

HOUSE BILL 1132

R5, L2

0lr1350

By: **Delegates Mautz and Adams**

Introduced and read first time: February 6, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Talbot County – Speed Monitoring Systems – Intersection of Maryland Route**
3 **333 (Oxford Road) and Bonfield Avenue**

4 FOR the purpose of authorizing the placement and use of a speed monitoring system at the
5 intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot
6 County, subject to certain placement and signage requirements; making a technical
7 correction; and generally relating to the placement and use of a speed monitoring
8 system in Talbot County.

9 BY repealing and reenacting, without amendments,
10 Article – Transportation
11 Section 21–809(a)(1) and (8), (b)(1)(i) and (viii), and (c)
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2019 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Transportation
16 Section 21–809(b)(1)(v), (vi), and (vii)
17 Annotated Code of Maryland
18 (2012 Replacement Volume and 2019 Supplement)

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

Article – Transportation

21
22 21–809.

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

24 (8) “Speed monitoring system” means a device with one or more motor

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12
2 miles per hour above the posted speed limit.

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

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

11 1. Until signage is installed in accordance with
12 subparagraph [(vii)] **(VIII)** of this paragraph; and

13 2. For at least the first 15 calendar days after the signage is
14 installed.

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

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

22 2. In a school zone with a posted speed limit of at least 20
23 miles per hour; [or]

24 3. In Prince George's County:

25 A. Subject to subparagraph [(vii)] **(VII)1** of this paragraph,
26 on Maryland Route 210 (Indian Head Highway); or

27 B. On that part of a highway located within the grounds of
28 an institution of higher education as defined in § 10–101(h) of the Education Article, or
29 within one-half mile of the grounds of a building or property used by the institution of
30 higher education where generally accepted traffic and engineering practices indicate that
31 motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the
32 institution of higher education; **OR**

33 4. **SUBJECT TO SUBPARAGRAPH (VII)2 OF THIS**
34 **PARAGRAPH, AT THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD)**
35 **AND BONFIELD AVENUE IN TALBOT COUNTY.**

1 (vii) 1. Not more than three speed monitoring systems may be
2 placed on Maryland Route 210 (Indian Head Highway).

3 **2. NOT MORE THAN ONE SPEED MONITORING SYSTEM**
4 **MAY BE PLACED AT THE INTERSECTION OF MARYLAND ROUTE 333 (OXFORD ROAD)**
5 **AND BONFIELD AVENUE.**

6 (viii) Before activating a speed monitoring system, the local
7 jurisdiction shall:

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

10 2. Ensure that each sign that designates a school zone is
11 proximate to a sign that:

12 A. Indicates that speed monitoring systems are in use in the
13 school zone; and

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

17 3. With regard to a speed monitoring system established on
18 Maryland Route 210 (Indian Head Highway) in Prince George’s County or based on
19 proximity to an institution of higher education under paragraph (1)(vi)3 of this subsection,
20 ensure that all speed limit signs approaching and within the segment of highway on which
21 the speed monitoring system is located include signs that:

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

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

26 4. With regard to a speed monitoring system placed on
27 Maryland Route 210 (Indian Head Highway) in Prince George’s County, ensure that each
28 sign that indicates that a speed monitoring system is in use is proximate to a device that
29 displays a real–time posting of the speed at which a driver is traveling.

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

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

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

2 (i) A uniform citation form consistent with subsection (d)(1) of this
3 section and § 7-302 of the Courts Article; and

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

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2020.