

HOUSE BILL 776

R5

9lr2595

By: **Delegates Wivell and Hill**

Introduced and read first time: February 8, 2019

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Speed Monitoring Systems – Operation in School Zones**

3 FOR the purpose of requiring that a local jurisdiction place a certain device in each
4 direction of a roadway in close proximity to the border of a school zone before
5 activating, placing, repairing, or altering a speed monitoring system on or after a
6 certain date; limiting the fee that a contractor may receive for operating a speed
7 monitoring system or administering or processing citations generated by a speed
8 monitoring system on behalf of a local jurisdiction for a contract entered into on or
9 after a certain date; and generally relating to speed monitoring systems in school
10 zones.

11 BY repealing and reenacting, without amendments,
12 Article – Transportation
13 Section 21–809(b)(1)(i) and (vi)
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2018 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Transportation
18 Section 21–809(b)(1)(viii) and (j)
19 Annotated Code of Maryland
20 (2012 Replacement Volume and 2018 Supplement)

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

23 **Article – Transportation**

24 21–809.

25 (b) (1) (i) A speed monitoring system may not be used in a local jurisdiction

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 under this section unless its use is authorized by the governing body of the local jurisdiction
2 by local law enacted after reasonable notice and a public hearing.

3 (vi) This section applies to a violation of this subtitle recorded by a
4 speed monitoring system that meets the requirements of this subsection and has been
5 placed:

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

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

12 3. In Prince George’s County:

13 A. Subject to subparagraph (vii) of this paragraph, at the
14 intersection of Old Fort Road and Maryland Route 210 (Indian Head Highway); or

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

21 (viii) Before activating a speed monitoring system, the local
22 jurisdiction shall:

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

25 2. Ensure that each sign that designates a school zone is
26 proximate to a sign that:

27 A. Indicates that speed monitoring systems are in use in the
28 school zone; and

29 B. Is in accordance with the manual for and the specifications
30 for a uniform system of traffic control devices adopted by the State Highway Administration
31 under § 25–104 of this article;

32 **3. FOR A SPEED MONITORING SYSTEM THAT IS**
33 **ACTIVATED, PLACED, REPAIRED, OR ALTERED ON OR AFTER JUNE 1, 2019, ENSURE**
34 **THAT A DEVICE THAT DISPLAYS A REAL-TIME POSTING OF THE SPEED AT WHICH A**
35 **VEHICLE IS TRAVELING IS PLACED IN EACH DIRECTION OF A ROADWAY AND IN**

1 **CLOSE PROXIMITY TO THE BOUNDARY OF THE SCHOOL ZONE;**

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

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

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

11 [4.] 5. With regard to a speed monitoring system placed on
12 Maryland Route 210 (Indian Head Highway), ensure that each sign that indicates that a
13 speed monitoring system is in use is proximate to a device that displays a real–time posting
14 of the speed at which a driver is traveling.

15 (j) (1) An agency or an agent or contractor designated by the agency shall
16 administer and process civil citations issued under this section in coordination with the
17 District Court.

18 (2) If a contractor in any manner operates a speed monitoring system or
19 administers or processes citations generated by a speed monitoring system on behalf of a
20 local jurisdiction, the contractor's fee [may]:

21 (I) **MAY** not be contingent on a per–ticket basis on the number of
22 citations issued or paid; **AND**

23 (II) **FOR ANY CONTRACT BETWEEN A LOCAL JURISDICTION AND**
24 **A CONTRACTOR EXECUTED OR RENEWED ON OR AFTER JUNE 1, 2019, MAY NOT**
25 **EXCEED 30% OF THE GROSS REVENUE GENERATED BY THE SPEED MONITORING**
26 **SYSTEM.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
28 1, 2019.