14 \end{array}$	(x) Information advising the person alleged to be liable under this section of the manner and time in which liability as alleged in the citation may be contested in the District Court; and									
15 16	(xi) section that failure to pa		mation adv	_	-	_				
17		1.	Is an adm	nission o	of liabili	ty;				
18	the motor vehicle; and	2.	May resu	lt in the	refusal	by the A	dminist	ration to	register	
20 21	registration.	3.	May res	ult in	the su	spension	of the	e motor	vehicle	
22 23	(2) An agency may mail a warning notice instead of a citation to the owner liable under subsection (c) of this section.									
24 25	(3) Exce		rovided in vho is not a		. , ,	4) of this	section	, an ager	ncy may	
26 27 28 29	(4) Exce citation issued under the violation if the vehicle is the vehicle is registered	is sect	ered in this	e mailec	l no lat	er than 2	weeks	after the	alleged	

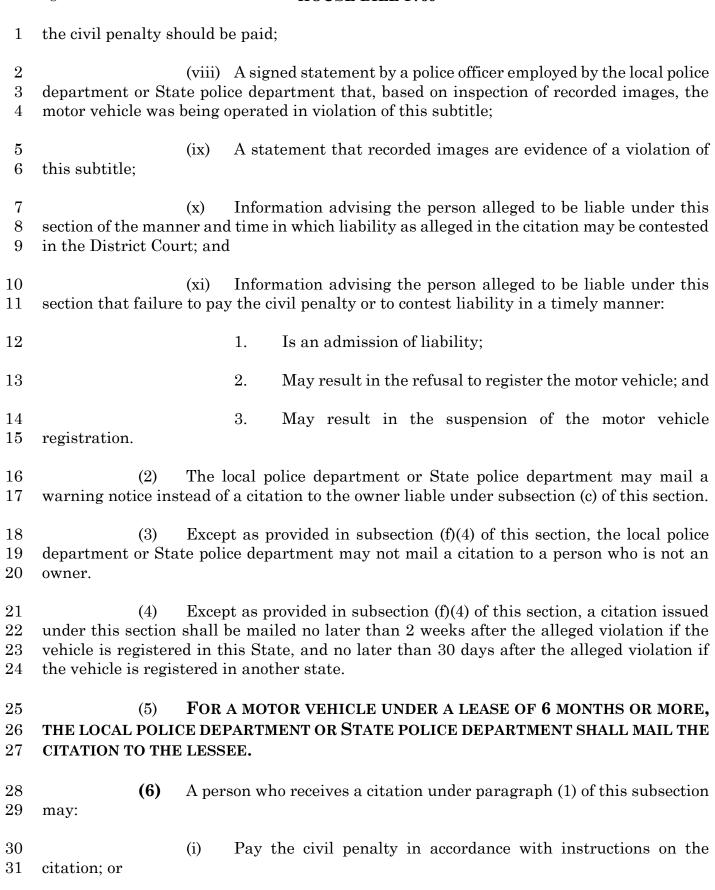
FOR A MOTOR VEHICLE UNDER A LEASE OF 6 MONTHS OR MORE,



(vii)

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(ii)



Elect to stand trial in the District Court for the alleged violation.

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