R4, R5 9lr0730 CF 9lr0335

By: Senator Waldstreicher

Introduced and read first time: January 28, 2019

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

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Motor Vehicle Registration - Suspension for Failure to Pay Video Toll - Repeal

- 3 FOR the purpose of repealing the requirement that the Motor Vehicle Administration,
- 4 under certain circumstances, suspend the registration of a motor vehicle that incurs
- 5 a certain toll violation; altering the authority of the Maryland Transportation
- 6 Authority to enter certain reciprocal agreements for the enforcement of toll
- 7 violations; making conforming changes; altering an obsolete cross-reference; and
- 8 generally relating to civil penalties for certain toll violations.
- 9 BY repealing and reenacting, without amendments,
- 10 Article Transportation
- 11 Section 21–1414(a)(1) and (9) through (12)
- 12 Annotated Code of Maryland
- 13 (2012 Replacement Volume and 2018 Supplement)
- 14 BY repealing and reenacting, with amendments,
- 15 Article Transportation
- 16 Section 21–1414(d)(4) and (i) and 21–1415
- 17 Annotated Code of Maryland
- 18 (2012 Replacement Volume and 2018 Supplement)
- 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 20 That the Laws of Maryland read as follows:

21 Article – Transportation

- 22 21-1414.
- 23 (a) (1) In this section the following words have the meanings indicated.
- 24 (9) "Toll violation" means the failure to pay a video toll within the time



- 1 prescribed by the Authority in a notice of toll due.
- 2 (10) "Video monitoring system" means a device installed to work in 3 conjunction with a toll collection facility that produces a recorded image when a video toll transaction occurs.
- 5 (11) "Video toll" means the amount assessed by the Authority when a video toll transaction occurs.
- 7 (12) "Video toll transaction" means any transaction in which a motor vehicle 8 does not or did not pay a toll at the time of passage through a toll collection facility with a 9 video monitoring system.
- 10 (d) (4) A citation shall also include:
- 11 (i) Information advising the person alleged to be liable under this section of the manner and the time in which liability alleged in the citation may be contested;
- 14 (ii) The statutory defenses described in subsection (g) of this section 15 that were originally included in the notice of toll due; and
- 16 (iii) A warning that failure to pay the video toll and civil penalty, to 17 contest liability in the manner and time prescribed, or to appear at a trial requested is an 18 admission of liability and a waiver of available defenses, and may result in the refusal [or 19 suspension] of the motor vehicle registration and referral for collection.
- 20 (i) (1) The Administration shall refuse [or suspend] the registration of a 21 motor vehicle that incurs a toll violation under this section if:
- 22 (i) The Maryland Transportation Authority notifies the 23 Administration that a registered owner of the motor vehicle has been served with a citation 24 in accordance with this section and has failed to:
- 25 1. Pay the video toll and the civil penalty for the toll violation 26 by the date specified in the citation; and
- 27 Contest liability for the toll violation by the date identified 28 and in the manner specified in the citation; or
- 29 (ii) The Maryland Transportation Authority or the District Court 30 notifies the Administration that a person who elected to contest liability for a toll violation 31 under this section has failed to:
- 32 1. Appear for trial or has been determined to be guilty of the 33 toll violation; and

1 2. Pay the video toll and civil penalty.

- 2 (2) In conjunction with the Maryland Transportation Authority, the 3 Administration may adopt regulations and develop procedures to carry out the refusal [or 4 suspension] of a registration under this subsection.
- 5 (3) The procedures in this subsection are in addition to any other penalty 6 provided by law for a toll violation under this section.
- 7 (4) This subsection may be applied to enforce a reciprocal agreement 8 entered into by the State and another jurisdiction in accordance with § 21–1415 of this 9 subtitle.
- 10 21-1415.
- 11 (a) The Maryland Transportation Authority in consultation with the 12 Administrator may enter into an agreement with another jurisdiction that provides for 13 reciprocal enforcement of toll violations between the State and the other jurisdiction.
- 14 (b) An agreement made under this section shall provide that drivers and vehicles 15 licensed in the State, while operating on the highways of another jurisdiction, shall receive 16 benefits, privileges, and exemptions of a similar kind with regard to toll enforcement as are 17 extended to drivers and vehicles licensed or registered in the other jurisdiction while 18 operated in the State.
- 19 (c) A reciprocal agreement under this section may provide for enforcement of toll violations by refusal [or suspension] of the registration of a motor vehicle in accordance with § [27–110 of this article] **21–1414 OF THIS SUBTITLE**.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.