

# HOUSE BILL 187

R5

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By: **Prince George's County Delegation**

Introduced and read first time: January 23, 2019

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Speed Monitoring Systems – Maryland Route 210**  
3 **(Indian Head Highway)**

4 **PG 305–19**

5 FOR the purpose of repealing certain provisions of law that limit the number and location  
6 of speed monitoring systems that may be placed and used on Maryland Route 210  
7 (Indian Head Highway) in Prince George's County; authorizing the placement and  
8 use of speed monitoring systems at any intersection on Maryland Route 210 in Prince  
9 George's County; making certain conforming changes; and generally relating to the  
10 placement and use of speed monitoring systems on Maryland Route 210 (Indian  
11 Head Highway) in Prince George's County.

12 BY repealing and reenacting, with amendments,  
13 Article – Courts and Judicial Proceedings  
14 Section 7–302(e)(4)  
15 Annotated Code of Maryland  
16 (2013 Replacement Volume and 2018 Supplement)

17 BY repealing and reenacting, without amendments,  
18 Article – Criminal Procedure  
19 Section 11–819(a)(1)  
20 Annotated Code of Maryland  
21 (2018 Replacement Volume)

22 BY repealing and reenacting, with amendments,  
23 Article – Criminal Procedure  
24 Section 11–819(a)(2)  
25 Annotated Code of Maryland  
26 (2018 Replacement Volume)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, without amendments,  
 2 Article – Transportation  
 3 Section 21–809(a)(1) and (8), (b)(1)(i) and (v), and (c)  
 4 Annotated Code of Maryland  
 5 (2012 Replacement Volume and 2018 Supplement)

6 BY repealing and reenacting, with amendments,  
 7 Article – Transportation  
 8 Section 21–809(b)(1)(vi) through (viii)  
 9 Annotated Code of Maryland  
 10 (2012 Replacement Volume and 2018 Supplement)

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

13 **Article – Courts and Judicial Proceedings**

14 7–302.

15 (e) (4) (i) From the fines collected by a political subdivision as a result of  
 16 violations enforced by speed monitoring systems or school bus monitoring cameras, a  
 17 political subdivision:

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

20 2. Subject to subparagraphs (ii) and (iii) of this paragraph,  
 21 may spend any remaining balance solely for public safety purposes, including pedestrian  
 22 safety programs.

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

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

31 (iii) The fines collected by Prince George’s County as a result of  
 32 violations enforced by [a speed monitoring system at the intersection of Old Fort Road and]  
 33 **SPEED MONITORING SYSTEMS AT INTERSECTIONS ON** Maryland Route 210 shall be  
 34 remitted to the Comptroller for deposit into the Criminal Injuries Compensation Fund  
 35 under § 11–819 of the Criminal Procedure Article.

36 **Article – Criminal Procedure**

1 11-819.

2 (a) (1) There is a Criminal Injuries Compensation Fund.

3 (2) The Fund consists of:

4 (i) money distributed to the Fund from the additional court costs  
5 collected from defendants under § 7-409 of the Courts Article;

6 (ii) money distributed to the Fund under § 7-302(e)(4)(iii) of the  
7 Courts Article from fines collected for violations enforced by [a speed monitoring system at  
8 the intersection of Old Fort Road and] **SPEED MONITORING SYSTEMS AT**  
9 **INTERSECTIONS ON Maryland Route 210 IN PRINCE GEORGE'S COUNTY;**

10 (iii) any investment earnings or federal matching funds received by  
11 the State for criminal injuries compensation; and

12 (iv) funds made available to the Fund from any other source.

### 13 **Article – Transportation**

14 21-809.

15 (a) (1) In this section the following words have the meanings indicated.

16 (8) “Speed monitoring system” means a device with one or more motor  
17 vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12  
18 miles per hour above the posted speed limit.

19 (b) (1) (i) A speed monitoring system may not be used in a local jurisdiction  
20 under this section unless its use is authorized by the governing body of the local jurisdiction  
21 by local law enacted after reasonable notice and a public hearing.

22 (v) An ordinance or resolution adopted by the governing body of a  
23 local jurisdiction under this paragraph shall provide that, if the local jurisdiction moves or  
24 places a mobile or stationary speed monitoring system to or at a location where a speed  
25 monitoring system had not previously been moved or placed, the local jurisdiction may not  
26 issue a citation for a violation recorded by that speed monitoring system:

27 1. Until signage is installed in accordance with  
28 subparagraph (vii) of this paragraph; and

29 2. For at least the first 15 calendar days after the signage is  
30 installed.

31 (vi) This section applies to a violation of this subtitle recorded by a

1 speed monitoring system that meets the requirements of this subsection and has been  
2 placed:

3 1. In Montgomery County, on a highway in a residential  
4 district, as defined in § 21–101 of this title, with a maximum posted speed limit of 35 miles  
5 per hour, which speed limit was established using generally accepted traffic engineering  
6 practices;

7 2. In a school zone with a posted speed limit of at least 20  
8 miles per hour; or

9 3. In Prince George’s County:

10 A. Subject to subparagraph (vii) of this paragraph, [at the  
11 intersection of Old Fort Road and] **AT AN INTERSECTION ON** Maryland Route 210 (Indian  
12 Head Highway); or

13 B. On that part of a highway located within the grounds of  
14 an institution of higher education as defined in § 10–101(h) of the Education Article, or  
15 within one-half mile of the grounds of a building or property used by the institution of  
16 higher education where generally accepted traffic and engineering practices indicate that  
17 motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the  
18 institution of higher education.

19 (vii) [1. Not more than one speed monitoring system may be placed  
20 at the intersection of Old Fort Road and Maryland Route 210 (Indian Head Highway).

21 2.] A speed monitoring system placed [in accordance with this  
22 subparagraph] **AT AN INTERSECTION ON MARYLAND ROUTE 210 (INDIAN HEAD**  
23 **HIGHWAY) IN PRINCE GEORGE’S COUNTY** may record only vehicles traveling in the  
24 southbound lane of the roadway.

25 (viii) Before activating a speed monitoring system, the local  
26 jurisdiction shall:

27 1. Publish notice of the location of the speed monitoring  
28 system on its website and in a newspaper of general circulation in the jurisdiction;

29 2. Ensure that each sign that designates a school zone is  
30 proximate to a sign that:

31 A. Indicates that speed monitoring systems are in use in the  
32 school zone; and

33 B. Is in accordance with the manual for and the specifications  
34 for a uniform system of traffic control devices adopted by the State Highway Administration

1 under § 25–104 of this article;

2                   3. With regard to a speed monitoring system established at  
3 [the intersection of Old Fort Road and] **AN INTERSECTION ON** Maryland Route 210  
4 (Indian Head Highway) **IN PRINCE GEORGE’S COUNTY** or based on proximity to an  
5 institution of higher education under paragraph (1)(vi)3 of this subsection, ensure that all  
6 speed limit signs approaching and within the segment of highway on which the speed  
7 monitoring system is located include signs that:

8                   A. Are in accordance with the manual and specifications for  
9 a uniform system of traffic control devices adopted by the State Highway Administration  
10 under § 25–104 of this article; and

11                   B. Indicate that a speed monitoring system is in use; and

12                   4. With regard to a speed monitoring system placed on  
13 Maryland Route 210 (Indian Head Highway) **IN PRINCE GEORGE’S COUNTY**, ensure that  
14 each sign that indicates that a speed monitoring system is in use is proximate to a device  
15 that displays a real–time posting of the speed at which a driver is traveling.

16           (c) (1) Unless the driver of the motor vehicle received a citation from a police  
17 officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this  
18 section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is  
19 recorded by a speed monitoring system while being operated in violation of this subtitle.

20                   (2) A civil penalty under this subsection may not exceed \$40.

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

22                   (i) A uniform citation form consistent with subsection (d)(1) of this  
23 section and § 7–302 of the Courts Article; and

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

26           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
27 1, 2019.